



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

Malta Statement delivered by Ms Francesca Gatt,
Deputy Permanent Representative 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.

As we await the OIOS evaluation ahead of the review in spring next year, we commend the President's attention to carrying out future planning activities and the focus on the three new priorities announced at the General Assembly in October. We look forward to constructive discussions on the draft 'framework of operations' to complete functions presented to us yesterday.

While we welcome the Chambers' progress in the completion of the judicial work, we also recognise the need to continue its work on the enforcement of sentences, preservation of archives, protection of witnesses, and in particular, assistance to national jurisdictions. We assure the President and the Prosecutor of our cooperation in this regard.

Malta also fully supports the priorities of the Office of the Prosecutor with a focus on locating and arresting the remaining fugitives, and assisting national jurisdictions prosecuting international crimes committed in the former Yugoslavia and Rwanda.



By assisting national authorities, the Prosecutor's office continues to play a critical role in facilitating the rule of law and accountability globally. We acknowledge efforts to build capacities in national jurisdictions, such as the seminars on the prosecution of conflict-related sexual violence crimes for prosecutors from Eswatini and Ghana. The OTP's support for domestic law reform is another critical area that can facilitate the effective prosecution of conflict-related sexual violence cases.

We also welcome the significant progress made in locating and accounting for the remaining fugitives indicted by ICTR. We echo the call in the report for the cooperation of States to ensure that the remaining fugitives are brought to justice as soon as possible.

Cognisant of the Mechanisms' challenges in enforcement, we express our hope that States who can do so, take on enforcement responsibilities. We join the mechanism in thanking and commending the 12 enforcement States referred to in the report.

President

The Mechanism and its predecessors have made significant steps in establishing the facts and providing the historical record of atrocity crimes committed in Rwanda and the former Yugoslavia. In this context, we agree with the President about the critical importance of making the public records of the ad hoc Tribunals and the Mechanism more accessible. We welcome the



Mechanism's engagement with Rwandan authorities on matters such as increasing access to the archives, as well as the advanced discussions regarding the establishment of an Information Centre in Zagreb, Croatia.

These are essential steps to combat dangerous denial and revisionism of facts and contribute to reconciliation and healing. Ensuring robust victim and survivor-centred approaches that reflect input from affected communities is also an essential aspect of this work.

I also would like to pay tribute to Gabon for its work as Chair of the Informal Working Group on International Tribunals.

As the President said at the Conference on '30 Years of Establishment of the ICTY', and I quote:

'Against all odds, the Tribunal went beyond developing substance and procedure, and helped to create a new legal culture against impunity'.

The legacy of the ad hoc tribunals must be this: a culture against impunity.

I thank you.