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BUREAU DU
PROCUREUR
OFFICE OF THE
PROSECUTOR

The law in action

For all

Office of the Prosecutor Annual Report 2024

2024



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Farchana Refugee Camp, Eastern Chad, during the Prosecutor's visit in January 2024

Note to reader

The 2024 Annual Report from the Office of the Prosecutor (“OTP or Office”) of the International Criminal Court (“ICC”) records further progress towards implementing its *Strategic Plan for 2023 – 2025*.

Covering activities from October 2023 to October 2024, this Report also reflects the Office’s ongoing commitment to enhance transparency and accessibility in its communications. It aims to provide insight into staff members’ daily work to fulfil the mandate of the Rome Statute, striving to be both effective and impactful.

Seeking to maintain a readable and engaging format, the Report differs from more technical

documents, such as reports presented to the Assembly of States Parties, the Committee on Budget and Finance, and the United Nations General Assembly. While integrally connected to the Office’s Strategic Goals and Key Performance Indicators established in 2023, the structure of the report will provide a holistic view of the Office’s activities, highlighting key milestones and initiatives.

To facilitate easy navigation, the report again employs badges to signify how different topics align with the Strategic Goals. Each badge corresponds to a specific Strategic Goal, allowing readers to quickly recognise the relevance of various initiatives undertaken by the Office.

1



Deliver results in the courtroom

The Office aims to improve its results through a renewed and focused approach to the delivery of its mandate, enabling greater impact in the active situations, systematically prioritising cases, and increasing the quality and speed of its investigations and prosecutions. The Office seeks to harness modern technological tools and methods, and to apply innovative approaches to its activities to enhance the delivery of justice.

2



Enhance efforts by national authorities to fight impunity


Through a revitalised approach to complementarity and cooperation, the Office aspires to become a hub for fighting impunity. As a central operational partner for national authorities, accountability mechanisms, and other partners, the Office will enhance accountability efforts related to Rome Statute crimes at national and international levels.

3  **Make the Office a global technology leader**

Through the implementation of a new technological paradigm and the utilisation of advanced technological tools for the improvement of information and evidence management, the Office seeks to enhance its efficiency and become a global leader in the use of technology for accountability purposes.

4  **Bring justice closer to communities and deepen engagement with civil society**


To make local communities feel heard, respected, and part of the justice process, the Office seeks opportunities through which its work can be performed closer to affected communities, including through novel approaches to its cases, deepening engagement with civil society organisations and implementing enhanced outreach programmes.

5  **A renewed policy framework for the Office**


The Office aims to reinforce its role as a leading global source of policy expertise in the field of international criminal justice. The joint expertise of staff, Special Advisers to the Prosecutor, and other partners significantly enhances the Office's policy framework through policy renewal, development, and impactful implementation.

6  **Ensure effective investigations and prosecutions of Gender-Based Crimes and Crimes Against and Affecting Children**

The Office aims to play a leading role in implementing and promoting best-practice investigation and prosecution of gender-based crimes (GBC) and crimes against and affecting children (CAC). It approaches these crimes with a trauma-informed and intersectional approach, through prioritisation, expansion of capabilities, and enhancement of relevant policies and standards.

7  **Increase the field presence of the Office of the Prosecutor**

Moving from an HQ-centric to a field-centric model of operations will allow the Office to enhance its field presence. This will ensure effective and timely operations, increased understanding of the environment, efficient evidence-collection, and greater responsiveness towards communities.

8  **Increase efficiency of work and ensure proper resourcing and staffing of the Office**

The Office aims to continuously increase the efficiency and sustainable resourcing levels of the Office, including through the use of modern technology, the reengineering of business processes, an increased field presence, a multifaceted approach to resources, and stronger performance management and accountability.

9  **Strengthen global support for the work of the Office**

The Office will reinvigorate efforts to engage with States Parties, regional organisations, civil society organisations, academia, and non-States-Parties to increase global understanding and support for its work and strengthen the collective implementation of the Rome Statute.

10  **Improve the working environment of the Office and ensure a respectful working culture**

To strengthen its workplace culture and ensure a positive and healthy environment, the Office will address recognised issues related to accountability, leadership, and prohibited conduct. Ensuring a harassment-free environment, enhancing gender equality and geographical diversity, and promoting wellbeing will grow the team and increase its impact.

Introductory message

Prosecutor Karim A. A. Khan K.C.

As we close the year 2024, I am reminded once again of the extraordinary times in which we live and the profound responsibility we bear. This year has been marked by unprecedented geopolitical tensions, humanitarian crises, and shifts in international relations that have further complicated the pursuit of justice for the victims of international crimes. These challenges – fuelled by deepening conflicts, rising insecurity, and growing political divides – have tested not only the resilience of the international justice system, but also the core principles upon which our Court was founded.

Despite these turbulent times, the mandate of my Office remains clear and unwavering: to hold accountable those who commit the gravest crimes known to humankind. Our commitment to this mission has never wavered, even as the world around us has become more volatile and more resistant to the ideals of justice and accountability. In this year's annual report, my aim is to reflect on the complex landscape in which we have operated, and the tireless work of my colleagues who continue to uphold the rule of law, irrespective of the pressures and challenges we face.

2024 has not only been a year of significant political and humanitarian upheaval but also one in which the Office has faced increasing hostility and opposition. Throughout the year, we have encountered mounting efforts to undermine the Court's work, from public attacks designed to discredit our investigations to threats of legal and economic sanctions aimed at deterring us from fulfilling our mandate. These actions, which seek to create an environment of fear and intimidation, have not deterred us. On the contrary, they have only reaffirmed our commitment to our core values of independence, impartiality, and integrity.

The dedication of the Office to pursue justice despite these obstacles has been supported by a steadfast community of partners. Throughout 2024, we have seen remarkable solidarity from States, international organisations, civil society, and others who have rallied behind the Court's mission. Their support has been instrumental in countering the threats we have faced and ensuring that our work continues. It is through this collective commitment that we are able to continue our investigations, pursue prosecutions, and bring justice to those whose voices have been silenced by violence.

Another source of strength for the Office has been the principle of complementarity, which underpins the Court's cooperation with national jurisdictions. In 2024, we deepened our collaboration with States to strengthen domestic judicial systems, ensuring that accountability for serious international crimes is not only pursued at the international level but also within national courts. This approach, which fosters mutual trust and respect, is essential to building a robust global system of justice.

I would also like to acknowledge the vital role played by civil society organisations, who have been indispensable in advocating for the independence of the Court and the importance of international justice. Their advocacy has bolstered the legitimacy of our work and helped ensure that the victims of international crimes remain at the heart of our mission.

As you read this report, you will see the breadth of our work and the progress we have made in 2024, despite the many challenges. Thanks to the unfaltering efforts of dedicated colleagues working behind the scenes, our investigations continue to advance, our prosecutions proceed with determination, and our commitment to the victims of international crimes remains steadfast. The road ahead may not be easy, but it is one we will walk with resolve, knowing that accountability is essential not only for justice but for peace and stability in our world.

In the face of adversity, our work endures. And as we look ahead, I remain confident that the pursuit of justice – though often a difficult and uncertain path – will continue to be the guiding light of this Office, now and in the years to come.

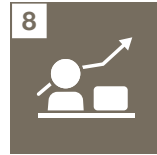
For all

Chapter 1:

Delivering amidst global challenges



Investigations and Prosecutions: Increasing Impact

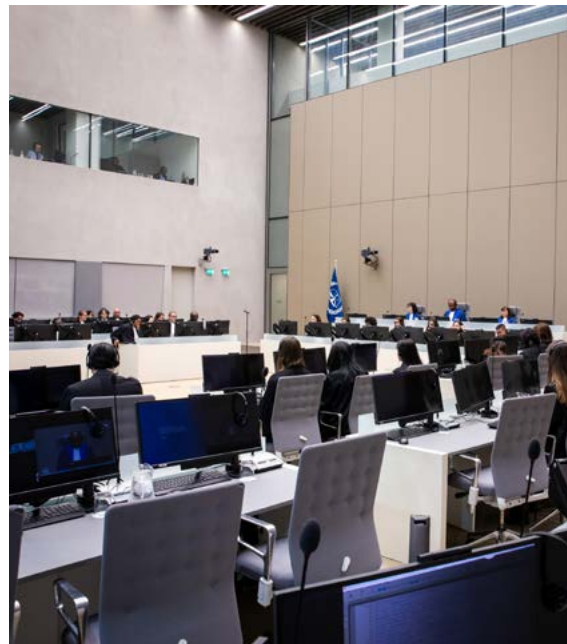


This section provides an overview of the Office's investigative and prosecutorial activities, including some related key statistics. This has been a year of particularly intense activity, reflected in the record number of applications for arrest warrants presented to the Court's Pre-Trial Chambers during this period.

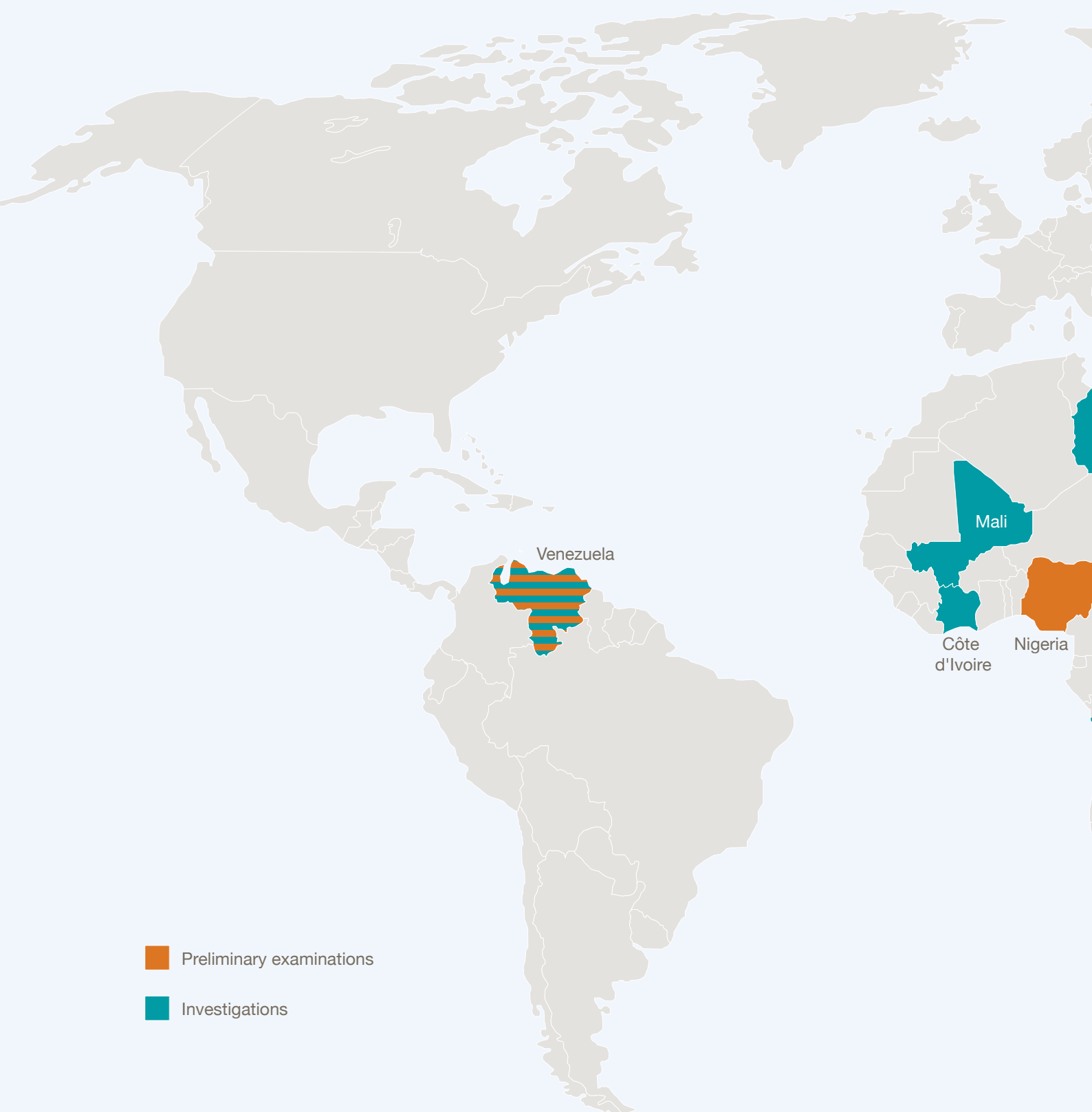
The Office continued in its endeavour to move at the speed of relevance across all its investigations, which in turn helps to support a deeper and more impactful focus on a narrower number of situations. Building on the work of previous years, the Office also announced the completion of its investigations in a number of situations.

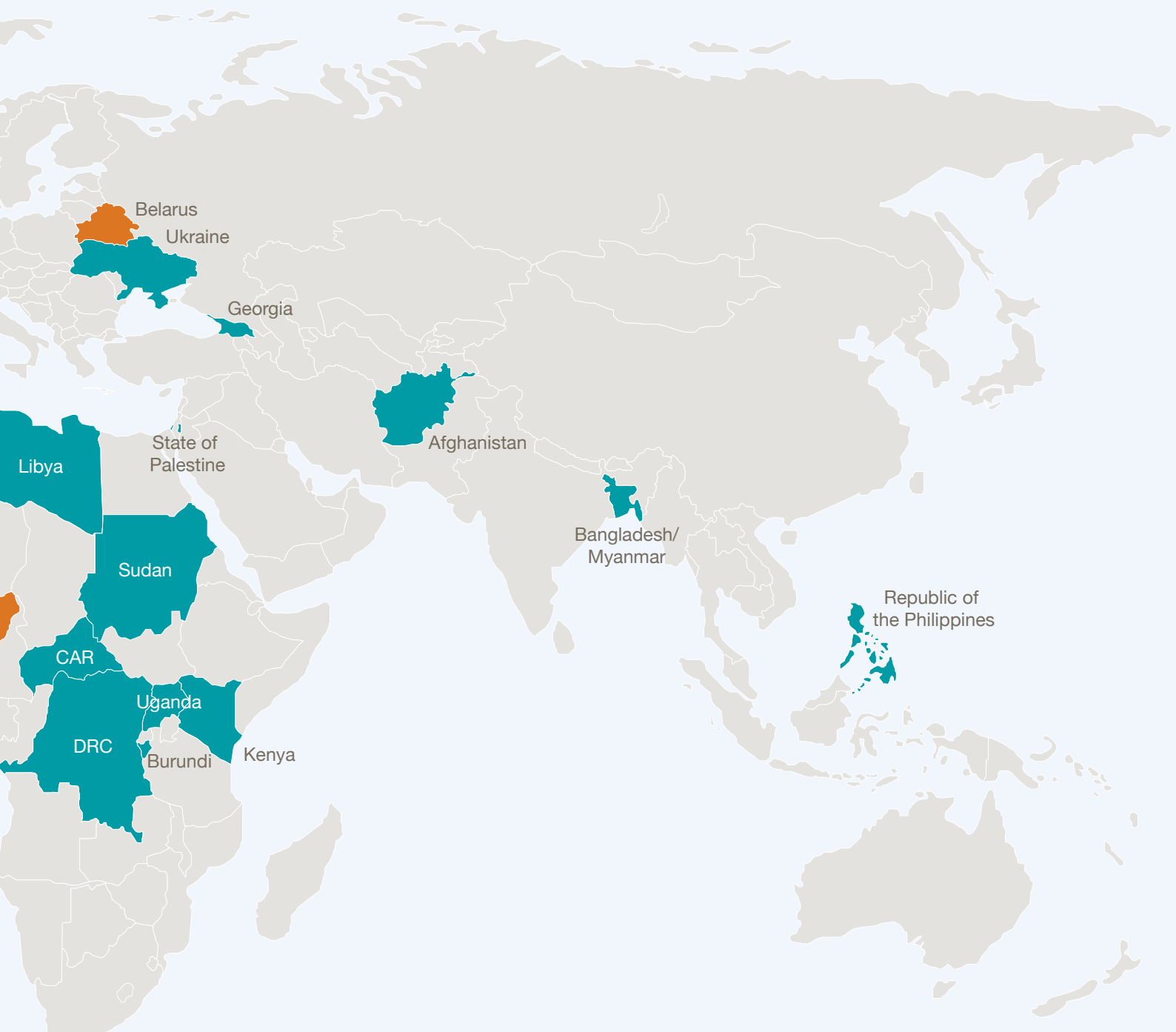
In the courtroom, the Office likewise continued to seek efficiencies in presenting the prosecution case, reducing the time needed. Where appropriate, the Office sought to reduce reliance on witness testimony, which can sometimes be replaced by alternative forms of evidence. Collectively, these measures are aimed at delivering justice more swiftly for victims and the broader range of communities affected by Rome Statute crimes.

Within this section, it may be that some situations are addressed in greater detail or at greater length than others. Importantly, this phenomenon does not represent any measure of the scope or extent of the Office's activities in any particular situation, or the resources allocated. Rather, and for a variety of reasons, it simply reflects that the Office may be more limited in its ability to report on the full range of its activities in some respects.



Open preliminary examinations and investigations





Belarus

Ukraine

Georgia

Afghanistan

Bangladesh/
Myanmar

Republic of
the Philippines

Libya

State of
Palestine

Sudan

CAR

Uganda

DRC

Burundi

Kenya

Arrest Warrants

There are currently 27 outstanding warrants of arrest issued by the Court that are public, or which have been publicly acknowledged by the Court (six arrest warrants in the *Situation in Ukraine*, although issued as secret, were publicly announced). Of these 27 warrants of arrest, 15 were issued following applications made by the current Prosecutor since 2021.

These numbers do not include pending arrest warrants that are not public. Judges may issue arrest warrants under seal for several reasons, including to ensure the safety and protection of victims and witnesses, to maintain the integrity of investigations and evidence, and/or to enhance the chances of tracking and arresting suspects and securing their transfer to the Court.

As circumstances change, the Prosecutor may request the Pre-Trial Chamber to unseal an arrest warrant. This can be vital for enhancing

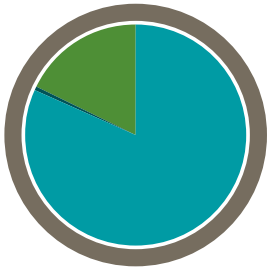
transparency, and ensuring that the public – including victims and affected communities – is aware of the cases which have been brought before the Court. In appropriate cases, unsealing an arrest warrant may help mobilize international efforts to locate and arrest the suspect, and foster greater cooperation among states and other relevant actors. It can also underscore the Court’s dedication to accountability, and send a clear signal that those accused of serious crimes will be pursued, no matter how long they evade capture.

The increased tempo of efforts to seek new warrants of arrest reflects the Office’s ongoing commitment to greater impact in active situations. Systematically prioritising cases, and increasing the quality and speed of its investigations leading to sound prosecutions, is a precondition to the Office meeting its strategic goal to deliver concrete results in the courtroom.

Article 15 communications and OTP Link

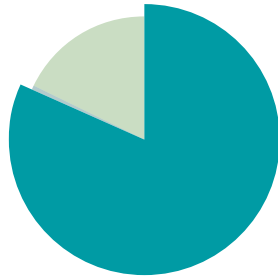
Between 1 October 2023 and 1 October 2024, the Office received, through its Preliminary Examinations Unit, 15,404 communications pursuant to article 15 of the Statute. These communications – which may be submitted by anyone, including members of the public – provide information on crimes within the jurisdiction of the Court, and may be relevant either for the progress of ongoing investigations or in considering whether to seek to open an investigation in a new situation. By comparison, in the same period in the previous year, the Office received about 1,386 communications.





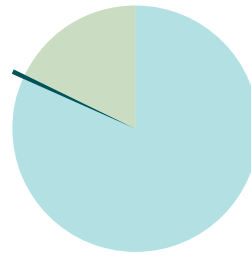
15.404

communications pursuant to article 15 of the Statute



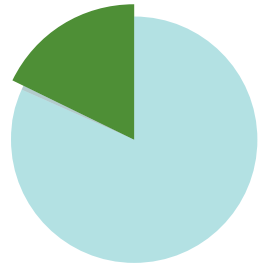
12.611

linked to an existing investigation or prosecution and considered in that context



92

linked to a matter already under preliminary examination and considered in that context



2.701

required individual jurisdictional assessment

Of these 15,404 communications, 12,611 were linked to an existing investigation or prosecution and considered in that context, 92 were linked to a matter already under preliminary examination and considered in that context, and 2,701 required individual assessment.

During the same period, the Office received a total of 74,803 submissions through its

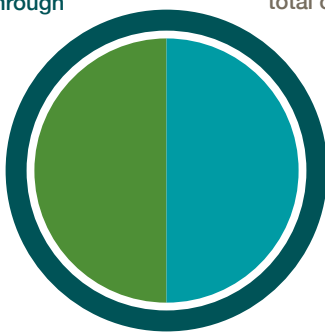
online platform OTP Link, including a total of 401,488 electronic files. This was an average of 200 submissions each day. Approximately half of the submissions received (37,200) were related to an open investigation or preliminary examination, and half (37,603) related to other matters. Almost 80% of the total submissions received (59,399) were characterised as general correspondence to the Office.

Referrals and preliminary examinations

In accordance with the Rome Statute, a State Party may refer a situation in which one or more crimes within the jurisdiction of the Court appear to have been committed, requesting the Office to investigate the situation for the purpose of determining whether one or more specific persons should be charged with the commission of such crimes. A State Party referral does not automatically lead to the opening of an investigation, but instead triggers the conduct of a preliminary examination by the Prosecutor to determine whether the criteria under the Statute are met. Preliminary examinations are conducted by the Office's Preliminary Examination Unit.

74,803
submissions through
OTP Link

401.488
total of electronic files



37.200

related to an open investigation or preliminary examination

37.603

related to other matters

Lithuania

On 30 September 2024, the Republic of Lithuania referred to the Court the situation in the Republic of Belarus, a non-ICC State party, on the basis that part of the alleged crimes was committed on Lithuanian territory.

Specifically, the referral alleges that “beginning in April 2020, and from at least 1 May 2020, partly ongoing to the present day, and continuing, crimes against humanity – including deportation, persecution and other inhumane acts – have been carried out against the civilian population of Belarus, at the behest of senior Belarusian political, law enforcement and military leaders, and that part of the elements of these crimes was committed on the territory of Lithuania, bringing such crimes temporally, territorially, and materially (by subject-matter) within the jurisdiction of the Court”.

