



Security Council briefing on UNITAD, 7 June 2023

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

President

At the outset, I want to thank Special Adviser Ritscher for his report and briefing this morning. Malta welcomes the progress achieved by UNITAD across its investigative priorities during the reporting period. I also join others in welcoming the Permanent Representative of Iraq.

We recognise that the cooperation afforded by the Government of Iraq, including the authorities of the Kurdistan Regional Government, were essential in ensuring such progress.

UNITAD's investigative achievements over the past six months include the completion of preliminary case assessment reports on crimes committed by Daesh against the Sunni population in Al-Anbar and on the destruction of the cultural and religious heritage of all Iraq's communities. The Team also successfully launched new lines of inquiry on the development and use of biological and chemical weapons by Da'esh.

In addition, we commend UNITAD for finalising a preliminary case assessment on Daesh crimes against the LGBTQI+ community. These abhorrent crimes included public executions of men and boys, and those perceived as gay. Such acts underscore once again the importance of



including persons of diverse sexual orientations, gender identities and expressions, and sex characteristics in discussions on international peace and security.

Furthermore, Malta welcomes UNITAD's continued attention to the thematic investigation into sexual and gender-based violence and crimes against children. The conclusion of an analytical report on sexual and gender-based crimes committed against members of the Shia Turkmen community, including children, is particularly noteworthy.

More broadly, we welcome the Team's continued cooperation with civil society, victims, survivors, community, and religious leaders across all aspects of its investigative work.

President

As we heard today from the Special Adviser, UNITAD is making considerable efforts to identify the perpetrators most responsible for atrocity crimes, through the building of targeted case files. This is welcome.

However, key to holding Daesh perpetrators accountable is the adoption of a domestic legal framework enabling the prosecution of international crimes, namely genocide, war crimes and crimes against humanity.

We call on the Iraqi authorities to progress this legislation, and welcome recent steps towards this goal, including the establishment of the Joint



Working Group on Pathways to Accountability for Daesh's International Crimes. We also commend UNITAD's decision to prioritise support for the national legislative drafting process over the coming six months.

Malta stresses that such legislation must preclude the application of the death penalty in line with UN best practices.

The technical assistance and support provided by UNITAD to the Iraqi authorities is wide ranging, comprising evidence digitisation and preservation, forensic expertise, excavation of mass graves and training to judges and investigators on international humanitarian and criminal law. This is important work, and we urge its continuation.

Malta is pleased that UNITAD will expand capacity enhancement support towards the Iraqi judiciary in criminal proceedings and case-building and encourages continued positive engagement with the Supreme Judicial Council. We also encourage greater cooperation between UNITAD and the Iraqi authorities on UN sanctions listings.

Beyond Iraq, we welcome the Team's efforts to enhance assistance for ongoing investigations and prosecutions in foreign jurisdictions, many of which are dealing with crimes against the Yazidi community.

Before concluding, I want to once again reassure the Special Adviser and his team of Malta's strong support for UNITAD's crucial work in pursuing accountability for atrocity crimes committed by Daesh in Iraq. Impunity is



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not an option. In this context, we look forward to renewal of UNITAD's important mandate in September.

I thank you.