



ICC-Assembly of State Parties: General Debate, 6-7 December 2023

Malta Statement delivered by Mr Adam Kuymizakis
Deputy Permanent Mission of Malta to the United Nations, New York

President,

I am honoured to address the Assembly of States Parties and would like to thank you, President, the Bureau, the Secretariat, and other facilitators in preparing and making the necessary arrangements for this Assembly and for presenting us with renewed opportunities to strengthen the Court.

Allow me also, to pay tribute to the commitment and dedication shown by all the officials of the Court over the past year and not least by the President, the Judges, the Prosecutor, the Registrar, and the Deputy Prosecutors.

We join others in extending our warm congratulations to the newly elected Judges, as well as to the Registrar upon assuming his duties earlier this year. We wish to reassure him of Malta's unwavering support to the Court.



President,

At the outset, Malta fully aligns itself with the statement delivered by Spain on behalf of the European Union and its Member States.

This year we commemorated the 25th anniversary of the adoption of the Rome Statute, the founding treaty of the first permanent and independent international court with the mandate to bring to justice the persons responsible for the most serious crimes of concern to the international community, individuals that national Courts are unable or unwilling to prosecute. We highlight that the primary responsibility of delivering criminal justice lies with us, the State Parties, and in this regard, we recognise the necessity for State Parties to implement effective domestic legislation which facilitates the implementation of the Rome Statute and full cooperation with the Court.

There has never been a more pressing time for State Parties to renew their commitment to the Court. The Court plays a critical role in ensuring accountability for the most atrocious crimes. Malta strongly condemns any threats and attacks against the Court and its officials and reaffirms its full and unwavering support. Within this context, Malta firmly believes that the Court should be provided with all necessary resources and support to effectively fulfil its crucial mandate.



President,

As an elected member of the UN Security Council, Malta reiterates that the relationship between the Court and the Security Council calls for improvement. The Rome Statute empowers the Security Council to refer situations to the Court, but only 2 situations have been referred to date. There is a need for consistency and objectivity with respect to referrals. Moreover, the Security Council must ensure follow-up and call on the relevant States to cooperate with the Court.

Malta remains fully committed to promote the principle of universality and emphasises the importance of concerted effort and commitment, as well as continuous and meaningful dialogue. We take this opportunity to congratulate the Armenian Government on depositing its instrument of ratification of the Rome Statute to the UN. Universality can be achieved through amplifying the trust of the international community in the judicial institution. In this regard, we are supportive of the need of a permanent due diligence process to ensure that only officials of the highest standard and moral character assume office.



Malta reiterates that, as States Parties, we must also ensure that we give victims and survivors of atrocity crimes the recognition they deserve, and that survivors' voices are heard. We must continue to emphasize the salience of reparative justice which is a key feature' of the Rome Statute. In this regard, the Trust Fund for Victims 'has assisted thousands of victims with physical and psychological rehabilitation and material support'. It is for this reason that this year, Malta shall be making a voluntary contribution to the Trust Fund for Victims for the third consecutive year.

Malta welcomes the Court's recent initiatives relating to addressing sexual and gender-based crimes, particularly the revision of the 2014 OTP Policy Paper on Sexual and Gender-based Crimes, and the adoption of the OTP's policy paper on Gender Persecution. We believe that pursuing accountability for gender persecution holds enormous potential to address and prevent gender-based discrimination and unequal treatment, which is often at the root of these crimes. We also acknowledge that sexual and gender-based violence carries additional levels of trauma and stigma and we must remain fully committed in supporting the Court's work done on this front.

The Court must serve as an example of equitable geographical representation and gender balance. We applaud its dedication to strengthening both aspects, which are crucial for ensuring the Court reflects the global community it serves.



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President,

In closing, Malta reiterates its resolute commitment to the Court, its values, and its principles, and encourages fellow member states to look to the coming year with the aim of further strengthening the Court and reinforcing its role in ending impunity and bringing perpetrators of crimes under the Rome Statute to justice.

Thank you.