As a result, the Government of Lithuania requested the Office “to investigate all past, ongoing and future crimes within the Court’s jurisdiction, including as referred, as committed in the territory of the Republic of Belarus, and partly on the territory of Lithuania, since at least 1 May 2020”.

In accordance with the Statute, the Office is now conducting a preliminary examination to examine the request, and to determine whether there is a reasonable basis to proceed with the opening of an investigation.

Democratic Republic of the Congo

The Court has been exercising its jurisdiction in the *Situation in the Democratic Republic of the Congo (“DRC”)* since June 2004, when the Office opened an investigation on the basis of

the DRC authorities’ referral of 3 March 2004, in relation to alleged Rome Statute crimes committed in the entire territory of the DRC since 1 July 2002.

On 23 May 2023, the DRC submitted a second referral 2023 concerning alleged Rome Statute crimes committed in North Kivu by members of different armed groups and forces since 1 January 2022.

As a preliminary matter, the Office assessed whether alleged crimes committed in North Kivu since January 2022 were sufficiently linked to the investigation in the existing *Situation in the DRC*. Following this assessment, the Office has determined that the latest episodes of violence in North Kivu since 2022 are interconnected with patterns of violence and hostilities that have plagued the region since at least 1 July 2002. Therefore, any alleged Rome Statute crimes committed in North Kivu since 1 January 2022 fall within the scope of the Court’s ongoing investigation.

On 14 October 2024, the Prosecutor thus announced his decision to renew the Office’s investigative efforts in the DRC, prioritising the investigation of any alleged Rome Statute crimes occurring in North Kivu since January 2022. In parallel, as reflected further in Chapter 3, the Prosecutor confirmed that the Office will seek to engage and support enhanced complementarity efforts in the DRC. This implements a two-track approach marked by vigilance and partnership, with an ongoing investigation on the one hand and efforts to support domestic accountability on the other. This will include support for the establishment of a special criminal court for the DRC.

Situation in the State of Palestine

On 20 May 2024, the Office submitted five applications for warrants of arrest in the *Situation in the State of Palestine*.

Specifically, on the basis of the evidence presented, the Office alleged that there are reasonable grounds to believe that three suspects bear criminal responsibility for war crimes and crimes against humanity committed on the territory of Israel and the State of Palestine (in the Gaza strip) from at least 7 October 2023, namely extermination, murder, taking hostages, rape and other acts of sexual violence, torture, other inhumane acts, cruel treatment, and outrages upon personal dignity. These suspects were: Yahya Sinwar, Head of the Islamic Resistance Movement (“ Hamas”) in the Gaza Strip; Mohammed Diab Ibrahim Al-Masri (more commonly known as Deif), Commander-in-Chief of the military wing of Hamas, known as the Al-Qassam Brigades; and Ismail Haniyeh, Head of Hamas Political Bureau.

The Office further alleged, on the basis of the evidence presented, that there are reasonable grounds to believe that two suspects bear criminal responsibility for war crimes and crimes against humanity committed on the territory of the State of Palestine (in the Gaza strip) from at least 8 October 2023, namely starvation of civilians as a method of warfare, wilfully causing great suffering, or serious injury to body or health, wilful killing or murder, intentionally directing attacks against a civilian population, extermination and/or murder (including in the context of deaths caused by starvation), persecution, and other



Prosecutor Khan at the Rafah Border Crossing between Egypt and the Gaza Strip, in October 2023

inhumane acts. These suspects were: Benjamin Netanyahu, the Prime Minister of Israel, and Yoav Gallant, the Minister of Defence of Israel.

“If we do not demonstrate our willingness to apply the law equally, if it is seen as being applied selectively, we will be creating the conditions for its collapse. In doing so, we will be loosening the remaining bonds that hold us together, the stabilising connections between all communities and individuals, the safety net to which all victims look in times of suffering. This is the true risk we face in this moment.”

– Prosecutor Khan



Prosecutor Khan speaking from Cairo on the Situation in the State of Palestine, in October 2023

These applications for warrants of arrest were the outcome of an independent and impartial investigation by the Office, guided by its obligation to investigate incriminating and exonerating evidence equally. The evidence presented in the applications is now subject to the independent scrutiny of the Pre-Trial Chamber. In preparing its applications, the Office also benefitted from the advice of an external and impartial panel of experts in international law, which provided further review of the relevant evidence and legal analysis. This supported and strengthened the applications filed by the Office. The Prosecutor was also grateful for the contributions to this review by a number of his Special Advisers.

On 2 August 2024, following his death, the Prosecution notified the Chamber of the withdrawal of its applications concerning Ismail Haniyeh.

Prosecutor Khan visited the Rafah Border Crossing between Egypt and the Gaza Strip on 29 October 2023. After the visit, the Prosecutor spoke from Cairo on the current situation in the State of Palestine and Israel. He expressed the importance of the ongoing investigation since he became Prosecutor in June 2021, and particularly after the attacks on Israel on October 7. The Prosecutor emphasised that the law applies equally to all parties, stressing the legal obligations of Israel in its conflict with Hamas and the need for Israel to comply with international humanitarian law, particularly regarding the protection of civilians, and calling for the immediate release of all hostages taken from Israel. The Prosecutor also condemned attacks by Israeli settlers in the West Bank and pledged to investigate these incidents. He also urged Israel to ensure humanitarian aid reaches Gaza and for Hamas to ensure aid is delivered to civilians.

On 3 December 2023, Prosecutor Khan concluded a visit to the State of Palestine and Israel, the first visit ever conducted in this situation country by an ICC Prosecutor. He visited both Kibbutz Beeri and Kibbutz Kfar Azza, as well as at the site of the Nova Music Festival in Re'im, and met with the families of the victims of the 7 October attacks in these areas. The Prosecutor emphasised that the Office stands ready to work in partnership with them as part of ongoing work to hold those responsible to account, and to engage with relevant national authorities in line with the principle of complementarity at the heart of the Rome Statute. During his visit in Ramallah, he had the opportunity to meet separately with their Excellencies President Mr Mahmoud Abbas, Prime Minister Mr Mohammad Shtayeh, and Minister of Justice, Mr Mohammad Shalalkeh.

He underlined to them the significance of this first official visit by an ICC Prosecutor to the State of Palestine, and expressed his sincere gratitude for the official welcome provided. Discussions were highly productive as the Office seeks to further deepen cooperation under the Rome Statute.

The Office continues its investigation in the *Situation in the State of Palestine*, and is actively pursuing multiple and interconnected further lines of inquiry. Further applications for warrants of arrest will be submitted if and when it is considered that the conditions of the Statute are satisfied by the evidence collected, and that there is a realistic prospect of conviction at trial.



The Prosecutor's first official visit to the State of Palestine and Israel, in December 2023

Situation in Ukraine

Two years after the Office initiated its investigation into the *Situation in Ukraine*, and a year after warrants were issued for the arrest of Vladimir Putin and Maria Lvova-Belova, four additional warrants of arrest were issued by the Court following applications by the Office.

First, on 5 March 2024, warrants were issued for the arrest of Lieutenant General Sergei Ivanovich Kobylash, formerly commanding Long-Range Aviation, and Admiral Viktor Nikolayevich Sokolov, formerly commanding the Black Sea Fleet. Pre-Trial Chamber II confirmed that there are reasonable grounds to believe that Sergei Kobylash and Viktor Sokolov bear individual criminal responsibility for war crimes and crimes against humanity, namely directing attacks against civilian objects, intentionally launching attacks causing excessive incidental harm to civilians or civilian objects (often called ‘disproportionate’ attacks), and other inhumane acts. These alleged crimes concerned strikes carried out by forces under

their command as part of an alleged campaign against critical infrastructure including electric power plants and sub-stations, carried out in multiple locations in Ukraine from at least 10 October 2022 until at least 9 March 2023.

On 25 June 2024, Pre-Trial Chamber II issued two further arrest warrants against Sergei Kuzhugetovich Shoigu, formerly Minister of Defence, and Valery Vasilyevich Gerasimov, Chief of the General Staff of the Armed Forces and First Deputy Minister of Defence. Again, the Chamber found that there are reasonable grounds to believe that Sergei Shoigu and Valery Gerasimov bear individual criminal responsibility for war crimes and crimes against humanity for the conduct described above, amounting to directing attacks against civilian objects, intentionally launching attacks causing excessive incidental harm to civilians or civilian objects (often called ‘disproportionate’ attacks), and other inhumane acts.

The applications for these warrants of arrest were prepared with the essential support of the



Prosecutor Khan visiting the Okhmatdyt National Children's Hospital in Ukraine, in September 2024



Prosecutor Khan visiting detention facilities in Ukraine, in September 2024



Prosecutor Khan addresses the Ministerial-level meeting of the Ukraine Dialogue Group

Office of the Prosecutor General of Ukraine (“OPG”), whose engagement remains critical in supporting the work of the Office during its ongoing investigation.

“I have repeatedly emphasised that those responsible for actions that impact innocent civilians or protected objects must know that this conduct is bound by a set of rules reflected in international humanitarian law. All wars have rules. Those rules bind all without exception.”

– Prosecutor Khan

Ongoing investigation

The Office continues to pursue multiple lines of inquiry concerning events on the territory of Ukraine after 21 November 2013, with particular emphasis on conduct after the conflict was escalated significantly by the Russian invasion in February 2022. While the investigation seeks to establish the truth concerning alleged crimes occurring on a large scale, this may be supported by means including the investigation of certain discrete crimes. Investigative activities include identifying and interviewing witnesses, collecting documentary and audio-visual material (including relevant imagery), visiting crime scenes, and conducting initial forensic assessments.

The warrants of arrest publicly secured by the Office in this situation so far have reflected two key strategic priorities: crimes against children, and attacks on civilians and critical infrastructure. Together with key partners, the Office is now focusing on a third key investigative priority with a view to delivering further outputs at a speed that is relevant to the ongoing conflict.

Cooperation

The *Agreement on the Establishment of the ICC Country Office in Ukraine*, signed in March 2023, allowed for closer cooperation between the Court and Ukraine, including joint evidence-gathering efforts and a more permanent field presence in support of the investigation. The Country Office duly opened in September 2023. Consistent with the magnitude of the ongoing investigation, it is now the ICC’s largest duty station outside its headquarters in The Hague. Office staff members permanently assigned to the Country Office now engage in real-time with the OPG, various investigative agencies, trusted partners, and members of civil society.

The Office’s investigation draws on the important contributions both of the team based in The Hague and the team based in the Country Office.

Through its ongoing participation in the Joint Investigative Team (“JIT”) established with a number of domestic authorities under the auspices of Eurojust, the Office has enhanced its ability to access and collect information relevant to its independent investigations. The JIT has continued to allow for a swifter exchange of information and evidence, as well as enhanced coordination of its members’ investigative priorities. The last year has seen enhanced dialogue within the JIT, identifying a common strategic priority in line with the investigative vision of the Office.

In addition to the JIT, the Office has also reinforced relationships with other domestic authorities conducting investigations relevant to the *Situation in Ukraine*. The Office has met with these war crimes units on a regular basis, in order to share information about the state of



Prosecutor Khan with the Prosecutors-General of the Joint Investigation Team, in Kyiv, Ukraine, September 2024



Prosecutor Khan meets with local civil society organisations in the ICC country office in Kyiv, Ukraine, 11 September 2024

proceedings and identify potential areas for cooperation. The Office also participates in the International Centre for the Prosecution of the Crime of Aggression, located at Eurojust.

Amidst the wide range of efforts to achieve justice and accountability for the alleged crimes in Ukraine, dialogue and coordination has remained essential. In this context, the Office continued – in partnership with the OPG of Ukraine – to co-chair Workstream 2 of the Ukraine Dialogue Group (Actions by Regional and International Institutions), which was established by the Ukraine Accountability Conference held in the Netherlands in July 2022. This workstream serves as a forum for regional and international institutions to discuss ongoing activities, and to focus on relevant thematic issues. In the last year, specific sessions have been dedicated to open source investigations, and methods to ensure a trauma-informed

approach to investigations. The outcomes of these thematic discussions were later presented to the first Ministerial-level meeting of the Dialogue Group, held at the World Forum in The Hague in April 2024.

The Ukraine Dialogue Group remains a unique and important space for all accountability actors to converge, including civil society, national authorities and international organisations. This serves to increase the shared understanding of efforts made on the ground to deliver justice for international crimes.

As outlined further in Chapter 3, as part of its new Global Forensic Network, the Office has continued to provide multidisciplinary forensic expertise in Ukraine by means of rotational deployments. These have either been in direct response to gaps in Ukraine's national capacity, or in support of the Office's own investigation.

Civil society engagement

During his mission to Ukraine in September 2024, the Prosecutor met with representatives from more than 15 local civil society organisations (“CSO’s”), and reaffirmed the importance to the Office of ongoing dialogue. Building on the effective work done by civil society, and cooperating with them, enables the Office and the Court to deliver more for affected communities. The Country Office continues to reinforce this engagement with CSOs in its daily activities.

Ratification of the Rome Statute by Ukraine

The Court’s exercise of jurisdiction in the *Situation in Ukraine* is based on Ukraine’s *ad hoc* acceptance of the Court’s jurisdiction with regard to crimes committed on its territory since 21 November 2013, provided by means of two declarations under article 12(3) of the Rome Statute.

In addition, on 21 August 2024, Ukraine’s parliament voted to ratify the Rome Statute, and has since also enacted legislation implementing crimes under the Statute in domestic law. Having deposited its instrument of ratification with the United Nations Secretary General on 25 October 2024, Ukraine will formally become an ICC State Party on 1 January 2025.

Situation in Darfur, Sudan

Given the eruption of armed conflict, the Prosecutor has consistently called attention to the urgency of the investigation in Darfur, Sudan, and underlined that it must not become a forgotten atrocity. In particular, the Prosecutor has briefed the UN Security Council twice on the progress of the investigation in the *Situation in Darfur*, pursuant to Resolution 1593 (2005) referring the situation to a period after Court.

On 29 January 2024, the Prosecutor reported that the Office’s investigation encompassed alleged crimes in Darfur committed in the context of the conflict between the Sudanese Armed Forces and the Rapid Support Forces since 15 April 2023. This was again consistent with the strategic objective to seek to deliver the Court’s mandate at the speed of relevance to affected communities. The Prosecutor described his recent visit to Chad, also in January 2024, where he met and engaged with Darfuri refugees who had fled the conflict in Sudan, and suffered or witnessed alleged crimes within the jurisdiction of the Court. The Prosecutor noted that the cooperation of the Sudanese national authorities had taken a more positive course during the reporting period, but that further collective efforts continue to be needed to bring about the arrest of the suspects at large.

In March 2024, following the provision of new visas by the Sudanese authorities, an Office delegation visited Port Sudan to meet with the Sudanese authorities regarding the situation – including allegations of ongoing crimes



Signage from displaced Sudanese refugees in the Farchana Refugee Camp in Chad, in January 2024

committed in Darfur – as well as addressing the execution of pending requests for assistance. The visit facilitated open dialogue with Sudanese authorities on the level of cooperation required by UNSC Resolution 1593, and the importance of Sudanese authorities’ commitment to justice and the mandate of the Office.

On 5 August 2024, Prosecutor Khan further updated the UN Security Council on the progress of the Office’s investigation, including monitoring and preserving evidence relating to alleged crimes in Al Fasher.



Prosecutor Karim Khan exchanging with Sudanese refugees in Adre transit area, in Eastern Chad

2024 has also seen the Office deploy multiple investigative and outreach teams to relevant locations in the field, including Sudan and Chad. In support of these ongoing inquiries, the Office has also intensified its engagements with CSOs and affected communities and victims, as well as intergovernmental and private entities. The Office has also expressed its willingness and readiness to engage with the Rapid Support Forces, and to continue its cooperation with Sudanese authorities, to ensure that its mandate is fulfilled. In this context, the Office has initiated important engagement with leaders of Arab communities from Darfur.

The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman

The first trial at the Court concerning the *Situation in Darfur*, the *Abd-Al-Rahman* case, continued to be heard by Trial Chamber I over the last year. Following the completion of the Prosecution’s case last year, the Defence for Mr Abd-Al-Rahman concluded their opening statement on 19 October 2023. The following months saw the testimony before the Court of 17 Defence witnesses (of a total of 20), including five experts.

On 13 September 2024, the Defence notified the Chamber of the closure of its case, which took effect on 24 September 2024. The parties were instructed to file their final written submissions by 4 November 2024, and closing oral arguments were scheduled for 11-13 December 2024.

Throughout the trial, where possible and appropriate, the Office has sought to advance the proceedings in a collaborative spirit, including by lending its good offices to assist the Defence in resolving certain practical matters. The trial continues to represent the most efficient proceedings in the history of the Court.

The Prosecutor v. Omar Hassan Ahmad Al Bashir, The Prosecutor v. Ahmad Muhammad Harun, and The Prosecutor v. Abdel Raheem Muhammad Hussein

Public warrants of arrest for three suspects – the former President of Sudan, Omar Al Bashir, as well as Ahmad Harun and Muhammad Hussein – remain outstanding, as they have been for many years. These suspects are charged with various war crimes and crimes against humanity, and in the case of Omar Al Bashir, also genocide. Despite the passage of time, the Office remains committed to ensuring that these suspects are brought to trial, and has continued to progress its investigation of the conduct attributed to them. In particular, the Office is mindful that the persistent impunity for the crimes committed two decades ago in Darfur may be one of the causes of the atrocities alleged to have been committed more recently in Sudan, since April 2023.

“This is a defining moment, across the major conflicts we face globally, we must show whether there are values in our statements, in our promise, that all international crimes are deserving of accountability, that all people are equal, all communities deserve the protection of the law, that all lives have the same value.”

– Prosecutor Khan

Situation in Libya

As another situation referred to the Court by the United Nations Security Council, the *Situation in Libya* remains a significant priority for the Office. It will remain so as the Office seeks to accelerate its activities towards completing the investigative phase of its work, potentially at the end of 2025.

Deepening cooperation with national authorities in pursuit of accountability is one of the core principles at the heart of the renewed strategy for the investigation – which was outlined in the Prosecutor’s report to the UN Security Council Report in April 2022 – as well as in the Office’s *Policy on Complementarity and Cooperation* published this year. During their visits to Libya in 2022 and 2024, and in the course of multiple bilateral meetings with the Libyan authorities since 2022, the Prosecutor and Deputy Prosecutor Nazhat Shameem Khan have consistently emphasised these principles of dynamic complementarity and accountability.



*The Prosecutor briefing the UN Security Council on the Libya situation,
Photo credit: United Nations*

On 4 October 2024, Pre-Trial Chamber I granted the Office’s request to unseal six warrants of arrest issued in 2023 against Libyan nationals who allegedly committed Rome Statute crimes in Tarhunah, located 65 kilometres to the southeast of Tripoli. Notably, since June 2020, a significant number of bodies have been exhumed from mass graves in and around Tarhunah.

The warrants issued by the Chamber, originally under seal, allege that the suspects were members or close associates of the Al Kaniyat militia that controlled Tarhunah from at least 2015 to June 2020. The suspects are: Abdurahem Elshgagi (aka Abdurahem Al Kani), Makhlof Douma, Abdelbari Al Shaqaqi, Fathi Al Zinkal, Nasser Daou (aka Nasser Al Lahsa) and

Mohamed Salheen. The Chamber was satisfied that there are reasonable grounds to believe that each of the suspects bear individual criminal responsibility for war crimes including murder, torture, cruel treatment, and outrages upon dignity.

The unsealing of these warrants of arrest is a timely reminder of the Office’s ongoing efforts to deepen and broaden the impact of its actions in the *Situation in Libya*, in order to deliver on the mandate of the United Nations Security Council pursuant to Resolution 1970. Among other areas of common interest, the Office continues to seek close cooperation with the Libyan authorities in order to secure the arrest and trial of all individuals subject to warrants of arrest arising from this situation.

Ongoing investigations

As outlined in its April 2022 report to the United Nations Security Council, the Office remains engaged in four key lines of inquiry in the *Situation in Libya*, namely: (a) 2011 violence; (b) crimes in detention facilities; (c) crimes related to the 2014-2020 operations; and (d) crimes against migrants.

In the last year, the Office has made progress in each of these priority lines of inquiry, and will continue to do so in the coming months. In the last six months alone, the Office undertook over 18 missions, leading to the collection of over 1,300 items of evidence including video and audio material, medical and forensic information, and satellite imagery. More than 30 persons were screened, assessed, and/or interviewed in order to gather information about specific allegations.

Cooperation and complementarity

The Office has continued its efforts to secure greater cooperation with the Libyan authorities. This was a focus of discussions during the Prosecutor's recent meeting with His Excellency Mr Mohamed Younis Al Menfi, the President of the Presidential Council, and with His Excellency Mr Taher El-Sonni, Libya's Permanent Representative to the United Nations during the UN 79th General Assembly. Operational discussions and meetings with the Libyan focal point to the ICC likewise address similar themes.

It remains a priority for the Office to open a liaison office in Tripoli to further this cooperation, up to and beyond the end of 2025. This enhanced presence would help support the strengthening of accountability in Libya,

support engagement with relevant technical authorities in Libya (including those involved in forensics and crime scene analysis), and support prompt responses to the Office's requests for assistance – thus facilitating swifter progress of the Office's investigations, and eventual prosecutions. Forward movement on this initiative, however, depends both on the willingness of the Libyan authorities and the security situation on the ground.

Additionally, the Office continued to engage extensively with third States, and international and regional organisations, notably to advance its four key lines of inquiry as well as pursuant to the principle of complementarity. Such engagement and partnership will continue beyond the completion of the investigation phase in this situation. A more detailed overview of the Office's complementarity activities in this situation is provided in Chapter 4.

Civil society engagement

The Office has engaged extensively with CSOs both inside and outside the region. Since May 2024, the Office's team assigned to the *Situation in Libya* engaged with over 70 CSOs and human rights defenders to discuss their work, and the contributions that they can provide to the Office's investigations. The team endeavours to speak to CSOs each week. During those discussions, the Office benefits greatly from hearing the aspirations of the victims and civil society to see an end to impunity for international crimes.

CSOs have expressed a desire for greater visibility of the Office's work, and for concrete results stemming from this situation. They have clearly communicated their expectation

of seeing trials conducted not only before the Court but also before Libyan courts with respect to the perpetrators of alleged international crimes.

In order to respond to these expectations, the Office has put in place a mechanism for periodic engagement with civil society partners and victims' associations to ensure that the voices of the victims are properly heard. This is particularly important in relation to the completion of the investigation phase of the Office's work in the *Situation in Libya*. In September 2024, the Office convened a dedicated meeting for CSOs and activists to hold transparent and constructive discussions with Deputy Prosecutor Khan. The Office noted the concerns and recommendations with regard to enhancing the capacity of the Libyan authorities to progress investigations and prosecutions in certain cases, and the strong concerns regarding witness protection and restrictions on civil society.

