



Security Council Debate on the International Residual Mechanism for Criminal Tribunals (IRMCT), 12 June 2023

Malta Statement delivered by Mr Darren Camilleri,
Political Coordinator of Malta to the United Nations, New York

Thank you, President.

I also thank President Gatti Santana and Prosecutor Brammertz for their briefing on the ongoing work of the Residual Mechanism to bring perpetrators of atrocities committed in Rwanda and the former Yugoslavia to justice. We applaud your leadership and commitment towards advancing the work of the Mechanism.

We value the focus on the remaining judicial work, and in this regard, we highlight the remarkable progress that has been made by the Mechanism. In particular, we welcome the recent judgment and final convictions in the Stanišić and Simatović case, and take note of the arrest of Fulgence Kayishema achieved through a joint operation by the Office of the Prosecutor's Fugitive Tracking Team and South African authorities, with the assistance of Mozambique and Eswatini.

This is a clear example of how State cooperation is a major contributor to the justice process. The arrest sends a strong message that those who commit such crimes cannot escape justice.



As noted in the report, the Mechanism continues to make strides in relation to supervising the enforcement of sentences, responding to national requests for assistance, protecting victims and witnesses, and tracking the remaining fugitives indicted by the International Criminal Tribunal for Rwanda.

Moreover, the careful forethought and preparation for the Mechanism to enter into the next phase in its lifecycle, that of being a truly residual mechanism, is commendable and must be continued, in line with Resolution 2637 and the outstanding recommendations of OIOS.

We do, however, recognise that the Mechanism will need to continue its work on the enforcement of sentences, preservation of archives, protection of witnesses, and in particular, assistance to national jurisdictions and other judicial activities, and we want to assure the President of our full support.

President

Cooperation is essential in ensuring that the Mechanism can fulfil its mandated functions. We urge all States to comply with their obligations and to cooperate fully with the Mechanism in its efforts to arrest and surrender the remaining fugitives.

Moreover, Malta adds that the continuing situation of the acquitted and released persons who were relocated to Niger in December 2021 requires an urgent solution.



We call on the States concerned to respect the provisions of Resolution 2637 and urge the Registrar to continue using his good offices to resolve the issue.

Regrettably, as we have just heard from the President and Prosecutor, we continue to confront the dangerous matter of non-acceptance of historical facts. We concur with the Prosecutor in his call for a break with the rhetoric of the past, and leadership in favour of reconciliation and peacebuilding.

In this regard, we welcome the continuation by the Mechanism, together with the European Union, of the Information Programme for Affected Communities and the recently launched 'Guide for History Teachers' which allows public access to judicial records of the Mechanism, thereby contributing to defending the truth.

Let me also welcome the Office of the Prosecutor's continued efforts to build capacity of national authorities prosecuting war crimes and commend the Office for the recent training on the prosecution of sexual violence crimes for prosecutors from Eswatini.

President

In concluding, let me acknowledge that President Gatti Santana has made it a priority to address victims and survivors, including through the recent remarks for the 30th Commemoration of crimes in Ahmići.



THE PERMANENT MISSION
OF MALTA TO THE UN NEW YORK



Malta

2023-2024

UNITED NATIONS
SECURITY COUNCIL

We must continue to place victims, including women and children, at the centre of our efforts to promote justice for the crimes committed in Rwanda and former Yugoslavia.

Malta reaffirms its steadfast commitment to international criminal justice. Ensuring accountability and achieving justice is a priority. The victims and survivors of atrocity crimes deserve no less.

I thank you.