



Security Council Briefing on the International Criminal Court, Libya, 11 May 2023

Malta Statement delivered by Ms Francesca Gatt
Deputy Permanent Representative of Malta to the United Nations, New York

Thank you President, and let me start by thanking Prosecutor Khan for the report and his insightful briefing this morning.

I reiterate Malta's strong support for the work of the International Criminal Court, and your tireless efforts in pursuing justice for victims of the most horrific crimes in different conflict situations.

I also welcome the Permanent Representative of Libya to today's meeting.

President

Impunity undermines efforts to resolve conflict, perpetuating cycles of violence. The Security Council's referral of the Libyan situation to the ICC is critical not only for accountability for international crimes, but also for long-term peace and stability in the country.

We are pleased with the progress reported, and the meaningful steps made in the implementation of the renewed Strategy for the Situation in Libya. In particular, we want to mention the acceleration of evidence collection, as well as the issuance of multiple arrest warrants.

We commend the Office's increased engagement with victims, victims' associations and representatives, other civil society organisations and



human rights activists inside and outside Libya, as well as the attention given to crimes committed against and affecting women and children. We concur with the Prosecutor's call for effective psychological and rehabilitative assistance to victims, and reiterate the importance that the assistance is age-appropriate, survivor centred and gender responsive.

As the final report of the UN Independent Fact-Finding Mission on Libya illustrates, the human rights situation in Libya is a cause of deep concern. The addition of a number of experts in the Office of the Prosecutor with experience in investigating human trafficking and sexual and gender-based crimes is a step in the right direction. However more focus on this is required to ensure that impunity for such hideous crimes, including those perpetrated against migrants, does not prevail.

President

We acknowledge the continued assistance provided by UNSMIL to the Office, as well as the exchanges of the Office of the Prosecutor with the UN Independent Fact-Finding Mission on Libya. The commitment to strengthen each other's work in the interest of justice and accountability, while fully respecting the security, privacy and confidentiality of information providers, is commendable.

The Office's efforts to coordinate investigative activity with third states and international agencies has resulted in investigations and prosecutions in Libya, other domestic authorities that can exercise jurisdiction, and the ICC.



We encourage these proactive and creative efforts, as well as action in support of domestic investigations.

The significance of the first official visit by the Prosecutor in Libya in November 2022 and the progress that has been made since, cannot be underestimated. We applaud the Libyan authorities for their facilitation of the visit and their efforts to assist the work of the Office.

Further cooperation will be required in the upcoming operational and logistical mission, including for the establishment of a liaison office in Tripoli. This will enhance accountability, complementarity and bring justice closer to the victims.

Moreover, access to documentation relevant to the investigations of the office and engagement with relevant technical authorities, including those involved in forensics and crime scene analysis, remain a priority.

President

The situation in Libya is one that continues to warrant the international community's focus and support. Despite the relative calm, we remain concerned about its fragility.

Our collective aim is to ensure a durable and sustainable peace. That aim can only be achieved if there is justice for the victims and survivors of atrocity crimes.



**THE PERMANENT MISSION
OF MALTA TO THE UN NEW YORK**



Malta
2023-2024
UNITED NATIONS
SECURITY COUNCIL

The Office of the Prosecutor and the Court can count on Malta's unwavering support, in all efforts towards accountability.

I thank you.