In partnership with CSOs, the Office has already begun some efforts to address these concerns, by means such as 'capacity building' training for members of the Libyan judiciary. In July 2024, for example, the Office cooperated with CSOs in training Libyan judges and prosecutors on the investigation and prosecution of international crimes. Likewise, the Office is currently working with partners to organise training for Libyan officials on forensic investigations.

Situation in Bangladesh / Myanmar

Over the last year, the Office has continued to investigate the mass deportation of the Rohingya population from Myanmar into

Bangladesh, which employed significant levels of violence of varying kinds. Potential suspects under investigation include persons at different levels of the Myanmar Army, and notorious civilian instigators of violence against the Rohingya.

The Office increased the tempo of its investigation with greater numbers of missions carried out, and interviews with witnesses in Bangladesh facilitated by the rotational presence of investigators in the field. The Office has likewise sought to strengthen its collection and analysis of open sources including social media and public statements, and taken new initiatives aimed at strengthening engagement and cooperation with regional partners.

Given the severe trauma of many victims caused by the violent attacks in their homeland, as well as the protracted nature of their subsequent displacement and the harsh conditions of life, the Office has taken special care in adopting trauma-informed strategies in engaging with them. These have included appropriate care in contacting and screening potential witnesses, and the provision of specialised support by psycho-social experts. Gender and country experts have also joined the investigation, and provide valuable support to strategic decision-making, as well as in interaction with survivors and local partners.

The Office has engaged with Government ministries in Bangladesh, diplomats, international organisations, and non-governmental organisations regarding requests for assistance, and to inform them on relevant developments.

Situation in Central African Republic II

While the investigation phase of the *Situation in Central African Republic II* has been closed, the prosecution phase continues, with two trials continuing through the last year, as well as other proceedings.

The Prosecutor v. Mahamat Said Abdel Kani

After an eight-month adjournment due to the health condition of the accused person, the *Said* trial resumed on 16 January 2024. Mr Said is being tried for crimes against humanity and war crimes allegedly committed in Bangui in 2013, including imprisonment or other severe deprivation of physical liberty, torture, other inhumane acts, persecution, cruel treatment, and outrages upon personal dignity. The Prosecution's case is scheduled to conclude on 6 November 2024. By that point, it will have called 82 witnesses, of which the majority provided oral testimony either in whole or in part under rule 68(3), with the prior recorded testimony of 23 others received under rule 68(2)(b) and (c), and 2,334 documentary or other items formally submitted into evidence. If the Defence of Mr. Said intends to present evidence, it is anticipated to call its first witness on 17 March 2025.

The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona

In the last report, the Office noted that it had concluded its presentation of evidence in the trial of Mr Yekatom and Mr Ngaïssona, who are alleged to be responsible for crimes against humanity and war crimes committed in multiple locations in the Central African Republic

between December 2013 and December 2014, including attacks against the civilian population, murder, torture, cruel treatment, rape, attacks against buildings dedicated to religion, destruction of property, pillaging, deportation, forcible transfer of population, imprisonment, and persecution.

In November 2023, the Defence teams for Mr Yekatom and Mr Ngaïssona started their presentation of evidence. Over the course of the year, the Chamber heard the oral evidence of 18 Defence witnesses, as well as the unsworn statement of Mr Ngaïssona. The Defence's evidence was closed on 18 September 2024. The parties' closing statements are scheduled to take place from 9 to 12 December 2024.

In the course of the trial overall, the Chamber has heard the evidence of 175 witnesses. Of these, the Office presented 115 prosecution witnesses in 266 hours of testimony (400 hours were allotted by the Chamber). Both Defence teams presented 56 witnesses in total, the Legal representatives for victims presented 3 witnesses, and the Court called 1 witness. In addition, the Office formally submitted 17,000 documentary and other items as evidence, Mr Yekatom submitted 1,100 such items, and Mr Ngaïssona 750 such items. From opening statements until the conclusion of the unsworn statement of Mr Ngaïssona, the evidentiary phase of the case has so far lasted 852 hours, over 291 hearing days.

Cooperation

Throughout 2024, cooperation from relevant States and partners including the Central African Republic continued to be relied upon by the Office, ensuring the protection of

witnesses and preserving the integrity of the Court's proceedings, and the producing requested documents.

Civil society engagement

In 2024, the Office engaged with 59 CSOs working in CAR, including in capacity-building activities conducted by the Office, and high-level meetings led by Deputy Prosecutor Mame Mandiaye Niang. These initiatives and engagements were conducted in the framework of the Office's newly published *Policy on Complementarity and Cooperation*, which aims at increasing opportunities in the fight against impunity for crimes under the jurisdiction of the Court by helping strengthen national justice and supporting first responders.

Situation in Venezuela

Last year, on 27 June 2023, Pre-Trial Chamber I authorised the resumption of the Office's investigation in the *Situation in Venezuela*, pursuant to article 18(2) of the Statute. On 1 March 2024, the Appeals Chamber dismissed the appeal brought by Venezuela, and confirmed Pre-Trial Chamber I's decision.

In accordance with the Pre-Trial Chamber's authorisation, the Office had promptly resumed its investigation of the crimes allegedly committed in the *Situation in Venezuela*, and this has continued throughout the past year. In this context, the Office continued to benefit from cooperation with various national and international entities, including States, international organisations and CSOs. The Office is engaging extensively with all such actors, with a view to the expeditious progress of its investigation.

Following the Presidential elections in Venezuela on 28 July 2024, the Office received several communications on alleged crimes against humanity, and these have been assessed in accordance with the Statute. The Office has determined that such communications potentially fall within the scope of its existing investigation, and as such is considering them in this context.

In a parallel track of activity, promoting cooperation and complementarity, the Office continued to engage with the Venezuelan authorities in the framework of the Memoranda of Understanding agreed with them in 2021 and 2023, as detailed further in Chapter 4.

Situation in Afghanistan

The Office has continued to make substantial progress in its investigation in the *Situation in Afghanistan* focused on the Taliban leadership, and different branches of their hierarchy, as well as the so-called Islamic State in Khorasan. Allegations of systematic discrimination and persecution against women and girls, as well as minority and opposition groups, have been addressed as a priority.

To this end, the Office has interviewed multiple witnesses and collected large volumes of open source material including public statements and decrees, and other documentary evidence. To ensure that the gender dimension of the alleged crimes is properly addressed, the Office has integrated gender experts in its investigation team, along with country experts and psycho-social experts. The investigation has also significantly benefited from the effective cooperation of CSOs, survivors, national authorities, and international organisations.

Situation in Mali

The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud

In last year's report, the Office noted that Trial Chamber X had adjourned to deliberate upon its judgment in the *Prosecutor v. Al Hassan* case, following the parties' closing arguments. The trial had opened in the midst of the COVID-19 pandemic, and heard oral evidence from more than 70 witnesses called by the parties and participants. The Chamber also received prior recorded testimony from other witnesses in accordance with the Rules, and more than 13,273 items of evidence, including witness statements, videos, signed police reports, photographs, and expert reports. 2,196 victims were authorised to participate in the trial proceedings.

On 26 June 2024, by majority, Trial Chamber X convicted Mr Al Hassan of war crimes and crimes against humanity committed in Timbuktu, Northern Mali, from 2 April 2012 until 29 January 2013, when it was controlled by the armed groups Ansar Dine and Al-Qaida in the Islamic Maghreb ("AQIM"). In particular, it was found beyond reasonable doubt that Mr Al Hassan had directly committed or otherwise contributed to criminal conduct including torture, cruel treatment, outrages upon personal dignity, mutilation, other inhumane acts, the passing of sentences without due process, and persecution on ground of religion.

This verdict is significant for the Court as it marks the first conviction for a number of crimes, including persecution on religious grounds, the passing of sentences without due process, and mutilation. Victims of all the

crimes of which Mr Al Hassan is convicted may now seek reparations for the harm they suffered.

While the Chamber confirmed that a significant number of other gender-based crimes were committed by Ansar Dine/AQIM in Timbuktu during the relevant period, the majority acquitted Mr Al Hassan of responsibility for these war crimes and crimes against humanity including rape, sexual slavery, and other inhumane acts in the form of forced marriage. Likewise, the majority of the Chamber did not concur in convicting Mr Al Hassan of persecution on the basis of gender. Mr Al Hassan was unanimously acquitted of the war crime of intentionally directing attacks against protected objects.

On 18 September 2024, the Office filed its notice of appeal against the judgment. In the submission, the Office argued that Mr Al Hassan's acquittal regarding several counts and incidents, including the gender-based crimes described above erred in law. The Office has thus requested that the Appeals Chamber corrects these errors, and amends the Trial Chamber's judgment accordingly. On the same day, the Defence also filed a notice of appeal against all the convictions. The resolution of the appeals brought by both parties will continue into 2025.

At the sentencing hearing on 4 September 2024, taking account of factors including the gravity of the crimes of which Mr Al Hassan was convicted and his role, the Office requested for a total joint sentence of not less than 22 years of imprisonment. The sentencing judgment is scheduled to be delivered on 20 November 2024.



*Deputy Prosecutor Niang and the prosecution team at the verdict hearing,
The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*

The Malian authorities, victims' groups and CSOs provided essential assistance to the Office in collecting evidence, and providing support throughout the trial. The cooperation with these stakeholders has been critical for the proper conduct of the proceedings.

The Prosecutor v. Iyad Ag Ghaly

On 21 June 2024, at the Prosecutor's request, Pre-Trial Chamber I unsealed an arrest warrant against Mr Iyad Ag Ghaly, which had initially been issued under seal on 18 July 2017. Mr Iyad Ag Ghaly, also known as "Abou Fadl", is alleged to be the leader of the armed group Ansar Dine, which took control of northern Mali including Timbuktu in early 2012, jointly with Al Qaeda in the Islamic Maghreb ("AQIM"). Mr Ag Ghaly is also believed to be the leader and co-founder of *Jama'at Nasr al-Islam wal Muslimin*, a coalition of armed groups (including Ansar Dine/

AQIM, Katiba Macina and Al Mourabitoune) that continue to be very active in the Sahel region.

In the warrant, Pre-Trial Chamber I found reasonable grounds to believe that Mr Ag Ghaly bears individual criminal responsibility for war crimes and crimes against humanity allegedly committed in Aguelhok and Timbuktu in northern Mali between January 2012 and January 2013. These include: murder; gender persecution; religious persecution; mutilation; torture; cruel treatment; outrages upon personal dignity; other inhumane acts, including forced marriage; rape; sexual slavery and other forms of sexual violence; imprisonment or other severe deprivation of physical liberty; and the intentional attack against buildings dedicated to religion and historic monuments.

The Office continues to closely monitor developments and incidents on the ground, including reports of atrocity crimes in Mali and the wider Sahel region. In its efforts to foster complementarity, the Office also continues its interaction with the specialised judicial body in Bamako with a view to supporting the latter’s investigations and prosecutions, including through sharing information and expertise as necessary.

Throughout the year, the Office has maintained engagements and good cooperation with Malian authorities, other relevant States, the United Nations and CSOs. In this regard, Malian representatives attended the ICC 2024 Focal Points seminar, which took place at the seat of the Court from 16 to 18 September. This event is an opportunity for the Court to meet focal points from situations countries and other relevant States representatives, and to share experiences and good practices with a view to deepen cooperation and collaboration between the Court and the States.

Situation in Uganda

On 1 December 2023, the Prosecutor announced the conclusion of the investigation phase in the *Situation in Uganda*. Accordingly, absent a significant change in circumstances – and without prejudice to all work required to support the ongoing judicial process, such as in the outstanding case *Prosecutor v. Joseph Kony* – the Office will not pursue new lines of inquiry in this situation. The competent authorities of the Republic of Uganda were notified of the decision.

Taking the decision to conclude the investigation phase is an essential part of articulating and implementing an effective prosecutorial strategy. Given the scale of criminality addressed by the Court, it is critical that the Office exercises the discretion afforded to the Prosecutor under the Rome Statute to effectively manage the discharge of his mandate. Since taking up his position in June 2021, the Prosecutor has been clear that the Office must be robust in effectively using its resources so it can deliver the greatest impact for those affected by crimes falling within the Court’s jurisdiction globally.

Closing the investigation in the *Situation in Uganda* does not mean that the activities of the Office in this situation are over. The work ahead requires the long-term engagement of national, regional and international actors, civil society organisations and others. Reflecting this, and as part of this decision, the Office will increase its engagement with Ugandan national institutions, with the goal of strengthening and supporting accountability efforts through an enhanced cooperation framework.

The Prosecutor v. Dominic Ongwen

The Office’s investigation in the *Situation in Uganda* led to the successful prosecution and conviction of Dominic Ongwen for his participation in 61 counts of crimes against humanity and war crimes committed by the Lord’s Resistance Army (“LRA”) in northern Uganda since 1 July 2002. Mr Ongwen’s conviction and sentence of 25 years’ imprisonment was affirmed on appeal and, on 18 December 2023, he was transferred to Norway to serve his sentence.

On 28 February 2024, Trial Chamber IX delivered its Order on Reparations to victims in the case of *The Prosecutor v. Dominic Ongwen*. The Chamber set the financial liability of Mr Ongwen to € 52,429,000 EUR, marking this the largest reparation order issued by the Court to date. The Chamber ordered collective community-based reparations, including collective rehabilitation programmes and a symbolic award of € 750 EUR to each of the 49,772 eligible direct and indirect victims. The Chamber also recognised a further 4,096 victims by granting them the right to participate in the proceedings.

The Prosecutor v. Joseph Kony

Mr Kony remains the Court's longest-standing suspect at large. He is alleged to be the founder

and leader of the LRA, and a warrant for his arrest concerning 33 allegations of war crimes and crimes against humanity committed in northern Uganda was issued by the Court in 2005. While the Prosecutor has decided to close the investigation in the *Situation in Uganda*, this has been accompanied by the renewal of the Office's efforts to locate and apprehend Mr Kony so that he can stand trial. Too long has he evaded justice before the Court.

In late 2022, the Office requested Pre-Trial Chamber II to hold a hearing *in absentia* on the confirmation of charges against Mr Kony. This is the first time that the Office has sought to use this procedure under the Statute. On 4 March 2024, Pre-Trial Chamber II granted the request



OTP members meeting with almost 300 victim community members near the site of the Barlonyo Massacre of 21 February 2004, in November 2024

in principle, and set an initial date for the hearing *in absentia* on the confirmation of charges. Pre-Trial Chamber II also instructed that appropriate measures were taken to provide sufficient public notice of the charges, the hearing and its date. On 17 January 2024, the Office formally charged Mr Kony with 36 allegations of war crimes and crimes against humanity, concerning alleged attacks on former internally displaced people camps, the abduction and enslavement of girls from Lwala Girls School, and the systemic enslavement, sexual violence and torture of hundreds of women and children integrated into the LRA.

On 29 October 2024, Pre-Trial Chamber III held that all the criteria in article 61(2)(b) of the Statute have been met with regard to Mr Kony, paving the way for a confirmation hearing to be held in his absence in the coming year. Defence counsel have also been appointed to represent Mr Kony's rights and interests.

In seeking to provide sufficient notice of these developments, and the charges faced by Mr Kony, the Court has taken a range of measures. Community meetings were held in Mr. Kony's presumed birthplace in Odek, Uganda, to raise awareness about the upcoming confirmation of charges hearing. These meetings attracted over 500 attendees, including members of Mr. Kony's family and clan. Additionally, the ICC Outreach team employed various communication channels to reach a wider audience. Live radio broadcasts were aired on popular Ugandan radio stations. During these broadcasts, listeners were informed about the Court's decision to proceed with the confirmation of charges *in absentia* if Mr. Kony fails to appear.

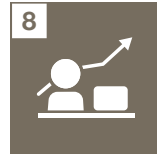
The Office intensified its outreach activities in November 2024, through media engagements including several live radio broadcasts and interactive sessions with affected communities in northern Uganda. Outreach missions focus on explaining the procedure in the case against Kony, addressing victims' concerns and expectations, and deepening cooperation with key stakeholders, with the aim of requesting the Chamber to hold the hearing at least partially *in situ*, in Uganda.

Situation in Kenya

On 27 November 2023, Deputy Prosecutor Nazhat Shameem Khan announced her decision to conclude the investigation in the *Situation in the Republic of Kenya*. This investigation has been overseen by the Deputy Prosecutor, consistent with the decision by the Prosecutor in June 2021 to recuse himself from this matter.

As noted above, the decision to conclude the investigation does not mark the end of the Office's work, in particular with regard to the prosecution of suspects remaining at large. Notably, this is the case for the two pending cases against Mr Barasa and Mr Bett for alleged offences against the administration of justice, consisting of corruptly or attempting to corruptly influence ICC witnesses, which remain before the Court. Alongside these efforts, the Office also remains engaged with Kenyan authorities and CSOs to enhance cooperation between the Office and domestic actors within Kenya.

Adapting, investing and innovating



The last year has also seen the Office take deliberate steps to adapt and strengthen its operational efficiency, and to increase its agility, resilience, and effectiveness in implementing its mandate. Key initiatives have included steps to enhance digital capabilities for investigations, and streamline management processes and coordination to respond swiftly to complex cases. Through these internal adaptations and investments, the Office has remained not only efficient but also better equipped to navigate an increasingly complex international landscape.

Since the initial restructuring of the Office with the creation of the two Prosecution Pillars and the establishment of the Integrated Service Division (“ISD”), additional changes have been made to the structure of the Office. These changes are aimed at improving interaction and coordination both within the Office, and between the Office and other organs of the Court. They seek to incorporate lessons learned over the past three years of the Prosecutor’s tenure, and to streamline some of the Office’s processes and operations.

These changes are reflected in new entities including the Prosecutorial Administrative

Services Division, the External Affairs Unit, and the Tracking and Information Fusion Section, as well as in the ongoing and detailed work to revise and further develop the Office’s internal *Operations Manual*.

Prosecutorial Administrative Services Division (PASD)

The Office has created a new Prosecutorial Administrative Services Division (“PASD”), which comprises Financial Planning and Control Section (“FPCS”), the Administrative Support Unit, OTP-HR, and Planning and Operations Section (“POS”). In parallel to this new division, the ISD remains comprised of Information, Knowledge and Evidence Management Section (“IKEMS”), Forensic Science Section (“FSS”), Language Services Unit (“LSU”), and the new Tracking and Information Fusion Section (“TIFS”).

This new structure will improve the overall performance of the Office in number of ways. It will improve management and increase efficiency for the Office’s senior leadership, improve the balance of work across the Office, and ensure better integration between specialised functions of a similar nature. Supporting

this new structure, the Office seeks to streamline administrative processes while maintaining quality decision-making and delivery. For example, the Office has developed and implemented a new mission planning process, together with relevant software tools. Such initiatives are also being explored with the Registry of the Court, and will result in further optimisation in 2025.

External Affairs Unit (EAU)

In line with its commitments in the *Policy on Complementarity and Cooperation* launched in April this year (see Chapter IV), the Office has taken concrete steps to enhance its external engagement and collaboration with key stakeholders.

In particular, in January 2024, the Office established a new External Affairs Unit (“EAU”). This is designed to strengthen the Office’s outreach and coordination with states, international organisations, and civil society. EAU plays a central role in garnering support for the Court’s activities, addressing concerns raised by member states, and promoting awareness of the Court’s work in global forums. While the cooperation functions of the Office are integrated within each Unified Team and other units and sections, EAU seeks to ensure harmonisation of information, increase coherence of action on this basis, and ultimately deliver greater impact through its collaboration with all external stakeholders.

The establishment of the EAU also helps meet the increasing external demands of the Office. The last year marked a record number of requests for assistance transmitted to State

Parties and non-Party States, as well as a further increase in the number of incoming requests for assistance received from States.

Tracking and Information Fusion Section (TIFS)

In order to better advance the Office’s strategic goal of delivering results in the courtroom, the Prosecutor has prioritised two critical support functions within the Office – fugitive tracking, and specialised analysis and information fusion. These are necessary both to accelerate and strengthen the Office’s ability to support the Court in translating arrest warrants into trials, and to provide enhanced technical analysis on a range of matters relevant to all of the Office’s functions. To this end, the Prosecutor has established a new Tracking and Information Fusion Section (TIFS) composing two units: the Suspects at Large Tracking Team (SALTT) and the Information Fusion Centre (IFC).

SALTT is responsible for accurate, timely and coordinated activities to support the tracking and arrest of suspects who are fugitives from the Court, in close collaboration with the Registry, through the Suspects at Large Working Group (“SALWG”). This is a core function within the mandate of the OTP, previously emphasised in the Office’s *Strategic Plan 2023-2025*, as well as by external entities such as the Rapporteur to the ASP on arrest strategies, and the Independent Expert Review, among others. SALTT acts in coordination with international and national law enforcement agencies to develop suspect profiles, and generate tracking information. In particular, it can help identify the current locations of suspects, monitor move-

ments in real time, develop pattern of life information, and build arrest strategies and contingency plans.

The creation of the IFC reflects the Office's commitment to growing its all-source analytical capabilities in support of its strategic goals. The IFC coordinates and provides key analytical capabilities – such as open-source intelligence (“OSINT”), geospatial and satellite imagery, and military analysis – to meet the Office's requirements. The IFC also acts as the Office's gateway to specialised analytical capabilities, external to the Office, while ensuring accountability. Overall, the IFC aims to ensure that the Office's investigations, prosecutions, and other operations and strategic engagements, are informed by accurate, timely and relevant information to support effective decision making. It will achieve this through an agile and responsive analytical framework, which is technology enabled, and owned by a professionalised and specialised analytical cadre.

Operations Manual

Throughout the last year, and before, the Office has been embarked in the process of renewing and consolidating its *Operations Manual* – the comprehensive internal framework describing its various operational processes. This enables the rapid and consistent implementation of policy and strategic decisions across the Office, and helps both old and new staff members and secondees ensure that they are carrying out their duties in the most effective manner, with the benefit of the Office's past experience. The *Operations Manual* is a living document, which will continue to be regularly updated by the Office's staff members and secondees with

the latest innovations, methods, workflows and lessons learned. The revised *Operations Manual* is a further step towards implementing the Independent Expert Report's recommendations (R38-R41).

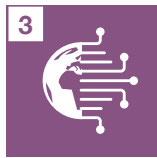
From May to October 2024, the Office's leadership reviewed the revised *Operations Manual* with the support of relevant staff. This resulted in various improvements to enhance its accuracy and usability. Following this review, the *Operations Manual* will be launched officially within the Office by the end of 2024.

Chapter 2:

A dedicated workforce



Behind the scenes: Unveiling the Office's essential functions



This chapter of the Report seeks to explore the vital yet often overlooked roles that form the backbone of the Office's work. Fulfilling the mandate of the Office is a complex endeavour, relying on a diverse array of professionals working diligently behind the scenes. For example: case managers manage the administrative side of the Unified Team's work, organising vast amounts of information; investigators conduct vital fieldwork, navigating challenging environments to uncover critical evidence; analysts process, collate, and examine vast amounts of information and evidence; and specialised support staff provide the essential administrative and technical backing that keeps operations running smoothly.

By featuring portraits of these individuals, this chapter seeks to highlight the intricate processes involved in investigations and prosecutions, offering a deeper understanding of the complexity and sensitivity underpinning the Office's work. This section aims to demystify the work of the Office and celebrate the often-unseen contributions of some of its teams, reaffirming the steadfast commitment to delivering justice shared by all staff members.

Following the Trail of Evidence

Investigators are at the heart of the Office's efforts, tasked with uncovering the truth in complex and sensitive cases. They operate in challenging environments, often in regions affected by conflict and instability. Their work involves gathering evidence, interviewing witnesses, and documenting the experiences of victims – all while respecting the often traumatic context and navigating cultural and security considerations.

Investigators must possess a keen analytical mindset, and a deep understanding of the relevant law, and the relevant cultural, historical, political and social context. This allows them to piece together intricate narratives that can withstand rigorous scrutiny in court. By meticulously collecting and preserving evidence, investigators lay the groundwork for accountability, playing an indispensable role in the Office's mission to achieve justice.

“For me, working as an investigator is like trying to piece a shattered puzzle back together. My work involves collecting key pieces of information from a wide range of sources to try to understand what happened and who is responsible. It requires a great attention to detail while keeping an overall vision of what the end goal is. I try to approach any investigation with curiosity and open-mindedness. Immersing myself in new cultures and contexts allows me to better understand the information we collect.

Working as an investigator can sometimes feel like an endless and uncertain task.

We’ll never get all the pieces of the puzzle back together – there are simply too many – and your puzzle might never be framed and hung to the wall. This is why I believe being resourceful and persevering are important qualities for an investigator.”

– Investigator, Unified Teams

The work of investigators is crucial not only in building strong cases, but also in ensuring that the voices of those affected by atrocities are heard. They help build connections with communities directly affected by the events investigated by the Office.

Most of the information collected by investigators originates from survivors. In this context, creating a safe environment for individuals to share their experiences is essential.

“The success of our mission depends on our ability to connect with people at the heart of these situations. We must create easy-to-use, secure, and accessible channels for these communities to share relevant information with the Office of the Prosecutor. The people on the ground hold the keys to vital information that can either strengthen or weaken a case. Ensuring that they feel heard, understood, and safe when coming forward with information is paramount.

Our interaction with victims, and our ability to gain their trust and cooperation, should be the driving force behind everything we do. These interactions should remind us of why we’re here: to ensure that justice prevails and to restore some sense of dignity to those who have suffered.”

– Investigator, Unified Teams

“Meeting survivors and giving them the opportunity to share their story in a safe space is very important to me. They come forward to share their often very painful experience and it is important that they feel supported in the process. Ultimately, it is for them that we do what we do. If conducted properly, the interview process can be part of a long healing process and having witnesses thank me at the end of an interview process is always very rewarding.”

– Investigator, Unified Teams

A dedicated workforce



The Office aims to implement investigative strategies that empower sources to proactively come forward, ensuring that they feel protected and valued. This approach not only enhances the efficiency of investigations but also fosters greater trust and collaboration with affected communities.

As the landscape of crime and conflict evolves, so too does the role of the investigator. For example, within the Office, specialist **Cyber Forensic Investigators** play a pivotal role in addressing the challenges posed by digital evidence. They employ advanced techniques to trace digital footprints, analyse communication patterns, and uncover hidden or encrypted information. Their work is crucial in cases where evidence may reside in the digital realm, requiring a deep understanding

of technology and its intersection with the perpetration of Rome Statute crimes.

“As a cyber forensic investigator my role is to support the investigations on every technical challenge with a focus on specialised open source investigations and digital forensics. I not only support analysts, investigators, outreach, and lawyers in their tasks, but also contribute to investigations through advanced and sophisticated approaches rooted in cybercrime investigation practices.”

– Cyber Forensic Investigator, Information, Knowledge and Evidence Management Section (“IKEMS”)

The Office’s **Cyber Unit** is an important resource in addressing intricate situations involving digital evidence or specialised online investigations. The complexity of electronic evidence is often underestimated, underscoring the importance of its role.



“As the head of the Cyber Unit, I lead a small team of highly skilled cyber forensics investigators with wide-ranging experience. My primary responsibility is to understand the needs of the OTP and provide clear solutions to Unified Teams and other stakeholders. My vast experience enables me to consistently deliver the best answers.

I use a variety of systems and software to uncover the truth and can develop custom-script solutions when necessary. I take pride in having developed with my team safe solutions for the teams to conduct online investigations and in training staff members in the Office on online investigation concepts.

While electronic evidence is inherently strong for use in trials, it is also fragile and can be easily compromised by untrained individuals. For this reason, I ensure that electronic evidence is handled correctly, maintaining its integrity and adhering to the highest international digital forensics standards. This guarantees a fair trial for all parties involved.”

– Head of Cyber Unit, Information, IKEMS

Cyber forensic investigations often require the development, use and management of specialised tools and systems. These tools enable OTP staff members to conduct investigations in a secure and non-traceable environment, and facilitate the automated collection of online materials and evidence that can be presented in Court.

“I’m happy to have further contributed to close the gap left by the automated collection of volatile material, which by nature offers challenges to automation. I developed these specific tools in order to simplify manual collection of media and internet pages, by automating only the routine part of the collection itself.”

– Cyber Forensic Investigator, Information, IKEMS

As explained in Chapter 1, the Tracking and Information Fusion Section (TIFS) was established this year, and brings together enhanced analytical capabilities for the Office with more systematic measures to locate and track fugitives wanted for arrest by the Court.

A dedicated workforce



Within TIFS, the Suspects at Large Tracking Team (SALTT) leads on the Office's efforts to bring suspects to justice. As part of SALTT, **tracking officers** focus on the critical task of monitoring and documenting the movements and activities of individuals alleged to be responsible for crimes within the jurisdiction of the Court. Utilising advanced surveillance techniques and data analysis, tracking officers gather actionable intelligence about suspects that may also inform ongoing investigations. By collaborating closely with internal and external partners, they help establish patterns of behaviour and movement and identify opportunities for arrest. Through their meticulous and strategic efforts, tracking officers significantly enhance the Office's capacity to achieve accountability and justice, in coordination with colleagues both within the Office and across the Court.

Tracking operations do not always result in an arrest, and the efforts of those involved may go largely unnoticed due to the confidential nature of their work. But without these vital activities, and the cooperation of the Office's partners around the world, many trials simply could not happen.

"Tracking suspects across the globe is exciting as it is challenging. It is essentially an investigative task; in that we follow up leads to learn more about the suspect we are tracking and gather intelligence which would lead to an arrest opportunity. Investigation, however, cannot exist in a vacuum and we rely heavily on our colleagues for expert analysis of a wide array of data to reveal trends, patterns and vulnerabilities. These include, but are not limited to, forensic analysis of digital data, imagery, information from human sources and open-source information. We also work closely with the OTP's Unified Teams, who have an immense amount of case knowledge and real time presence in the field; and together we agree on an arrest strategy and propose tactical ways in which this strategy is implemented. To maximise tracking prospects, we also coordinate with colleagues from Registry under the auspices of the Suspects At Large Working Group."

– Tracking Officer, TIFS



Making Sense of Complexity

Investigations aren't just about finding information. Equally important is making sense of it, both to discover the truth, and to identify what further investigative activities need to be carried out. In this process, analysts, forensic experts, and other specialists play a vital role in transforming raw information into actionable information and evidence.

“Analysts need to think both critically and creatively when tackling a problem or research question for a Unified Team. The office deals with complex scenarios of crime. When trying to balance different variables, people are prone to cognitive biases and logical reasoning errors. Analysts use analytical techniques to assess, evaluate and synthesise information in a rigorous manner. Helping a Team to come to a hypothesis or conclusion that the Team can work with.”

– Analyst, Unified Teams

In the Office, the vast amounts of data collected by investigators from various sources and locations, and of varying quality, are scrutinised by **analysts** who sift through them to identify trends, uncover hidden connections, and provide insights that inform prosecutorial decisions, while also ensuring that their findings are presented clearly and accurately to support actionable strategies.

Analysts apply different techniques to integrate and interpret the information collected, drawing connections within data in different ways.

This helps provide a greater understanding of the information, and may generate additional insights. Analysts are able to assist in identifying gaps and develop information requirements to fill these gaps.

“My role as an analyst is to provide an active contribution to directing the investigation by identifying information gaps and leads, and to shaping and substantiating the legal case against a suspect. My job requires me to remain objective and to evaluate sources and information from different angles, and to piece together a coherent account of events under investigation and disseminate it to the rest of the team.”

– Military Analyst, TIFS

“As a military analyst, I am able to integrate multi-domain knowledge – spanning land, air, and sea operations – to provide comprehensive analysis, helping to build stronger cases in conflict and post-conflict scenarios. Often, my focus is on analysing regional dynamics, including the roles of key players, military structures, doctrines, and weapons systems, to support current casework. Additionally, my technical experience in counterterrorism, counter-insurgency, and hybrid warfare, especially in monitoring non-state actors operating in the region, allows me to contribute meaningfully to investigations involving these groups.”

– Military Analyst, TIFS

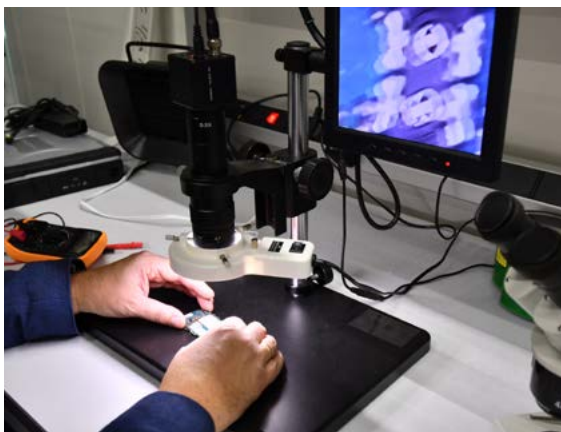
Specialised analysts for specific regions or thematic areas provide insights on complex security, political, military, and social factors in situations under investigation. **Military analysts**, for example, leverage their military experience, language proficiency, and knowledge of the region's culture to evaluate information and data from local sources. They assess, interpret, and augment the datapoints vital to ongoing investigations.

“Working in the digital age, a lot of interesting information related to our situation countries can be found online. In order to effectively identify this information we need to map out the digital environment of the country, see what online spaces people are operating in, what media they consume, and work to disaggregate that by gender and age to get a full view of where we should be looking. It’s a crucial first step in understanding the context. From here we are able to monitor ongoing situations, find leads, and identify information that can be authenticated and potentially used as evidence.”

– Associate Analyst, Unified Teams

Analysts also work to leverage open sources and online content for evidentiary purposes. They analyse multimedia content to identify misinformation and disinformation, geolocate areas of interest, and monitor the progression of relevant events or persons of interest. They collaborate with country experts to map out the digital environment of situation countries, and to identify online contexts where evidence may reside.

Forensic experts meticulously examine physical and other evidence, employing scientific methods to ensure that findings are reliable and can withstand scrutiny in the courtroom. Their work involves a broad spectrum of investigative processes with both living and deceased individuals, ranging from autopsy and injury analysis to meticulous documentation. Each investigation demands precision, as even the smallest detail can be pivotal, requiring a multidisciplinary and interdisciplinary approach. Key aspects of their work include forensic photography – capturing critical visual evidence that words alone cannot describe – and the strict gathering and preservation of evidence, maintained through a secure chain of custody to ensure its integrity for legal review.



“As a forensic Medical Doctor with eighteen years of experience, I have witnessed how our work serves as a bridge between science and justice. Over the years, I have realised forensic experts are increasingly needed not only to guide the legal process but also to play a role in restoring the social fabric. Every case tells a story, and my role is to ensure that these stories are accurately conveyed through evidence. Working in forensic science, particularly in the service of international justice, requires a meticulous and innovative approach. Our task is to provide clear, scientifically grounded information to guide the legal process, as well as to aid in re-building families and communities.”

– Forensic Officer, Forensic and Scientific Section (“FSS”)

The Office’s forensic experts have a cross-cutting role and interdisciplinary role that requires them to engage not only with the Unified Teams responsible for the investigation in each situation, but also with other sections of the Office. Each situation presents different needs, and forensic experts help meet those requirements, whether by providing expert opinions, conducting assessments, or performing bibliographic research. The outcomes which they are called upon to produce may vary according to the stage of proceedings – sometimes providing information to guide investigative paths, and in other instances by offering expert opinions that present evidence with scientific support to assist judicial proceedings.

Within the framework of the Office’s commitment to dynamic complementarity initiatives, they may also support the investigative work of other partners.

“By delivering accurate forensic findings, we ensure that each piece of evidence has a voice. For me, it’s about ‘giving a voice to the silent witness,’ allowing the evidence to speak to the truth, and ultimately supporting accountability and justice. My work supports the implementation of the Office’s policies, particularly in the intersection of forensic science with the policies of Gender-Based Crimes, Children, and Slavery Crimes. Recognising that forensic sciences are a critical component of any justice system, and in alignment with the policy of complementarity and cooperation, my work contributes to reinforcing the Policy’s four pillars. This approach brings justice closer to communities through scientific support that facilitates truth-finding and reparation, strengthens local mechanisms, and builds forensic networks that promote international forensic standards and their application within the Rome Statute.”

– Forensic Officer, FSS

A dedicated workforce



GIS specialists employ geographic information systems to map out incidents, visualize data patterns, and assess the spatial dynamics of crimes. They are involved in the entire life cycle of a situation, starting with country overview mapping for preliminary examinations, and extending to spatial-temporal visualisations that present facts and events in the trial phase. As everything occurs in a specific place at a specific time, their work enables the contextualisation of complex information derived from multiple sources, such as witness statements, satellite images, open-source information, and communication records, brought together to create insights into a case. In addition to their investigative tasks, GIS specialists are also a vital component in the preparation of operations in the field.

“Me and my team members are also supporting the safety and security of the staff operating in the field by providing situational awareness via real-time information dashboards. To develop such tools is quite challenging but also makes my job so interesting. In addition, it does reflect the OTP vision in applying advanced technology to fulfil its mandate.”

– GIS Specialist, TIFS





Protecting Those Who Speak Out

Witnesses are essential to the investigative process, as their firsthand accounts often provide the critical details needed to understand complex and large scale crimes. Their testimony forms an important part of most trials at the Court. Providing a platform for victims and witnesses to have their voice heard is also a central purpose of the trial process itself.

Coming forward to testify can, however, potentially expose witnesses to significant risks, including threats and retaliation from those implicated in crimes. To address these concerns, and consistent with the emphasis on this issue in the Rome Statute, the Office prioritises the safety and security of individuals willing to testify.

“Being a Protection Strategy Officer is not only ensuring witness security, but also creating an environment where OTP staff can operate securely, and witnesses can feel safe to meet with members of the Office and share their story.

SPU security analysts provide threat and risk analysis that help us stay ahead of potential risks by giving a clear understanding of the operational environment. This collaboration allows us to develop targeted protection measures tailored to the individual risks each witness faces. Moreover, the security challenges we face today are not the same as they were a few years ago. Threat actors are becoming more sophisticated and unpredictable, which means we need to be more innovative and quicker to adjust our strategies to effectively mitigate and prevent the evolving threats. Social Experts insights, combined with security analysis, guide us in creating witness security strategies designed to protect witnesses physically and ensure their psychological well-being. Security may not be only removing witnesses from a threat environment, but also making sure that they feel safe in their new surroundings. Our goal is to provide witnesses with the highest level of security possible while minimising intrusive measures that disrupt their life styles. For this, we consider every aspect of their lives, from their physical safety to their psychological resilience, and develop solutions that are often long-term and complex. In the event of an immediate threat, emergency protocols are activated with the support of the VWS or Host States.”

– Protection Strategy Officer, SPU

The Office's **Security and Protection Unit ("SPU")** is responsible for ensuring the safety, well-being, dignity and privacy of victims and witnesses from the moment that the Office has established contact with them. This is done by providing security advice to the Unified Teams, and implementing a range of security measures, in coordination with the Victims and Witness Section ("VWS") of the Registry.

For each investigation, SPU assigns a dedicated **Protection Strategy Officer** who oversees operational security throughout the investigation and trial process. This ensures a continuous, tailored approach to the specific risks that arise in each case, including those which may result from an individual's engagement with the Office. They may also provide guidance ensuring that the Office takes appropriate steps with regard to the welfare of relevant individuals. These responsibilities require in-house consultation with SPU analysts and **Victims Experts** or **Psycho-Social Experts**, as well as collaboration with Unified Teams and VWS.

SPU analysts support these activities by preparing threat assessments for the purpose of each situation in which the Office is at work. Such assessments evaluate threats and risks to OTP witnesses, staff, and operations in the field and at the headquarters.

"As an SPU analyst, my key role is to provide assessments and analysis to facilitate decision making by Senior Managers, Unified Teams and individual investigators about risk linked to witness operations and activities. The role of the analyst within SPU requires a thorough understanding of the local, regional and global context within which the Office operates. An analyst is attentive to the ever-changing intent and capabilities of entities to act against witnesses or staff. The announcement by the Office of applications for arrest warrants or the opening of a new line of inquiry, for instance, could have significant consequences. Analysts also collate and assess reports of incidents involving witnesses, to determine the existence of an organised pattern of anti-witness activity that could impact investigations and trials.

Our role has many challenges given the large number of cases and persons at risk, and the need to maintain our ability to provide design and implement effective and reliable measures ensuring the security and protection of all those involved with OTP activities."

– Analyst, SPU



Safeguarding Integrity of Information

Information Management Assistants ensure that Unified Teams and various support units collaborate effectively to deliver the Office’s mandate. Their role involves managing information vital to investigations and prosecutions, ensuring that it is stored securely and is accessible to those who need it. This requires a deep understanding of various databases and information management procedures. Their duties include a variety of activities such as organising access to databases for colleagues, troubleshooting technical issues, handling translation requests and providing guidelines on the use of databases.

“I need to prioritise my tasks carefully as I support several teams. One of the most important aspects of my job is the connection between different parts of the OTP, forming an interface between practical needs and theoretical best practices, and between database users and technical support staff. My work also involves organising behind the scenes, analysing information and improving processes. It is incredibly rewarding to know that my efforts contribute to bringing justice to victims.”

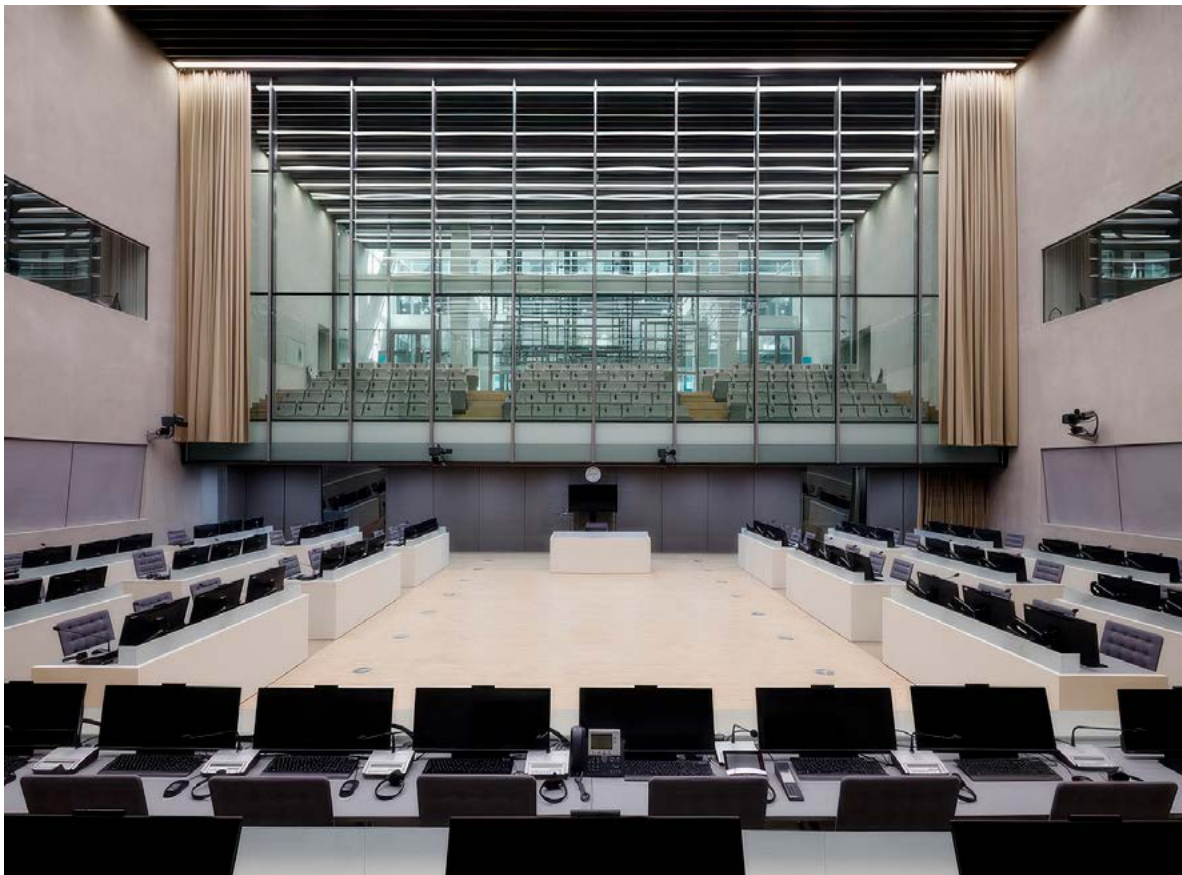
– Information Management Assistant,
Unified Teams

Preparing for the Courtroom

Case managers and **trial support assistants** play a vital yet often overlooked role in the investigation and prosecution of cases at the Court. They ensure that each part of the Unified Team works in a coherent and organised way, whether for the purpose of investigation or litigation, contributing to the smooth functioning of the Office and the effective delivery of its mandate. By acting as the Unified Team's central point of contact for communication with other entities in the Court, case managers ensure that crucial information is readily accessible, while protecting the confidentiality of sensitive materials. Case managers coordinate team input for judicial deadlines, organise and maintain

essential records, and protect the confidentiality of sensitive materials during the preparation of filings or disclosure to the Defence.

Case managers also assist in court by preparing and finalising exhibits for display in the courtroom. During court proceedings, they are responsible for transcript monitoring, creating witness binders, and tracking the appearances of witnesses. They assist with audio-visual presentations, and liaise with Defence and Chambers, the VWS, the Counsel Support Section ("CSS") and Court Management Services ("CMS"). All of these responsibilities contribute to the smooth functioning of the Office of the Prosecutor and the delivery of its mandate.





Case managers are also involved from the investigation phase, with the creation and content management of the case file. This ensures an effective and logical organisation of information and evidence, which in turn assists the Unified Teams in their work as the case progresses. The workload for case managers is high, with current capacity stretched thin in the face of increasing demands for the coming year.

“The role of a case manager is broadly misunderstood. It is a hybrid position of a coordinator, a paralegal, and a project manager. We maintain the procedural integrity of the case...”

– Case Manager, Unified Teams

Advancing global policy expertise



The Office continued to renew and reinvigorate its policy framework this year. Following from the *Policy on Gender Persecution* in 2022, December 2023 saw the tandem launch of the *Policy on Gender-Based Crimes* and *Policy on Children*. In April 2024, in events held in Colombia and the Central African Republic, the Office launched its *Policy on Cooperation and Complementarity*. These landmark publications demonstrate the Office's strategic goal to

enhance its policy framework in thematic areas, and to be a source of expertise in international criminal justice. Over the past year, measures have also been adopted to begin effectively implementing the commitments in these policies.

Looking ahead, the drafting of a new *Policy on Slavery Crimes* to guide the Office's work in this area formed a significant part of the Office's





Prosecutor Khan speaking at the launch of the Policy on Gender-Based Crimes

core policy priorities this year, and is due to be launched at the end of the year. Considerable preliminary work was also accomplished towards the preparation of new policies on environmental crimes and cyber-enabled crimes, which will be launched in 2025.

Gender-Based Crimes

In December 2023, the Office launched its renewed *Policy on Gender-Based Crimes* at the Assembly of State Parties. This policy clarifies fundamental concepts and underscores the key principles behind the Office’s efforts concerning all gender-based crimes (crimes involving sexual, reproductive and other forms of gender-based violence).

Key principles underpinning this policy and the Office’s approach to accountability for gender-based crimes include: taking survivor-centered, trauma-informed approaches and an intersectional perspective; exercising gender compe-

tence and due diligence; contextualising and faithfully characterising gender-based crimes; addressing myths, stereotypes and misconceptions; valuing inclusion and relationships; and diligently implementing, monitoring and evaluating the policy. This policy builds on the earlier *2014 Policy on Sexual and Gender-Based Crimes*. The revised 2023 policy was drafted with rich input from external and internal experts, and now serves as the basis of the Office’s work on gender-based crimes.

In 2024, the Office, through its Gender and Child Unit (“GCU”) and various thematic subject-matter experts, conducted a series of activities to implement the new policy aimed at enhancing internal capacity. Significantly, the Office, through the GCU, conducted an internal launch of this policy for its staff in June 2024, with a training component. Staff from across the Office participated, contributing their varied expertise of different facets of investigating and prosecuting gender-based crimes.

These trainings, which included peer-to-peer training and discussion of best practices have enhanced competence and situational readiness within the Office to properly address the investigation and prosecution of these crimes. In October 2024, the Office held courtroom advocacy training for lawyers with modules on how to question vulnerable witnesses including victims and witnesses of gender-based crimes. That same month, the Office conducted training on child-forensic interviewing which included components on vulnerable witnesses. This year the Office continued to embed expertise in investigating and prosecuting gender-based crimes within the Unified Teams. This enhanced expertise, closely with the dedicated GCU team, sought to achieve greater mainstreaming of relevant experience within the Office and a more effective implementation of the Office's renewed *Policy on Gender-Based Crimes*.

Gender Persecution

Complementing the 2022 *Policy on Gender Persecution*, 2024 saw the Office launch a new initiative to develop a comprehensive set of principles on gender persecution. These principles, once finalised, will seek to guide the prevention of gender persecution while ensuring the protection of its survivors and their participation in the Court's processes, thus further enhancing accountability for this crime. Since its release in January 2024, the Office has welcomed and encouraged public comments and contributions on the substance of the initiative. The Office will review all feedback in further developing these principles.

Children

The Office launched its new *Policy on Children* on 7 December 2023, at the Assembly of State Parties in New York, the United States. This policy emphasises the Office's view that all Rome Statute crimes may be committed against or affect children. Conflicts affect children in various ways depending on personal characteristics, including age, gender, disability, ethnicity, religion, where they live, and their level of education. Countering a traditionally homogenous view of children, the policy aims to actively reflect and adapt to issues related to intersectionality, children's different developmental stages and their evolving capacities.

Building on the 2016 *Policy on Children*, the revised policy incorporates recent research about children's development, memory, and abilities to engage in judicial processes, as well as the emergence of new technologies to support their safe participation. Many experts from the Office were key to this initiative, which was further supported by 186 external experts from more than 30 countries around the globe, who generously shared their time and wisdom.

To ensure that the Office engages children as victims, survivors and witnesses, the policy emphasises the Prosecutor's commitment to establish an institutional environment that facilitates effective investigation and prosecution of crimes against and affecting children – including through recruitment, training, external collaboration, and meaningful implementation, monitoring, and evaluation measures.



Deputy Prosecutor Niang and Deputy Prosecutor Khan at the Policy on Children internal presentation at ICC Headquarters, in June 2024

In taking a child rights, child-sensitive and child-competent approach, the Office aims to address the adult-centric view in tribunals where children are largely excluded from the justice process. All situations under investigation by the Office relate to alleged crimes against and/or affecting children, including in *Afghanistan, Bangladesh/Myanmar, Darfur, Sudan, and the State of Palestine*. Launching the policy further consolidates and confirms the strategic approach already adopted by the Office, as demonstrated by the initial focus on the alleged unlawful deportation and transfer of children in the *Situation in Ukraine* in March 2023.

In June 2024, the Office, through the GCU, conducted an internal launch of the *Policy on Children* accompanied by training. In October 2024, the Office, through the GCU and various subject-matter experts, held training on several

modules of child-forensic interviewing – a key facet of the revised policy. This was a follow up to the pilot training held in 2023, with further cycles and additional modules planned for spring/summer 2025. The Office has also focused on developing various guidelines and tools to implement the *Policy on Children* in concrete terms, including on child forensic interviews, child-friendly introduction to the Court, and the best interests assessment and determination. These will be further developed in the coming year. As with its work on gender-based crimes, the Office has focused on embedding subject-matter experts on crimes against and affecting children within the Unified Teams. With the experts working closely with the GCU, this practice allows for enhanced and efficient mainstreaming and implementation of its Policy.

Complementarity and Cooperation

As explained in detail in Chapter 4, the Office launched a major new *policy on Complementarity and Cooperation* in April 2024.

Slavery crimes

At the ASP in December 2023, the Prosecutor announced that his Office would formulate a *Policy on Slavery Crimes*. He entrusted its development to his Special Adviser on Slavery Crimes, Patricia Viseur Sellers, with guidance from Deputy Prosecutor Nazhat Shameem Khan and support from a core team on behalf of the GCU. This Policy represents the Office's commitment to recognise, redress and seek the non-repetition of slavery crimes. It underscores that slavery – the perpetration of the exercise of powers attaching to the right of ownership over a person – is unacceptable in any form. It is developed in order to help discharge the Office's responsibility to fully and effectively investigate and prosecute slavery crimes under the Statute. Notably, the policy will be the first of its kind issued by an international court or tribunal specifically addressing international slavery crimes.

The development of the *Policy on Slavery Crimes* has benefited from both external and internal expertise, and a rich inclusive consultation process. From January to May 2024, the Office conducted 11 hybrid and in-person external consultations with 152 participants from at least 51 countries, including survivor communities, civil society organisations (“CSOs”), advocates, academics, national authorities, international organisations, investigative

mechanisms and other justice actors. The consultations were grouped thematically, addressing slavery crimes through the varied lenses of national cases, reproductive violence, children, migration and trafficking, survivors' experiences, gender-focus and the work of other international accountability mechanisms. Other consultations engaged participants from the Permanent Forum of People of African Descent, and from the Asia and Asia-Pacific region. Several United Nations mandate holders and agency representatives attended these sessions, including relevant Special Rapporteurs. In March 2024, the Office also issued a public call for written submissions on the issue, which prompted 50 responses from stakeholders in 24 countries. Meanwhile, the Office undertook a review of international and national cases of slavery crimes.

In June 2024, a working draft of the policy was circulated to external stakeholders and Office staff. Between July and October 2024, the Prosecutor and Deputy Prosecutors conducted a final review, approving the policy. The *Policy on Slavery Crimes* will be formally launched in English and French at the annual meeting of the ASP in The Hague in December 2024.

The *Policy on Slavery Crimes* represents a significant step forward, guiding the Office in adopting survivor-centered, trauma-informed, gender-competent, child-competent intersectional approaches to addressing slavery crimes, among others. It also highlights the importance of historical and cultural knowledge when seeking to provide redress for slavery crimes, while addressing some critical misconceptions that prevent accountability for these crimes.

“Slavery crimes are committed against an untold number of persons and populations, persons forced to migrate or those who are trafficked, and persons detained, disappeared, including child soldiers or those forced into marriage or labour that devolves into slavery. The harm caused transcends generations. I pledge to strengthen my Office’s efforts to seek justice for those enslaved in the context of armed conflict, crimes against humanity or genocide. This is – and will remain – a key priority during my tenure as Prosecutor.”

– Prosecutor Khan

Workplace culture



United to Respect

In October 2024, the Office joined other organs of the Court in launching the online training course *Creating a Harmonious Workplace and Addressing Prohibited Conduct at the ICC*. At the request of the Prosecutor, the course was created in close collaboration with the United Nations, who graciously allowed the ICC to use the format of their ‘United to Respect’ campaign, incorporating actions towards creating a harmonious workplace.

The United to Respect initiative is a learning programme crafted in response to the United Nations Secretary-General’s bulletin *Addressing discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2019/8)*, and it includes three components: a mandatory online course, facilitated dialogues, and a toolkit. The dialogues help entities in the UN Secretariat to meet their obligation to periodically engage providers of training on prohibited conduct and its prevention.

This inter-agency collaboration, and the course itself, was integrated in the Court’s administrative framework on addressing prohibited conduct, to address discrimination, harassment, including sexual harassment, and abuse of authority. Together with the other organs of

the Court, the Office aims to ensure that all staff members and non-staff personnel are treated with dignity and respect.

The online course not only informs staff on policy, but also provides practical steps to address prohibited conduct at the Court. Participation is mandatory for all staff members and non-staff personnel, as each have a role in creating a harmonious work environment. Managers are strongly encouraged to ensure that their staff are provided with sufficient time to complete the training during the working hours.

The “leadership dialogue”, another important component of the United to Respect programme, facilitates discussions on topics relevant to the workplace culture, to continue the Office’s journey towards creating a more harmonious work environment.

Capacity building and training

OTP Awareness Training on Trauma

On 29 November 2023, the Office organised a training to raise awareness on trauma for all staff members. This immediately followed a roundtable event convened with civil society on 27 and 28 November 2023, exploring the trauma-informed approach to investigations and prosecutions.

The Office's training aimed to deepen staff members' understanding of psychological trauma, and its relevance to their work. It brought together trauma experts, mental health professionals and ICC staff counsellors, and explored topics such as the impact of trauma on memory, secondary or vicarious trauma, the relevance of intergenerational and cross-cultural trauma in the OTP's investigations and prosecutions, and the importance of awareness of unconscious bias around trauma. Trainers shared scientific research on the impact and manifestations of trauma, and recommended strategies to support impacted individuals – especially when they are engaging with accountability mechanisms and judicial proceedings. Staff were provided with comprehensive knowledge on preventative strategies, individual self-care, coping mechanisms and support systems, as well as the benefits of adopting a trauma-informed approach to investigations and prosecutions.

Training in partnership with the Democratic Republic of Congo and the Francophone

In the implementation of the roadmap elaborated for the DRC and the MoU signed on 1 June 2023 between the Office and the RDC, the Office hosted on August 2024 a training session in partnership with the International Organization of the Francophonie (IOF) and the DRC. This training offered the opportunity for the Office, the national authorities and technical partners to exchange and share experiences and good practices with national prosecutors, magistrates and military personnel as well as members of the Commission des Droits de l'Homme. Experts addressed issues such as elements of international crimes, victim and witness management, investigation techniques, good practices in evidence collection, the use of forensic science in criminal prosecution, and the documentation of sexual and gender-based crimes and crimes against and affecting children.

Judge Meron lecture series

Over the summer, the Office was fortunate to have Judge Theodor Meron, Special Adviser to the Prosecutor on International Humanitarian Law, hold a four-week lecture series, where he shared his profound expertise on contemporary issues in international humanitarian law and international criminal law. Over the course of 9 lectures, Judge Meron explored the development of international humanitarian law, the Geneva Conventions, the criminal enforcement of international human rights, and ongoing challenges in international criminal justice.



Prosecutor Khan with Judge Theodor Meron

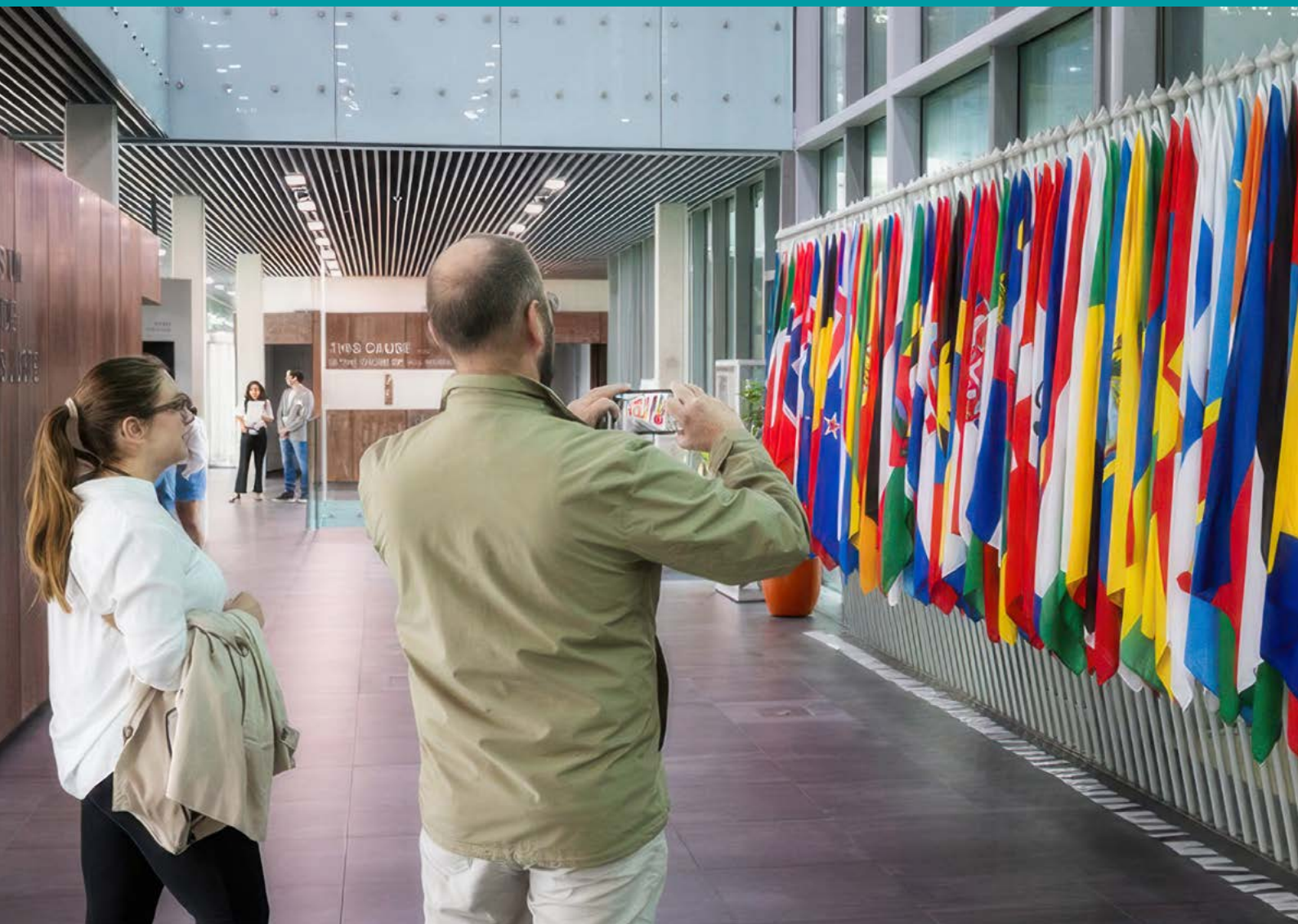
The Office is most grateful to have hosted Judge Meron at the Court over the summer. His unwavering dedication to international humanitarian law continues to inspire the work of the Office.

Leadership and wellbeing

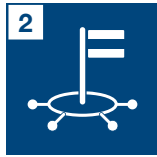
On 8 June 2024, renowned author and speaker, Dr Deepak Chopra, visited the Court to lead a session on leadership and wellbeing. Dr Chopra shared his inspiring philosophy and holistic approach to wellbeing with staff. Given the uncertain and demanding environment faced over the past year, Dr Chopra's lecture served as an important reminder to colleagues to focus on wellbeing during the discharge of their shared responsibilities. The Office was honored by his visit and looks forward to a continued partnership with him.

Chapter 3:

A Renewed Approach to Complementarity and Cooperation



Introduction



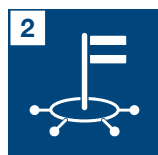
Since taking office in 2021, the Prosecutor has prioritised finding novel and imaginative ways to partner with national authorities, civil society and all relevant actors engaged in accountability efforts to realise the goals of the Rome Statute. This vision was reinforced through the launch of the *Policy on Complementarity and Cooperation* in April 2024, which positions the Office not only as an effective prosecutorial body but also a central hub for accountability efforts and a reliable partner to national authorities.

Reflecting this renewed policy framework, the Office has sought to enhance its activities in support of national jurisdictions and in collaboration with all partners, through a wide range of measures aimed enhancing cooperation. These measures included the provision of guidance and assistance in technical fields, exchange of knowledge and best practices, support in the development of legislative provisions seeking to increase alignment of domestic legislation with the Statute, the conclusion of agreements and arrangements to further cooperation and assistance, and the enhancement of the Office's field presence for the purpose of implementing complementarity activities while fulfilling its investigative mandate where applicable. The development and implementation of dedicated dynamic complementarity programmes, and related

initiatives, has expanded the opportunities for the Office and domestic authorities to work together towards closing the impunity gap for core international crimes.

This chapter endeavours to provide a detailed overview of the OTP's complementarity activities. It highlights the Office's commitment to fostering collective ownership of accountability efforts, and recognises that all partners have a role in their successful implementation. By reporting on this aspect of its activities, the Office aims to offer a clearer understanding of how it engages in concrete complementarity actions in support of national jurisdictions and other international and regional mechanisms. This positively supports domestic accountability processes, even while the Office continues to exercise its statutory responsibilities to investigate and prosecute Rome Statute crimes. This detailed account also helps fulfil the commitment made in the *Policy on Cooperation and Complementarity* to enhance reporting of the Office's activities in these areas.

The Policy on Complementarity and Cooperation



“The Policy on Complementarity and Cooperation seeks to reposition the Office of the Prosecutor in the international criminal justice system. For too long the ICC may have been seen by some as a slight detached apex... disconnected from the vibrant, imaginative, innovative work being done at a regional and national level. With this Policy we seek to place the Office of the Prosecutor as a hub at the center of that ecosystem seeking to embrace all opportunities to support domestic authority partners in their work”

– The Prosecutor, Presentation of the Policy in the Hague, June 2024

The *Policy on Complementarity and Cooperation* distils a range of integrated measures and initiatives that aim to bring about a paradigm shift in the relationship between the Office, national authorities and other accountability mechanisms, civil society, and victims and survivors of core international crimes. Through deepening these partnerships, the Office seeks to provide tangible support to ongoing national proceedings, and to reinforce national capacities to address international crimes. By these means, it will further contribute to the investigation and prosecution of the most serious crimes of international concern at the national level.

The *Policy on Complementarity and Cooperation* is founded on two mutually reinforcing principles: partnership, to support domestic authorities and promote the goals of the Rome Statute at the national level, and vigilance, to ensure the Office remains focused on its mandate of investigations and prosecutions. By proactively assisting national authorities, the Office enhances its overall effectiveness and strengthens its ability to fulfil its core investigative and prosecutorial mandate efficiently.

The Office launched its *Policy on Complementarity and Cooperation* in April 2024, after the completion of a global consultation process launched in October 2023. This process involved extensive consultation and engagement with States Parties, civil society, academic institutions, and affected communities. Their input significantly informed the Office's policy making process.

The policy was officially launched at two major events held in Bogotá, Colombia, and Bangui, Central African Republic, with a simultaneous engagement in Tunis, Tunisia, on 25 April 2024. The field-based launch underscored the Office's commitment to bringing justice closer to victims, affected communities, and key actors in the field.

In Bogotá, the event was co-hosted by the Office and the Government of Colombia represented by His Excellency, Mr Luis Gilberto Murillo, Minister of Foreign Affairs of Colombia. Also joining the launch was the then President of the Special Jurisdiction for Peace, Mr Roberto Carlos Vidal López; the Special Adviser to the ICC Prosecutor on Complementarity, Prof. Rene Fernando Urueña Hernandez; the Special Adviser to the ICC Prosecutor on Mutual Legal Assistance, Mr Yoshimitsu Yamauchi; Mr Carlos Ruiz Massieu, Special Representative of the Secretary-General for Colombia as well as Colombian senior national experts, and civil society representatives. The event, held at the premises of the Colombia Ministry of Foreign Affairs, was attended by diplomats, officials from Colombia's judicial system, State entities, civil society members, and academics. The Prosecutor presented the Office's renewed complementarity strategy, stating that the ICC

should serve as a hub for global accountability efforts, rather than being seen as a detached apex of international criminal justice.

He emphasised the importance of working together to find new ways to collaborate, in order to deliver better results.

On the same day, Deputy Prosecutor Niang led the launch event in Bangui, CAR, co-hosted by the Special Criminal Court ("SCC"). The event was opened by Mr Arnaud Djoubaye Abazene, Minister of State in Charge of Justice, Human Rights, and Good Governance, and attended by 70 participants from the SCC, MINUSCA, judicial courts, diplomats, the Bar association, and civil society. In his address, Deputy Prosecutor Niang underscored the growing role of domestic authorities in addressing international crimes and highlighted the Office's active cooperation with the SCC, which includes sharing information, analysis, and best practices. Deputy Prosecutor Niang further noted that the renewed *Policy on Cooperation and Complementarity* aims to strengthen a community of practice where collaboration can deepen, ultimately enhancing the impact on victims through both the SCC and CAR's national courts.

The same day also saw Deputy Prosecutor Khan in Tunis, Tunisia, where she met with representatives of civil society organisations to discuss the *Policy on Cooperation and Complementarity*, and the ongoing *Situation in Libya*. In these meetings, she stressed the importance of civil society as essential partners in delivering effective complementarity and emphasised the Office's commitment to deepening engagement with victims, survivors, and civil society across the Middle East and North Africa region.



Prosecutor Khan at the launch of the Policy on Complementarity and Cooperation in Bogota, Colombia, in April 2024

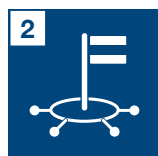
On 20 June 2024, the Office presented the *Policy on Cooperation and Complementarity* to members of the international community at a major event held at the seat of the Court, in The Hague. This not only marked the policy but also the launch of the Trust Fund on Complementarity, with the participation of State Parties, civil society, regional and international organisations and other partners of the ICC community. Moderated by the Special Adviser to the Prosecutor on Complementarity, Professor Rene Fernando Urueña Hernandez, this event saw the participation of high-level representatives from Colombia, Guinea, the Democratic Republic of the Congo, Europol, Eurojust, and Amnesty International, as well as a video message from the UN High Commissioner for Human Rights. The Office was grateful for valuable discussions of the role that it has played in support of domestic proceedings, and how positive complementarity and cooperation initiatives – including with civil

society, as well as regional and international organisations – could further contribute to strengthening domestic proceedings.



Deputy Prosecutor Niang at the launch of the Policy on Complementarity and Cooperation in the Central African Republic, in April 2024

From Policy to Practice



The *Policy on Complementarity and Cooperation* is being implemented in the Office's daily work by identifying and developing best practices across the various situations with which it is engaged. Where necessary, the Office has created new initiatives or deepened existing ones, and sought to remain mindful of the interconnections with other parts of the Office's policy framework.

In particular, the Office has adopted institutional measures to ensure a comprehensive approach in its complementarity and cooperation activities. These combine with its proactive engagement with national authorities and key stakeholders, strengthened engagement with civil society organisations, enhanced and expanded operational cooperation to facilitate information sharing, and continued efforts to strengthen its presence in the field.

External Affairs Unit

Strategic Goals 1, 2, 4 and 9 of the *Strategic Plan 2023-2025* called for the Office to prioritise measures to enhance its external relations, cooperation, and complementarity functions, and to strengthen its relationship with civil society organisations. This has been achieved through the launch of the *Policy on Complementarity and Cooperation*, as described above, and the establishment of the Office's External Affairs Unit ("EAU").

The EAU consolidates several external functions to develop effective and coherent modalities of cooperation, and to provide operational support to Unified Teams and other parts of the Office. The EAU gathers the longstanding external affairs functions of the Office and includes them within three specialised teams – these focus on external relations, judicial cooperation, and complementarity and civil society. This structure ensures clarity in responsibilities, harmonises cooperation efforts, and enhances strategic engagement with national authorities, civil society and other partners.

Working in close collaboration with the External Relations and Judicial Cooperation teams, the Complementarity and Civil Society team supports complementarity activities and regular engagement with civil society organisations, as outlined in the Office's *Policy on Complementarity and Cooperation*.

The establishment of the EAU – and its focus on information harmonization, coherence of action, and external impact – reflects the OTP's commitment to its twin roles both as a judicial body and as a cooperation partner, ensuring the delivery of meaningful justice at both the national and international levels.

Trust Fund on Complementarity

Reflecting its renewed commitment to complementarity activities, the Office established the OTP Trust Fund on Complementarity, to fund key stand-alone programmatic actions in relevant States. This Fund allows for the implementation of complementarity plans in consultation with domestic authorities, to strengthen engagement with the Office and facilitate assistance it may provide. While the regular budget of the Office has been the source of baseline complementarity activities in the past, the Trust Fund provides a platform to make deeper, more impactful complementarity interventions where States wish to support this.

In 2024, the Trust Fund on Complementarity received meaningful voluntary contributions from the Republic of Malta and the *Organisation Internationale de la Francophonie*. They have already directly enhanced complementarity initiatives in CAR and the DRC by facilitating assistance to the SCC and national authorities, through knowledge exchange and capacity building activities in support of national accountability efforts. The Office is grateful for expressions of financial support to the Trust Fund, and hopes to implement further project-based initiatives with future contributions.

Complementarity and Cooperation Forum

The Office is working towards the establishment of a Complementarity and Cooperation Forum, in order to foster deeper relationships with regional and international mechanisms to advance accountability efforts in priority situations. This platform is intended to enhance the two-way sharing of information between the Office and national authorities, to identify potential areas for mutual support and assistance with regard to cases under investigation or prosecution. Participating national authorities and the Office will be able to provide updates on current and anticipated activities of relevance, and to identify possible priorities for enhanced cooperation and coordination.

Since the launch of the *Policy on Cooperation and Complementarity* in April 2024, the Office has sought to finalise the conceptual framework for this initiative. The Office has identified two core axes around which the work of the Forum will be structured.

The vertical axis will focus on enhancing situation-specific dialogue with relevant national authorities, based on situation briefs developed by the relevant Unified Team in the Office. Wherever possible, emphasis will be placed on supporting a two-way flow of information between the Office and national authorities, seeking to maximise opportunities for supporting national domestic proceedings.

The horizontal axis will support dedicated and structured dialogue with relevant national authorities in relation to key thematic areas, such as cooperation with immigration authori-

ties, financial investigations, and approaches to gender-based crimes and crimes against children.

The Office will seek to ensure that the dialogue in each axis informs the other, so that issues of relevance stemming from situation-specific discussions are proactively brought into the horizontal axis discussions on thematic priorities, and vice versa.

Implementation of this approach has already commenced, with a first thematic session of the Forum held on 1 July 2024. At this session, the Office welcomed more than 20 national immigration authorities in discussing ways to enhance cooperation with the Office. Following this initial meeting, the Office transmitted a survey to the participating authorities, seeking further information on the applicable national systems and the range of information held by such authorities which may be relevant to the work of the Office.

The Office welcomes the positive response to this initiative, which has also resulted in visits to the Office by national immigration authorities to deepen dialogue. A further follow-up meeting of the Immigration Group is anticipated in November 2024. In the coming reporting period, the Office will extend this model to a number of other thematic areas in which transversal dialogue can add value to its overall cooperation activities.

The work of the Cooperation and Complementarity Forum will complement but be operationally separate from the new Structured Dialogue framework which the Office is establishing with its civil society partners.

The first session of this dialogue will be held in mid-November 2024.

Increased interaction with civil society

The Office is committed to engaging with all actors working towards accountability for core international crimes, and seeks to adopt a consistent and coordinated approach in engaging with civil society. In particular, the Office benefits from the expertise and input of civil society organisations, both in carrying out effective investigations and prosecutions and in developing of its broader policy framework. This has taken place through increased interaction in the form of thematic roundtables and regular consultations, and the development of the OTP-CSO Structured Dialogue.

The OTP-CSO Structured Dialogue initiative aims at facilitating quarterly sessions in which the Office and a broad range of civil society organisations from different regions can come together. They address cross-cutting issues, including those pertaining to the *Policy on Complementarity and Cooperation*, and more broadly to other relevant topics.

In addition, the Office has held thematic consultations as part of its efforts to enhance its policy framework.

For example, on 27 and 28 November 2023, the Office welcomed 124 representatives of 56 civil society organisations from 36 countries to participate in a roundtable on trauma-informed approach to investigations and prosecutions. The roundtable highlighted scientific research around trauma, standards and best practices and focused on the intersection between mental health care and accountability efforts.



Prosecutor Khan and the Deputy Prosecutors at the Conference on Cyber-enabled Crimes at ICC Headquarters, in January 2024

On 22 January 2024, the Office hosted a conference addressing cyber-enabled crimes through the Rome Statute system. This brought together more than 100 participants, including cybersecurity and technology experts, civil society organisations, representatives of states and other partners. The discussions of this conference focused on the practical implications of the misuse of cyberspace to commit or facilitate ICC crimes.

In support of its forthcoming *Policy on Slavery Crimes*, from January to May 2024, the Office conducted 11 hybrid and in-person external consultations with 152 participants from at least 51 countries, including survivor communities, civil society organisations, advocates, academics, national authorities, international organisations, investigative mechanisms and other justice actors.

External engagements

In addition to the institutional measures adopted to implement its *Policy on Complementarity and Cooperation*, the Office has continued in its open and proactive approach to engagement with Rome Statute stakeholders. It has sought to strengthen outreach and partnerships, and to expand and revitalize its relationships at national, regional, and international levels.

In the course of 2024, the Office undertook missions to all continents, to situation countries, and to other States, including States Parties and States not party to the Rome Statute. These missions facilitated the exchange of views with relevant representatives, authorities and key stakeholders on matters of a strategic nature. They also served to discuss operational cooperation, to galvanise action at domestic and regional levels, and to enhance support, awareness, and institutional exchange in line with the *Policy on Complementarity and Cooperation*. Missions by the Prosecutor and Deputy Prosecutors have included not only visits to State – such as to Bangladesh, CAR, Colombia, the DRC, Germany, Ghana, Libya, Ukraine, the United Kingdom, and Venezuela – but also participation in key global fora, such as the Munich Security Conference and the United Nations General Assembly high-level week. These engagements enable bilateral meetings with Heads of State and Government, and other high-level representatives from States across the different regions. The Office has endeavoured to further strengthen its dialogue with States, engaging at different levels and in a more structured manner, reflecting key needs while ensuring a degree of geographical distribution.

The Office has continued its practice of meeting at regular intervals with different groups of States, in various formats and venues. Such engagements have included, this year, meetings in The Hague with Ambassadors from the Asia Group, Group of Latin America and the Caribbean (“GRULAC”), and Nordic States; engagements with different institutions and meeting formats of the European Union; and bilateral meetings with representatives from other regional organisations. The Office stands ready to further expand such interactions to other areas and platforms.

Information sharing

The Office has significantly deepened cooperation with local, regional and international partners in order to identify new opportunities for supporting the Office’s investigations of those of national proceedings or regional accountability mechanisms.

In October 2020, the Office renewed its engagement on an overall cooperation framework with Europol, including the possibility of establishing an arrangement through which the Office could directly send and receive information via the Secure Information Exchange Network Application (“SIENA”). The arrangement allows for secure confidential access to the SIENA platform, enabling swift and secure communication and exchange of operational and crime related information and intelligence.

Requests for information, assistance, and judicial cooperation continued to play a critical role in advancing the Prosecutor’s vision of establishing the Office as a hub for international justice.

During the reporting period, the Office adopted a more integrated approach to managing incoming requests. Drawing on lessons learned and best practices, the Office is currently reviewing its standard operating procedures concerning the assessment and response to these requests. This review aims to clarify the roles of all parties involved to improve efficiency and reduce response times.

During the reporting period, 15 partners either sought assistance from the Office or utilised information provided in domestic and international proceedings. These included 13 national authorities. The requests for assistance varied, ranging from information requests to technical assistance and capacity-building. In instances where the Office was unable to fulfill a request, the Office secured the assistance of other partners to complete the task.

Notably, there has been an increase in requests from States seeking assistance with national investigations and prosecutions of core international crimes, or to support judicial filings before the International Court of Justice. Between 1 August 2023 and 1 August 2024, the Office transmitted 458 outgoing Requests for Assistance and received 36 incoming cooperation requests under article 93(1) of the Rome Statute.

The Office remains committed to enhancing its internal processes to respond to requests in real time, and continues to engage partners, such as the Genocide Network and the Joint Investigation Team Network, to encourage the submission of further requests.

Field presence

Since assuming his mandate, the Prosecutor has emphasised the importance of bringing justice closer to communities affected by atrocities. Central to this approach is the shift from a headquarters-centric model to an enhanced field presence, a priority within the Office's Strategic Goal 4. This field-focused approach has enabled the Office to bring its work closer to victims and local communities. By enhancing its presence in the field, the Office strengthens communication and outreach, fostering a stronger connection between impacted communities and the ICC's mandate, thus deepening engagement and understanding of the Court's accountability processes.

“A further pillar of this new approach reflected in the Policy... is to bring our work as close as possible to the communities affected, the communities that seek, deserve and require justice... Justice in most circumstances is best delivered close to home. While we are very often detached geographically... from the places in which we've sought to operate, the presumption should be that we have staff as close to the situation as possible... to have as effective investigations as possible.”

– The Prosecutor, Presentation of the Policy in the Hague, June 2024

Significant progress has been made in different regions. In Venezuela, during his fourth official visit in April 2024, the Prosecutor inaugurated the OTP's in-country office in Caracas. This new office will serve as a logistical and operational base for the OTP's efforts to strengthen cooperation with national authorities and enhance Venezuela's judicial capabilities. In Ukraine, the OTP has had a continuous field presence since May 2022, drawing on a rotational extended mission deployment plan. A pivotal step was the March 2023 signing of an agreement to establish a country office, officially opened in Kyiv in September 2023. This office, now the largest ICC field presence outside The Hague, allows the OTP to deepen its engagement with survivors, civil society, and local communities while increasing the efficiency of investigative efforts. Further, in April 2024, the Prosecutor signed an agreement on the establishment of an OTP office in Bogotá, Colombia. This will focus on the implementation of the Cooperation Agreement with the Government of Colombia, the national work plan, and a work plan dedicated to activities in support of domestic proceedings by the Special Jurisdiction for Peace (“SJP”). Premises have now been identified in Bogotá and processes commenced for recruitment of staff to support its work.

In addition to country-specific offices, in 2022, the Office continued implementation of the Forensic Rotational Model (“FRM”), supporting the deployment of multidisciplinary forensic teams drawing on expertise from States Parties willing to second experts. Since its launch, the FRM has supported 11 missions to Ukraine, involving experts from six States Parties.

A Renewed Approach to Complementarity and Cooperation

The FRM has enabled a flow of forensic experts to document crime scenes and to analyse evidence. In Ukraine, the FRM has enabled the deployment of forensic experts and specialists through cooperation with authorities from countries such as the Netherlands, Belgium, Czech Republic, Denmark, France, and Switzerland.

Building on the success of the FRM, the Office, through its Forensic Science Section, has expanded the scope of this collaboration by launching the Global Forensic Network in 2024. Drawing on a major roundtable held with forensic partners in January 2024, the Global Forensics Network seeks to provide a platform to allow for the deployment of national forensic expertise to support OTP investigations and assisting national authorities

in broader contexts, including Libya and the Democratic Republic of the Congo as priorities. The network fosters dynamic forensic assistance, tailored to the needs of national authorities, while promoting collaboration with courts and national authorities, and advancing justice for victims. These activities also provide opportunities for knowledge transfer and capacity-building, demonstrating the practical application of complementarity principles.

In line with this approach, forensic support has been provided in CAR, in collaboration with the Argentine Forensic Anthropology Team and the Columbia Law School Human Rights Clinic, and the DRC, where the Office has supported local forensic capacity-building efforts.



The Prosecutor inaugurating the Venezuela OTP in-country office in April 2024



The Prosecutor inaugurating the Venezuela field office

Forensic activities not only drive investigations forward but also serve as a visible demonstration of the Office’s commitment to justice for victims and survivors, reflecting the core principle of complementarity in action. In 2023, the Office made significant progress in refining the FRM by addressing operational, financial, and legal challenges to optimize its impact. The FRM has been especially effective in supporting Ukrainian authorities in evidence collection and accountability strategies. Through the FRM and the Global Forensic Network, the Office is ensuring that forensic expertise is mobilised to enhance both national and OTP investigations, advancing its mandate to address Rome Statute crimes.

The Office’s field presence strategy ensures greater operational flexibility and responsiveness to emerging needs, while facilitating deeper collaboration with national authorities and regional partners across various situation countries. It further promotes national ownership of accountability processes, by supporting local investigations and prosecutions. It facilitates direct engagement with national authorities and other stakeholders, and allows the Office to collect evidence, conduct interviews, and monitor domestic proceedings in real time.

Complementarity in action



The Office has made significant efforts to support national jurisdictions seeking to investigate and prosecute core international crimes, consistent with the Rome Statute. The Office does this by sharing expertise and exchanging best practices, sharing information and evidence, coordinating with domestic and international partners, enhancing its field presence, and providing multidisciplinary forensic expertise through rotational deployments. The examples below illustrate collaborative efforts where cooperation and complementarity activities with national jurisdictions and other accountability partners have led to tangible progress in delivering accountability for serious crimes of international concern.

As this represents the first more detailed overview of its complementarity activities in Annual Report format, some of the information provided here exceptionally covers work carried out prior to the direct reporting period of this Report.

Afghanistan

Background

The Office has been actively engaged with the *Situation in Afghanistan* since initiating a preliminary examination in 2007, focusing on alleged war crimes and crimes against humanity stemming from the ongoing armed conflict.

On 5 March 2020, the Appeals Chamber authorised the Prosecutor to open an investigation.

During the preliminary examination phase, the Office engaged extensively with the government of the Islamic Republic of Afghanistan to encourage, support, and monitor domestic investigations into alleged Rome Statute crimes, adhering to the principle of complementarity. Similarly once the investigation was opened, the Office gave due consideration to the national authorities' request for deferral. Following the emergence of new *de facto* authorities in August 2021, and the Court's decision authorising the resumption of the investigation, the Office shifted the focus of its complementarity activities. Since October 2022, alongside its own investigative activities, the Office has concentrated on promoting and cooperating with national investigations in other States, given the current limitations within Afghanistan. This strategic pivot emphasises the OTP's commitment to accountability by ensuring that victims' voices are heard, and that justice is pursued, even as the *Situation in Afghanistan* remains complex and challenging.

Complementarity highlights

In parallel to its ongoing investigations, the Office is cooperating with UN mechanisms documenting human rights violations in

Afghanistan as well as various national jurisdictions that are investigating and prosecuting the commission of international crimes in Afghanistan, including Australia and the United Kingdom, among others.

Australia

Since 2016, the Office has cooperated with Australian authorities on domestic inquiries, investigations and proceedings relating to the alleged commission of Rome Statute crimes by Australian forces in Afghanistan. This collaborative engagement has included a robust exchange of information on relevant policies, procedures and investigative best practices.

In 2016, the Australian Defence Force commissioned an independent inquiry by the Inspector-General of the Australian Defence Force (“IGADF”), into allegations that members of Australia’s Special Operations Task Group may have violated international humanitarian law in Afghanistan, between 2005 and 2016. This inquiry was led by the Honourable Paul Brereton, a Justice of the New South Wales Supreme Court. In May 2018, Justice Brereton travelled to the Court and briefed the Office on the mandate and scope of the inquiry.

Subsequently, on 9 April 2019, the Office received a Request for Information from Australia in relation to the ongoing inquiry. The Office reviewed its collection of information that could be shared with Australian authorities and responded to this incoming request on 20 September 2019.

Following the release of the Brereton Inquiry Report, on 4 January 2021 the Australian government established the Office of the

Special Investigator (“OSI”). Together with the Australian Federal Police, the OSI is mandated to investigate crimes under Australian law, relating to IHL violations by members of the ADF in Afghanistan, between 2005 and 2016.

On 13 October 2022, the Office met with a delegation from the Australian OSI. The Office has since hosted two working level study visits to the Court, by members of the OSI, in April 2023 and June 2023 respectively. In addition, the Prosecutor hosted OSI’s leadership at the Court on 15 November 2023. The Office continues to stand ready to support domestic efforts by Australian authorities in this field and anticipates that this collaboration will continue in the coming period.

The United Kingdom

The UK’s Independent Inquiry relating to Afghanistan (“IIA”) was established on 15 December 2022, to investigate matters arising from the deployment of British Special Forces to Afghanistan between mid-2010 and mid-2013. The Inquiry is chaired by the Rt. Hon. Lord Justice Haddon-Cave, a judge of the Court of Appeal of England and Wales. Specifically, the IIA is investigating allegations of extra-judicial killings by UK Special Forces during deliberate detention operations (“DDO”) in Afghanistan in the period mid-2010 to mid-2013, whether unlawful activity was covered up, and the adequacy of subsequent investigations into such allegations.

Lord Justice Haddon-Cave and his team met with Deputy Prosecutor Khan and representatives of the Office in June 2023. Subsequently, in July 2023, the Office received an incoming Request for Assistance from the UK IIA.

Following a series of technical level consultations between the team and IIA, the Office responded to this Request for Assistance in August 2023.

Looking ahead

The Office is considering a potential high-level visit to Australia in 2025 to further its complementarity efforts for the Situation in Afghanistan. The Office also anticipates receiving and responding to further incoming Requests for Assistance from other States investigating the alleged commission of Rome Statute crimes in Afghanistan.

Bangladesh/Myanmar

As its own investigation progresses, the Office's complementarity activities in the *Situation in Bangladesh/Myanmar* have taken place according to a twofold approach, involving cooperation with the Independent Investigative Mechanism for Myanmar ("IIMM") as well as engagement with justice and accountability actors pursuing cases related to the Rohingya crisis.

The IIMM was established to investigate crimes committed in Myanmar and to assist justice and accountability mechanisms, including the ICC, the International Court of Justice ("ICJ"), and other national jurisdictions such as Argentina. Cooperation between the OTP and IIMM is formalised through a Memorandum of Understanding ("MoU") and specific ad hoc arrangements.

Complementarity activities with the IIMM include regular coordination and deconfliction meetings, information sharing, and joint activities, where deemed appropriate. The Office and IIMM have collaborated very closely in many issues, and continue to ensure that their activities are closely aligned, where possible and relevant. The Office has actively participated in IIMM civil society roundtables in 2023 and 2024, and undertook cooperation missions to Geneva in 2022 and 2023.

The Office has also engaged with other justice mechanisms, including in relation to cases at the ICJ and under universal jurisdiction. Regular engagement with the legal team representing The Gambia at the ICJ focuses on the genocide case against Myanmar. The Office continues to monitor the progress of this case.

Similarly, the Office has established regular contact with the Office of the Federal Prosecutor No. 9 in Argentina, where a universal jurisdiction case is underway concerning the 2016 and 2017 crimes committed against the Rohingya. The OTP regularly engages with the Federal Prosecutor's Office on their respective investigations. The Office expects to continue this engagement, including through in-person meetings.

Additionally, the Office continues to monitor related cases, including cases filed in Türkiye and the Philippines, focused on post-coup crimes in Myanmar, as they develop.

Looking Ahead

The IIMM's collaboration with the Office will remain pivotal, as will engagement with national jurisdictions, particularly the Federal Prosecutor's Office No 9 in Argentina. Regular cooperation missions, coordination meetings, and civil society engagements will continue, aiming to strengthen the ICC's evidentiary base and align justice efforts across various jurisdictions. The Office will build on its partnerships to ensure that justice for the Rohingya remains a priority in the international legal system.

Central African Republic

Background

The Office has been actively engaged in CAR since the national authorities made their first referral to the ICC in December 2004 (CAR I), focusing on alleged war crimes and crimes against humanity since July 2002. In response to renewed violence, the Government of CAR referred a second situation (CAR II) in May 2014, concerning war crimes and crimes against humanity allegedly committed since 1 August 2012.

On 16 December 2022, the Prosecutor announced the conclusion of the investigation phase in the *Situation in the Central African Republic*. The Office's activities have moved to a phase focused on prosecuting the cases for which the Court has issued arrest warrants for alleged war crimes and crimes against humanity, and fostering domestic accountability through cooperation with national authorities.

“Since taking oath, the ICC Prosecutor has been clear that the flag behind the jurisdiction which brings hope to the victims does not matter. We are determined to work closely with the national justice system in CAR, in particular the SCC, to ensure that investigations and prosecutions at the domestic level are supported through the sharing of information and expertise, as necessary. The signing of this MoU reflects the Office’s commitment to support national initiatives in CAR whenever possible to bring to justice those responsible for committing international crimes through concrete actions including information and expertise sharing.”

– Deputy Prosecutor Niang signing the MoUs, November 2023

Complementarity highlights

The OTP's engagement and cooperation with CAR has been operationalised through a series of agreements. These include the 2007 judicial cooperation agreement, its subsequent addenda signed in 2014 and 2021, and the memoranda of agreements signed on 21 November 2023 with both the CAR government and the Special Criminal Court in CAR (“SCC”), reaffirming the

commitment to deepening cooperation. These agreements facilitate efficient collaboration between the Office and CAR justice institutions, particularly in areas of complementarity.

The Office's complementarity efforts in CAR have sought to provide significant support to the SCC's investigations and prosecutions, including by sharing information and exchanging knowledge. In response to requests for cooperation, the Office has also provided a range of other assistance, including forensic and technical expertise in various fields such as the exhumation and identification of human remains, and the extraction and analysis of mobile phone data seized from suspects.

Beyond operational support, the OTP has also been actively engaged in capacity-building initiatives. In October 2024, with support from the OTP Trust Fund on Complementarity and the Trust Fund on Witness Protection, the Office conducted two seminars directed at supporting the capacity of SCC and national authorities.

From 1 to 4 October 2024, the Office delivered a specialised training for 43 SCC staff members and officials, including investigators, judges, prosecutors, officials from the SCC Registry, and other staff from specialised units. The seminar focused on call data analysis, online investigations, witness protection and judicial cooperation. This seminar aimed to exchange knowledge and expertise through interactive discussions and case studies. At the end of the seminar, each participant was provided with a kit comprising further information on the topics addressed during the event and additional relevant tools.

In addition, from 7 to 12 October 2024, the Office conducted a capacity-building event in the areas of psychosocial support and counselling, with participants including members of the judiciary, law enforcement personnel, officials from various government ministries, and first responders from local civil society organisations in Bangui. The importance of this event, which contributed to the strengthening of the national justice system, was underscored by the President of the Republic of CAR, who opened the second part of the seminar on 11 October 2024. The Office was also grateful for the presence of several members of his cabinet, as well as members of the diplomatic corps and representatives of international organisations.

In reinforcing these efforts, a third capacity building event is planned for the beginning of 2025, with the aim in reinforcing support of national efforts to enhance investigative techniques, including those related to sexual and gender-based crimes.

As with other situations, the Office is committed to playing an active role in supporting domestic accountability efforts in CAR. To this effect, Deputy Prosecutor Niang conducted several visits to CAR to engage with national authorities and the SCC. In April 2022, he attended the opening of the first SCC trials in Bangui, on behalf of the Prosecutor, showing the Office's support and encouragement for national justice, in its efforts to bring accountability to the victims of atrocity crimes.

Further, during his most recent visit in April 2024, Deputy Prosecutor Niang met with President Faustin-Archange Touadéra, who

commended the OTP’s approach to complementarity, and requested further support in strengthening CAR’s national judiciary. In the course of these visits, Deputy Prosecutor Niang discussed the Office’s activities in CAR with members of the judiciary, the diplomatic community, and civil society representatives.

Looking ahead

Through its cooperation with the SCC and CAR authorities, the OTP continues to seek to play an important role in advancing justice for international crimes committed in CAR, ensuring that the principle of complementarity is upheld in practice.

The Office will continue to pursue its commitment to support national justice and the SCC’s proceedings through information sharing, and by providing technical assistance and supporting capacity building initiatives. In this regard, the Office already plans to provide

advanced training for SCC investigators and analysts on the extraction and analysis of phone data records during the first semester of 2025.

Colombia

Background

The Office has been engaged in the accountability process in Colombia since the opening of a preliminary examination in June 2004 focusing on crimes within the Court’s jurisdiction. The preliminary examination focused on identifying alleged crimes committed in the context of the armed conflict, and assessing relevant national proceedings conducted by competent national jurisdictions. The Office’s support for Colombia’s genuine efforts to investigate and prosecute Rome Statute crimes included undertaking multiple periodic in-country missions, receiving technical visits at the seat of the Court, participating in trainings and seminars, exchanging best



The OTP meeting with representatives of the JEP, October 2023

practices and holding exchanges with domestic counterparts on the Office's findings and its interpretation of certain provisions of the Rome Statute. Operational interaction, cooperation and dialogue enabled fruitful exchanges to support Colombia in its accountability efforts.

Following a thorough review of the progress and status of relevant domestic proceedings, the Prosecutor concluded in October 2021 that the national authorities were actively engaged, and neither unwilling nor unable to genuinely investigate and prosecute Rome Statute crimes, particularly in the cases before the Special Jurisdiction for Peace ("SJP"). This determination was accompanied by the signing of a first-of-its-kind Cooperation Agreement between the Office and the Government of Colombia, committing both parties to support Colombia's accountability processes.

Under the Cooperation Agreement, the Government of Colombia committed to safeguarding the structure and legislative framework of judicial systems addressing Rome Statute crimes, including the SJP; to allocating necessary financial resources for effective justice delivery; to preventing undue interference in the administration of justice; to implementing protective measures for judicial actors and participants in accountability mechanisms; and to promoting cooperation among State entities, particularly between the Attorney General's Office and the SJP. Additionally, the Government committed to keeping the Office informed about the progress of domestic proceedings and facilitate access to relevant documentation as needed.

In turn, the Office committed to support Colombia's accountability efforts and to participate in projects to enhance awareness of ICC developments, particularly regarding decisions and authoritative interpretations issued by the Court's Chambers. The Cooperation Agreement also notes that the Prosecutor's admissibility assessment can be reconsidered in light of significant changes in circumstances.

To further implement the Cooperation Agreement, on 7 June 2023, the Prosecutor and the Government of Colombia signed an Action Plan outlining common objectives for deeper collaboration. This plan details activities in support of justice and accountability efforts in Colombia, along with a timeline for actions in cooperation with Colombian authorities. Key actions include providing technical expertise, exchanging best practices in thematic areas such as gender-based crimes and crimes affecting children, coordinating actions across justice institutions, and the establishment of a continuous presence of the Office in Colombia.

Since the conclusion of the Cooperation Agreement, the Office has maintained direct engagement with Colombian institutions, including meetings with the SJP President and magistrates, as well as the Attorney General's Office, in The Hague and Bogotá. On 6 June 2023 a Joint Workplan was signed with the SJP to facilitate a two-way dialogue for sharing best practices and lessons learned. The Office also received updates on ongoing proceedings led by the competent national jurisdictions, indicating progress in investigations and prosecutions concerning civilian third parties, gender-based crimes, crimes against and affecting children, and forced displacement.



The Prosecutor with the Attorney General of Colombia, H.E Luz Adriana Camargo, in May 2024

On 27 April 2024, the Prosecutor signed an agreement with the Government of Colombia on the establishment of an OTP office in Bogotá, Colombia. The Office will focus on the execution of the complementarity program established under the framework of the Cooperation Agreement, the national work plan and a work plan dedicated to activities in support of domestic proceedings for crimes falling under the Rome Statute conducted by the SJP. The Bogotá office will also strengthen the basis on which the OTP can continue to support Colombian institutions in their innovative work to deliver justice for victims.

Complementarity highlights

Since the signing of the Cooperation Agreement, the Office and Colombian authorities have engaged in various activities to ensure its implementation. In December 2021, the Office participated in a capacity-building exercise organised by the International Center for Transitional Justice and Universidad Nacional de Bogotá, in coordination with the SJP, to exchange best practices with SJP investigators and prosecutors regarding advocacy skills, legal knowledge, and procedural feedback.

High level and working level missions have taken place every year since the closure of the preliminary examination in October 2021.

Every mission helped to inform the Office's approach in its complementarity activities.

In October 2022, the Prosecutor conducted a high-level technical mission to Bogotá to reinforce cooperation with Colombian authorities under the framework of the Cooperation Agreement. This marked a pivotal step in reaffirming the Office's ongoing support for Colombia's accountability efforts, with a particular focus on addressing sexual and gender-based violence and ensuring the effective implementation of justice mechanisms.

In August 2023, the Office provided a training event for the SJP on the Office's *Policy on the Crime of Gender Persecution*. This was delivered by Professor Lisa Davis, then Special Adviser on Gender Persecution, and Office staff members.

In October 2024, in furtherance of its commitment to continue cooperating with the OTP under the Cooperation Agreement, the Government of Colombia presented a report to the OTP detailing progress made between 2022 and 2024 in the investigation and prosecution of crimes committed during the armed conflict, including third-party involvement, environmental crimes, crimes against children, gender-based crimes, and forced displacement. Coordinated by the Ministry of Foreign Affairs, this report incorporated contributions from various governmental entities, including the Attorney General's Office, the Ministry of Justice and Law, the SJP, the Superior Council of the Judiciary, the Unit for Comprehensive Attention and Reparation for Victims, and the Unit for the Search of Missing Persons. This reflected Colombia's ongoing efforts to address core international crimes through domestic

proceedings across multiple jurisdictions. The report highlighted steady progress in investigations and prosecutions, particularly through the Attorney General's Office and the SJP, indicating that a comprehensive legislative and judicial framework is in place to prosecute Rome Statute crimes.

In November 2024, the Office successfully conducted a specialised workshop for the SJP designed to address key aspects of its cases focusing on gender-based crimes, including sexual crimes targeting children and adults. The workshop provided SJP magistrates and judicial officers with foundational insights into gender-based crimes and crimes against and affecting children, as well as practical expertise. The event underscored the Office's commitment to fostering Colombia's accountability efforts by equipping judicial officers with knowledge and best practices. The workshop employed a two-way collaborative framework for exchanging knowledge by providing expertise from the Office, and facilitating the SJP's sharing of insights on intersectionality of race, gender and ethnicity. This approach mirrors the Work Plan's framework of strengthening judicial capacity while benefitting from Colombia's experience and expertise.

Looking ahead

Looking ahead, the Office will continue to focus on its activities under the Cooperation Agreement, as outlined in the Action Plan with the Government of Colombia and the Joint Workplan with the SJP. Key focus areas will include providing technical expertise, exchanging best practices in priority thematic areas, and coordinating actions across justice institutions. The Office will continue to support Colombia's efforts to ensure that relevant measures are undertaken and sustained in support of genuine domestic criminal proceedings. The Office's continuous field presence in Bogotá will be instrumental in supporting these efforts.

In addition, the Office is committed to gathering firsthand information on Colombia's accountability initiatives, particularly the work of the SJP, while reinforcing and exploring possibilities to enhance its support for the Attorney General's Office and other national accountability actors including civil society organisations. The Prosecutor has consistently underscored the international significance of Colombia's transitional justice processes and the lessons they offer. Through this ongoing engagement, the Office seeks not only to assist in these efforts but also to share Colombia's experience as a model of best practices in transitional justice for global justice initiatives as appropriate.

Darfur

Background

The *Situation in Darfur* was referred to the ICC by the UNSC through Resolution 1593 on 31 March 2005. Although Sudan is not a State Party to the Rome Statute, the referral allowed

the ICC to exercise jurisdiction over alleged crimes committed in Darfur since 1 July 2002. The Office's investigation, initiated in June 2005, focuses on allegations of genocide, war crimes, and crimes against humanity, including murder, rape, and persecution.

Following the ousting of Sudanese President Omar Al Bashir in 2019, the political landscape in Sudan shifted, providing an opening for enhanced cooperation between the Sudanese government and the ICC. In May 2021, the Office signed an MoU with the Government of Sudan focusing on the *Prosecutor v. Abd-Al-Rahman* case being tried at the Court. In August 2021, a new agreement superseding the abovementioned MoU expanded cooperation by the Government of Sudan to all Sudanese suspects involved in the situation, including Mr Omar Al Bashir, Mr Ahmad Harun, and Mr Muhammad Hussein.

Despite these positive developments, Sudan's internal political instability proved to be a significant obstacle. The military coup in October 2021 abruptly ended the political transition, halting further discussions on complementarity between the Office and the Government of Sudan, and Sudan's ability to investigate and prosecute international crimes. Moreover, the armed conflict that erupted in April 2023 between the Sudanese Armed Forces ("SAF") and the Rapid Support Forces ("RSF") further complicated efforts to meaningfully and adequately engage on complementarity opportunities. Currently, the Office is investigating crimes allegedly committed in the course of the ongoing conflict that commenced since April 2023 between the SAF and the RSF and their affiliated armed groups in Darfur.

The Office's engagements in Sudan have been formalised primarily through MoUs and requests for cooperation. The MoU signed in August 2021 marked a significant step toward improving collaboration between the Office and the Sudanese authorities. While Sudan's internal upheaval substantially impacted the advancement of these efforts, the Office remains committed to seeking cooperation with Sudan, States parties and other international bodies, including the UN Human Rights Council Fact Finding Mission ("FFM") on Sudan. The collaboration with the FFM on Sudan – whose mandate was extended for another year from October 2024 – is yet to be formalised under the 2004 UN-ICC Agreement.

Complementarity highlights

Complementarity is integral to the Office's operations in Sudan. Initially, the Office engaged in discussions in 2021 with the transitional government of Sudan on complementarity. These aimed to explore the possibility of national prosecutions or other mechanisms – including hybrid courts along the lines of the African Union hybrid court model – that would promote, advance and ensure accountability, within the requirements of the Rome Statute. However, these efforts were stymied by the October 2021 military coup and the subsequent deterioration of security and the political instability in Sudan.

Although cooperation with Sudanese authorities stalled, the Office continued to engage with other states and civil society actors on complementarity issues. Several European nations, including Sweden and the UK, have engaged with the Office with respect to national investigations or prosecutions related to the *Situation in Darfur*.

The Swedish Prosecution Authority sought the OTP's assistance in the case against two executives of Lundin Energy, who are being prosecuted for complicity in international crimes during the Sudanese civil conflict between 1999 and 2003. Following the Swedish authorities' request, the OTP provided information to assist the prosecution. The trial of the two indictees started in September 2023 before a Swedish Court.

The OTP is supporting a national investigation by the UK Counter Terrorism Policing War Crimes Team into a UK citizen suspected of committing offences under the UK Terrorism Act 2000. The allegations being investigated by the UK's War Crimes Team may be connected to the ongoing conflict in Darfur, which commenced on 15 April 2023. The cooperation provided by the OTP is mutually beneficial as the information collected by the UK Police is equally relevant to the OTP's ongoing investigations.

In respect of the Office's collaboration with civil society organisations ("CSO's") to advance complementarity, the OTP has contributed to strengthening efforts to document international crimes allegedly committed in the ongoing conflict in Sudan. Experts from the Office have participated in various workshops, mentoring activities and trainings, either in person or online, throughout 2024. These aimed at reinforcing Sudanese CSOs' capabilities, providing the necessary skills to document crimes allegedly committed in Darfur and beyond, for future legal accountability processes. In this context, the Office's experts and partners were also able to assist and provide guidance for participating Sudanese CSOs and other



Prosecutor Khan briefs the UN Security Council on the Situation in Darfur, Sudan in August 2024

Photo Credit: United Nations/Loey Felipe

human rights defenders in defining their investigative approaches and building potential cases. The Office contributed to a total of 5 workshops organised by Wayamo Foundation, Strategic Initiative for Women in the Horn of Africa (“SIHA”) Network, and Rights for Peace. To a lesser degree, the Office also collaborated with FIDH and Project Expedite Justice in steps taken by these organisations to document international crimes in the context of the ongoing conflict in Darfur.

Looking Ahead

The future of the Office’s engagement in Sudan hinges on both the evolving political situation and the Office’s ability to collaborate with international partners. Given the ongoing conflict and instability in Sudan, the Office’s efforts will likely continue to focus on cooperation with foreign judicial authorities and other organisations whose activities are geared towards accountability. This international

cooperation could prove crucial in advancing accountability for crimes committed in Darfur, as demonstrated by ongoing efforts with relevant national authorities, as well as the abovementioned CSOs.

In 2025, the Office’s cooperation with relevant national authorities may continue depending on the outcomes of ongoing investigations. Additionally, the Office will likely intensify its collaboration with the UN Human Rights Council Fact Finding Mission, as their mandate remains in force.

While events in Sudan remain fluid, the ICC’s activities in Darfur persist, relying heavily on international cooperation and legal mechanisms to advance justice for victims of the conflict. The combination of international cooperation and continued ICC investigations holds promise for future accountability efforts in Sudan, even amid challenging circumstances.

The Office will continue exploring avenues for complementarity and cooperation with national authorities and other accountability mechanisms, as appropriate.

Democratic Republic of the Congo

Complementarity highlights

In line with its complementarity strategy, the Office continues to engage with the DRC authorities and other stakeholders to encourage national proceedings to address Rome Statute crimes. On 1 June 2023, the Office and the DRC signed a MoU establishing a framework for supporting the national justice system. This MoU allows for a two-track approach, maintaining the key track of the Office's investigations, while setting forth tangible goals for collaboration. The MoU aims to help accelerate the implementation of the DRC's national strategy to address serious international crimes, support domestic justice initiatives, and increase the Office's support to the DRC authorities.

The MoU provides the framework in which the Office and the DRC can collaborate on several significant initiatives. First, jointly mapping alleged Rome Statute crimes to identify cases that may be pursued by either the DRC authorities or the Office. Second, holding ICC proceedings in situ, if possible, within the DRC, subject to judicial authorisation. Third, the deployment of forensic experts to assist national efforts in protecting and excavating mass grave sites and securing evidence, as part of the Office's Global Forensic Network (see above). Finally, the MoU addresses capacity building and the enhancement of national accountability institutions through training

and exchange of best practices. The latter can be supported by contributions to the Trust Fund on Complementarity.

In November 2023, the Office and DRC authorities jointly organised a workshop focused on the DRC's priority cases which are part of the national prosecutorial strategy for international crimes. This workshop included provincial military prosecutors, UN representatives, and technical partners, addressing the needs for capacity building and the implementation of the national strategy. In support of the judicial authorities, the Office seized the opportunity to assess the needs of the military prosecutors in terms of capacity building, with a view to organising training and sharing of experience sessions.

In February 2024, the Office conducted a field mission to the DRC to map domestic forensic capacities and identify opportunities for further support. This mission aligns with the objectives of the June 2023 MoU and contributes to the ongoing Forensic Capacity Building Strategy.

Further, in August 2024, two training sessions were delivered by the Office for military and civilian prosecutors, and members of the National Human Rights Commission ("CNDH"). These sessions, tailored to address specific needs, covered various aspects of international criminal law and investigative techniques, including sexual and gender-based crimes and crimes against and affecting children, aiming to enhance the national institutions' capabilities. The training sessions were financed by the Trust Fund on Complementarity after a voluntary contribution from the *Organisation Internationale de la Francophonie*.

Looking ahead

The Office is supportive of plans to hold an international conference in the DRC to discuss the potential establishment of a DRC special court, or specialised chambers within the DRC courts. These initiatives are intended to further strengthen the DRC's judicial mechanisms and to enhance cooperation in addressing international crimes.

The Office intends to seek significant contributions to its Trust Fund on Complementarity to finance stand-alone activities in support of national efforts in the DRC.

Guinea

Background

In Guinea, the Office has remained engaged in the accountability process for crimes committed during the 28 September 2009 events in the national stadium in Conakry. It welcomed the first instance judgment in the domestic trial into these events, delivered on 31 July 2024. The start of this trial in September 2022 triggered the closure of the Office's preliminary examination into the situation, which was initiated in October 2009. During the preliminary examination, the Office found that there was a reasonable basis to believe that several crimes against humanity were committed during the events of 28 September 2009, including murder, torture, rape, persecution, and enforced disappearance, as defined under the Rome Statute. This conduct was eventually addressed in the domestic trial.

The Office's continued engagement in Guinea is guided by a MoU between the Office and Guinea that was signed on 28 September 2022.

It aims to further the principle of complementarity, and to strengthen future cooperation in the pursuit of justice in Guinea. Pursuant to this agreement, the Republic of Guinea put in place the measures necessary to try those suspected of responsibility for the 28 September 2009 events, leading to 11 persons being charged with killings, disappearances and gender-based crimes. These measures included: ensuring the capacity of judges, prosecutors, registry members, and lawyers; ensuring outreach and communication activities to inform the public of developments in the judicial proceedings; and providing support and assistance to victims and witnesses participating in the trial. The commitments of the Government of Guinea remain relevant beyond the first instance judgement in the domestic trial.

For its part, the Office committed to continue supporting Guinea's domestic accountability efforts by contributing to projects and programs aimed at the provision of knowledge transfer, exchanging best practices, and technical support. In 2023, the Office conducted a mission to Conakry in furtherance of the MoU. During the mission, the Office held discussions with national authorities, civil society organisations and diplomatic actors to encourage the appropriate progression of the domestic trial, and to assess the need for technical support. Based on its meetings, the Office identified capacity-building needs beyond the domestic trial as well as areas where it can provide its own expertise as part of a legacy project regarding its activities in Guinea.



Dixinn Court in Conakry, Guinea

Complementarity highlights

Since the initiation of the preliminary examination, the Office has conducted a total of 23 missions to Guinea aimed at bolstering complementarity efforts and supporting the domestic trial process. In September 2022, the Prosecutor and Deputy Prosecutor Niang attended the opening of the long-awaited domestic trial, marking a significant milestone, and recognising the Guinean authorities' willingness and capability to conduct genuine proceedings. With the opening of the trial and the signing of the MoU, the Office concluded that complementarity is at work in Guinea.

In the early stages of its preliminary examination, the Office liaised with the United Nations to facilitate engagement between the UN Commission of Inquiry, and the Guinean authorities thereby contributing to a thorough

national investigation. Additionally, the Office has supported national capacity-building initiatives and technical assistance to enhance the legal framework necessary for the prosecution of investigation and prosecution of the 28 September 2009 events.

In March 2024, Deputy Prosecutor Niang conducted an official visit to the Republic of Guinea, in the context of the implementation of the MoU. During his mission, Deputy Prosecutor Niang was accompanied by a delegation of the ICC Trust Fund for Victims ("TFV") who provided expertise on victims' reparations following an initial joint OTP/TFV technical mission of March 2023. Collaborating with relevant partners in its complementarity activities to maximise impact on national proceedings is a key feature of the Office's new approach to complementarity and cooperation.

On 31 July 2024, the Dixinn Court in Conakry, Guinea, issued the first instance judgment, convicting perpetrators of the 28 September 2009 events at the national stadium in Conakry in which between 156 and 200 people were allegedly killed or disappeared, and at least 109 women were raped or subjected to other forms of sexual violence. The judgment is a landmark in establishing the truth behind the 28 September 2009 events, and bringing to account those bearing the greatest responsibility for the atrocities committed.

Looking ahead

The Office will continue monitoring the domestic proceedings in Guinea with respect to the events of 28 September 2009, including relevant appeals proceedings, serving of sentences and any new related criminal proceedings. The Office will also consider exchange of knowledge and expertise through capacity-building activities between the Guinean judiciary and ICC officials, going beyond the participants of the recent trial. This will be part of a legacy program benefitting a larger audience of judicial personnel in Guinea.

Libya

Background

The Office has been investigating crimes in Libya since 2011, following the United Nations Security Council referral of the situation through Resolution 1970. The Office's mandate in Libya focuses on investigating alleged war crimes and crimes against humanity committed throughout Libya. In addition to investigating crimes allegedly committed during the 2011 violence, crimes in detention, and crimes committed during operations between 2014-2020, the Office's investigation also looks into alleged crimes against migrants who are smuggled along the so-called 'Central Mediterranean Route' from the Horn of Africa to Europe through Libya.

In 2022, the Prosecutor introduced a renewed strategy for Libya, signalling the Office's commitment to reinvigorating investigations that had previously stagnated. This strategy focuses on accelerating accountability processes through enhanced cooperation and complementarity with Libyan and other domestic authorities, and provides a roadmap for the key lines of investigation mentioned above.

During his 26th briefing to the UNSC, the Prosecutor announced a strategy to complete the investigative phase of the Libya situation by the end of 2025. This aims at the issuance of additional arrest warrants, the start of ICC trials, and addressing crimes against migrants and detainees. At the same time, the Office will support national proceedings in Libya and other States, and aim to enhance Libya's judicial capacity through technical assistance and complementarity. The Office will seek to



*The Prosecutor briefing the UN Security Council on the Libya situation, in May 2024,
Photo Credit: United Nations*

foster deeper cooperation with Libyan authorities to improve arrest tracking, forensics, and prosecution capabilities.

Complementarity highlights

As the Office progresses with its own investigation, it has also advanced complementarity activities through engagement with national authorities. For example, in September 2022, the Office formally joined efforts with national authorities from Italy, the Netherlands, the UK and Spain, with the support of Europol, by signing a Joint Team Agreement within the framework of article 19 of the United Nations Convention against Transnational Organized Crime (UNTOC). The Joint Team is a pioneering intelligence sharing mechanism that focuses on so-called High Value Targets allegedly responsible for the use of extreme violence against

migrants smuggled from Africa *en route* to Europe – including acts of kidnapping, torture, extortion, human trafficking, enslavement, rape and other sexual and gender-based violence. The team’s coordinated work has led to the successful execution of arrest warrants through extraditions and prosecutions, including an extended investigation in the Netherlands resulting in one ongoing trial and the arrest of a second key Eritrean smuggler in the UAE, who is pending extradition to the Netherlands.

In the last six months, the Office has directly supported 5 national law enforcement agencies by sharing information and evidence. The Office has also received active support from States and organisations including United Nations Support Mission in Libya (UNSMIL), Europol, and at least eight national law enforcement and prosecutorial authorities.

The annual Strategic Meeting of the Joint Team with senior leadership will take place in December 2024.

The Office has strived to work closely with Libyan authorities, including the Attorney General’s Office, the Military Prosecutor’s Office, and the Ministry of Justice, to ensure that investigations align with national judicial processes. Deputy Prosecutor Khan’s visits to Tripoli, including the April 2024 mission, underscored the importance of national cooperation in ensuring justice for victims. During these meetings, discussions revolved around the roadmap for completion, complementarity initiatives, and future collaborative efforts between the ICC and Libyan authorities. The Office has been engaged with the Libyan authorities to increase their investigative and evidence capacity through coordinating specialised forensic and DNA trainings for the relevant Libyan authorities.



Deputy Prosecutor Khan with the Attorney General of Libya, H.E Al-Siddiq Al-Sour, in April 2024

The ICC has emphasised its commitment to victims in Libya, particularly those impacted by crimes against humanity and war crimes, including crimes against migrants. The Prosecutor highlighted that the roadmap is designed to deliver “impactful and meaningful” outcomes, offering victims concrete results in the fight for justice. This is reinforced by continued engagement with civil society organisations both in Libya and abroad, including through key meetings held by Deputy Prosecutor Khan in Tunis in April 2024, and remotely from the Hague in September 2024. The Office aims to ensure that these organisations remain critical stakeholders in the pursuit of accountability.

Looking ahead

In addition to continue progressing its investigative activities, the Office will focus on enhancing cooperation with Libyan authorities and providing essential technical support for domestic legal processes.

Additionally, the Office will intensify engagement with national and international partners, including Europol and Eurojust, to ensure effective judicial cooperation and accountability for transnational crimes. A vital aspect of this initiative will be the protection of victims and witnesses, focusing on their security and preventing re-traumatisation throughout the investigative and trial process.

Lastly, the Office will prioritise capacity-building activities for Libya’s national judicial system, emphasising complex criminal investigations and prosecutions, forensics, tracking, and witness protection. This will be supported by partnerships with the UN and other international organisations. The Office will aim at



Prosecutor Khan visiting Okhmatdyt National Children's Hospital in Ukraine, in September 2024

exchanging knowledge and expertise with the Libyan judiciary to support the Libyan judiciary's capacities on international procedural and substantive standards in prosecuting international crimes.

Ukraine

Background

Cooperation agreements, including the Agreement on the Establishment of the ICC Field Office in Ukraine signed in March 2023, have been established to enhance collaboration between the ICC and Ukraine. These include joint evidence-gathering efforts, and a more permanent field presence to support the investigation. The Kyiv field office, opened in September 2023, is now the ICC's largest outside The Hague, reflecting the scale of ongoing investigations.

Complementarity highlights

In Ukraine, national authorities, particularly the Office of the Prosecutor General, have been actively involved in collecting evidence and pursuing justice. The Office's engagement complements these efforts.

In 2023, the Office joined the Network of National Experts on Joint Investigation Teams (the JITs Network), hosted by Eurojust. This network, established by the European Union in 2005, promotes the use of JITs and facilitates the sharing of best practices. The Prosecutor has emphasised the Office's commitment to leveraging the JITs Network as a vital tool for judicial cooperation and information-sharing.

The JIT in Ukraine, established in April 2022 under the auspices of Eurojust, plays an important role for the investigation of alleged



Prosecutor Khan visiting detention facilities in Ukraine, in September 2024

crimes committed during the conflict. The Office’s participation in the JIT has significantly enhanced its ability to access and collect information relevant to its independent investigations, ensuring real-time coordination with domestic and international partners, including the Prosecutor General’s Office. This collaboration facilitates the swift exchange of information and evidence.

The Kyiv Country Office plays a central role in coordinating the work of the Forensic Rotational Model as outlined above, enhancing operational efficiency and reducing the need for repeated field missions. The next mission will focus on the assessment of crime scene locations related to the current investigative priorities to the Office as well as to Ukrainian authorities.

Ukraine’s cooperation with the ICC is seen as a “two-way street,” with information sharing and support flowing both ways, ensuring that both ICC and national prosecutions can proceed effectively. The continued presence of the ICC in Ukraine demonstrates how complementarity can function dynamically, with both international and national efforts working towards a common goal of justice for victims.

As outlined earlier in this report, together with the Ukrainian Prosecutor General’s Office, the Office co-chairs Workstream 2 of the Ukraine Dialogue Group, a forum for dialogue on international initiatives regarding the *Situation in Ukraine*. The Office also participates as an observer in the International Centre for the Prosecution of the Crime of Aggression at Eurojust.

Looking ahead

Looking ahead, the Office will continue its investigation focusing on cooperation within the JIT, as well as engaging on a regular basis with Ukraine and other national authorities investigating the *Situation in Ukraine*. The next mission on the basis of the Forensic Rotational Model will focus on the assessment of crime scene locations related to the current investigative priorities of the Office, as well as of the Ukrainian authorities. The Country Office will continue the dialogue with local CSOs.

To facilitate the sharing of evidence with the CISED-database located at Eurojust, the Office initiated discussions with the European Commission and Eurojust to agree on a legal framework allowing the sharing of personal data.

Venezuela

Background

After litigation before the Pre-Trial Chamber, confirmed on appeal, the Office was authorised to resume its investigation in the *Situation in Venezuela*. While Venezuela maintained that conditions for the Court's investigation were not met, both the Office and the Government of Venezuela have nevertheless engaged in sustained dialogue. This enabled them to enter into agreements aimed at promoting complementarity where possible, while clearly preserving the Office's mandate to conduct independent investigations, which it continues to progress.

In particular, the Office's engagement with Venezuela is underpinned by a series of MoUs. The initial MoU was signed in November 2021 while a second MoU was signed in June 2023. This second MoU provided for the establishment of an in-country OTP office in Caracas.

In December 2023, the Office and the Government of Venezuela signed a Joint Work Plan, outlining specific activities for 2024. These activities include legislative amendments to incorporate Rome Statute crimes into Venezuela's national legal framework, capacity-building activities for Venezuelan judicial and prosecutorial authorities, and strengthening domestic institutions mandated to investigate, prosecute and adjudicate on Rome Statute crimes. The Joint Work Plan signifies a deeper integration of Venezuelan national efforts with the ICC's prosecutorial mandate, aiming to facilitate domestic justice processes that align with international standards.

Complementarity highlights

From 22 until 24 April 2024, the Prosecutor undertook his fourth official visit to Venezuela. During the visit, the Prosecutor and President Nicolás Maduro announced Venezuela's commitment to incorporating the Rome Statute into its national legal framework. Additionally, the two parties agreed to convene an OTP technical team in May 2024. This would discuss new initiatives aimed at advancing positive complementarity, with the goal of creating actionable steps toward addressing allegations of Rome Statute crimes. President Maduro further expressed a commitment to inviting the Office of the United Nations High Commissioner for Human Rights (OHCHR) back to Venezuela at the request of the Prosecutor.

During this visit, the Prosecutor formally launched the Joint Work Plan, which outlines the Office's technical assistance program aimed at strengthening Venezuela's judicial and prosecutorial capabilities. On 22 April 2024, the Prosecutor officially inaugurated the OTP's in-country office in Caracas.

Since 2021, the OTP has deployed nine missions to Venezuela, including three technical missions related to complementarity efforts in 2024 alone (February, May, and July) as well as administrative-operational missions, alongside the Prosecutor's official visit in April 2024. These missions facilitated the implementation of the signed MoUs and the Joint Work Plan, as well as discussions on how to further deepen those efforts. This allowed the Office's technical teams to engage directly with Venezuelan authorities responsible for the implementation on their side. The missions also included

engagements with international partners, such as the United Nations Resident Coordinator in Caracas, and members of the diplomatic community, to ensure awareness and broad-based support for complementarity initiatives.

Within the framework of the Joint Work Plan, the Office delivered an online presentation to Venezuelan authorities on 19 June 2024, covering general aspects of the ICC’s mandate and operations. This event brought together representatives from Venezuela’s executive, legislative, judicial, and prosecutorial bodies, setting the stage for deeper technical cooperation.

Similarly, on 10 July 2024, the Office participated in a technical workshop related to the implementation of the Rome Statute, held at the National Assembly in Caracas. The workshop, attended by approximately 100 Venezuelan officials, was organised jointly with the

Venezuelan government and was aimed at increasing awareness of the relevant Rome Statute provisions – notably the specific crimes under the Statute, including genocide, crimes against humanity, and war crimes. The event supported Venezuela’s ongoing legislative efforts, particularly regarding the draft “Special Law on Crimes of Genocide, Crimes Against Humanity, and War Crimes”.

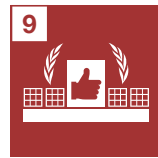
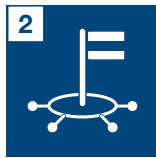
Looking ahead

In parallel with the Office’s ongoing investigations, the implementation of the MoUs and the Joint Work Plan is expected to continue throughout 2025. The continued discussions to advance genuine accountability for Rome Statute crimes domestically may further shape the scope and substance of these activities. The OTP’s in-country office in Caracas will play a central role in facilitating these efforts and providing a critical point of engagement for national authorities.



Prosecutor Khan in Venezuela’s National Assembly, in April 2024

Taking stock and next steps



This chapter illustrates the Office’s activities undertaken as part of the implementation of its *Policy on Complementarity and Cooperation*. It expands its reporting by providing a comprehensive overview of activities in support of domestic, regional and international accountability processes, while respecting confidentiality requirements. Each of the initiatives taken has brought significant value to the delivery of the Office’s mandate, including as a hub at the center of global efforts undertaken across different criminal jurisdictions. Likewise, they have brought value to national partners engaged in genuine efforts to deliver accountability for serious crimes of international concern.

In parallel to progressing the Office’s investigations, with a record number of applications for arrest warrants in the 2023-2024 period, the Office has sought to support national authorities engaged in accountability processes in multiple situations. As illustrated above, the Office has endeavoured to put in place sustainable processes to ensure coherent action across situations, in a context-aware manner. Contributions to the OTP Trust Fund on Complementarity, which is dedicated to funding project-based initiatives, will allow for implementation of programmes that may combine multiple complementarity measures simultaneously.

The Office has also continued to strengthen partnerships and outreach, including by increasing consultations at the national and regional level, and by establishing a structural and regular space for consultations with civil society organisations. These relate to the Office’s policies and investigative activities, in addition to thematic roundtables, and seek to deepen cooperation and exchange of information. The progress made to enhance the Office’s presence in the field through the Forensic Rotational Model, and the opening of country-offices, underscores its commitment to operational flexibility, effective delivery of the Office’s investigative goals, and collaboration with national and regional partners.

The Office has further provided direct support to national authorities through the establishment of collaborative frameworks, information sharing and capacity-building activities in multiple situations.

While each situation concerns different contexts and circumstances, the impact of the Office’s activities has been tangible. For instance, in CAR, the Office’s involvement in capacity-building and forensic training through the SCC, national judicial authorities, law enforcement and other State officials has bolstered

national capacity on matters relating to call data analysis, online investigations, witness protection, judicial cooperation, and psychosocial support for victims.

These initiatives have also strengthened expertise in handling gender-based crimes, further enhancing the national justice system's ability to address Rome Statute crimes. In Colombia, the agreement has actively supported transitional justice efforts, particularly through the support of its capacity to investigate of gender-based crimes, including gender persecution and crimes against children. In the DRC, the Office's involvement in capacity-building and forensic training with military and civilian prosecutors, as well as national judicial authorities, has strengthened the country's ability to address international crimes. Through workshops, field missions, and tailored training sessions, the Office has enhanced national expertise in investigative techniques, including those related to sexual and gender-based crimes and crimes affecting children, contributing to the effective implementation of the national prosecutorial strategy for international crimes.

The Office's role in supporting and encouraging accountability at the national level and through investigations and prosecutions by foreign judicial authorities remains more important than ever, including in situations that present evolving political contexts, ongoing hostilities, humanitarian crisis and other challenging circumstances. The Office's continued investigations and activities in collaboration and coordination with other accountability actors offer a crucial venue for justice while continuing to explore ways to engage at every turn.

Similarly, the results achieved through the Office's participation in joint teams and joint investigation teams highlights the impact that sharing information, coordinating lines of inquiry, and operational partnerships can have in accelerating accountability and facilitating the collection of critical evidence. These efforts demonstrate how complementarity can be effectively implemented through joint initiatives, even in challenging environments, while respecting the independence and impartiality of the participating entities and their own investigative processes.

Looking ahead, the Office will continue to give effect to its *Policy on Complementarity and Cooperation* by further implementing agreements concluded with national authorities, as well as action plans with national entities. The Office will continue to explore further opportunities to engage in bilateral arrangements in support of national efforts aimed at genuinely investigating and prosecuting international crimes.

The Office's efforts will also be increasingly geared towards strengthening engagement with national institutions, including by exchanging information and evidence, subject to the requirements of the Statute, and by providing necessary expertise in dealing with cases before domestic courts. The Office will continue to exchange knowledge, strengthen judicial capacity, and promote international best practices in support of priority areas identified by national authorities. In this context, the Office will continue expanding its two-way collaborative approach to exchange knowledge and best practices while benefitting from the experience and expertise of national experts.

Cooperation with regional and international judicial entities established to address specific needs and contexts will continue to be a priority for the Office's complementarity and cooperation initiatives. While continuing with its investigations, the Office will continue its engagement with specialised courts, hybrid accountability mechanisms and international investigative mechanisms to deepen its collaboration and identify opportunities for further engagement when possible.



TOWARDS A
MORE JUST
WORLD

Chapter 4:

Looking Forward



While it is always difficult to foresee the shape of future events, it is already clear that the Office will continue to pursue a busy docket of litigation in 2025, as well as launching several further new policies underlining the continued relevance of the Rome Statute to the changing world in which we live.

Cases & Situations

2025 may be expected to see the delivery of trial judgments in several cases, such as *Prosecutor v. Abd-Al-Rahman* and *Prosecutor v. Yekatom and Ngaissona*. The trial in *Prosecutor v. Said* is likely to continue for at least part of the year.

Even once these judgments are delivered, however, this does not necessarily mean that litigation will come to an end. Rather, while the focus of judicial proceedings in these cases will shift from the hearing of evidence, judicial proceedings may continue before the Appeals Chamber to review the verdict, and reparations proceedings may begin before the relevant Trial Chambers.

In addition, it is likely that the Court's first ever hearing *in absentia* on the confirmation of charges will be convened in the case *Prosecutor v. Joseph Kony*. After such a prolonged wait for justice, this will mark a significant step for victims and affected communities. It will also underscore the importance of measures to apprehend Mr Kony, and bring him to trial.

Environmental Crimes

In February 2024, during an international conference on the environment in Paris, France, the Prosecutor launched a public consultation on the Office's new policy initiative to advance accountability for environmental crimes under the Rome Statute. This new policy initiative will help promote accountability, transparency, and predictability in the Office's work in this vital area.

Professor Kevin Jon Heller, Special Adviser to the Prosecutor on War Crimes, has been assisting the Prosecutor and the Office in developing this policy. The Office received numerous constructive and beneficial submissions during the initial phase of external consultations, including contributions from experts, states, academics, civil society organisations, non-governmental organisations and esteemed institutions in this field, including the United Nations Environment Program, United Nations Office on Drugs and Crime, Intergovernmental Panel on Climate Change, special procedures mandate holders of the Human Rights Council, and the International Bar Association, amongst others. The external consultations were supplemented with internal consultations, which have cumulatively proven invaluable in shaping the substance of the policy's first draft.

Following this first draft, the Office plans to continue with its consultations through several roundtable discussions on the first draft, in the new year. The focus and timing of the next phase of roundtable discussions will be determined in early 2025.

“Damage to the environment poses an existential threat to all life on the planet. For that reason, I am firmly committed to ensuring that my Office systematically addresses environmental crimes in all stages of its work, from preliminary examinations to prosecutions. This latest policy initiative is another commitment to this necessary objective.”

– Prosecutor Khan Quote

Cyber-enabled Crimes

January 2024 also saw the Office start the process of consultation on cyber-enabled crimes under the Rome Statute, with a view to producing a policy on this issue in 2025.

As the Prosecutor wrote in an op. ed. in 2023, and consistent with concerns raised by a number of States Parties, changes in technology have underlined that the means of carrying out or facilitating crimes under the Statute are no longer just physical. Rather, conduct in cyberspace can potentially give rise to damage and suffering comparable to that inflicted by direct physical means. Similarly, other conduct relevant to the Court’s jurisdiction, including offences against the administration of justice, may exploit digital tools and information technology.

In partnership with Microsoft, the Office was honoured to convene a conference at the seat of the Court in January 2024 which brought together technical experts, private corporations, civil society organisations, academia, and State representatives to begin to debate some of these issues. This conference was followed up with an internal dialogue in the Office, and engagement with partners in a range of fora during the year. In the autumn of 2024, the Prosecutor was also honoured to appoint Professor Marko Milanović as Special Adviser on Cyber-Enabled Crimes.

Based on these initial discussions, Professor Milanović has been assisting the Prosecutor and the Office in developing an initial draft of a policy on cyber-enabled crimes, which will be shared for consultation and public comment early in 2025.

“Cyber warfare does not play out in the abstract. Rather, it can have a profound impact on people’s lives.”

– Prosecutor Khan Digital Front Lines Interview

