



Security Council Briefing on the International Criminal Court, Sudan, 29 January 2023

Malta Statement delivered by Ms. Francesca Gatt
Deputy Permanent Representative of Malta to the United Nations

Thank you, President.

I also thank Prosecutor Karim Khan and his team for presenting the report on the situation in Darfur, and for their commitment in the pursuit of justice.

We also welcome the Permanent Representative of Sudan to today's meeting.

Malta reiterates its strong condemnation of the ongoing fighting between the SAF and the RSF and their respective affiliated militias. We deplore the violence and the irreparable cost to human life in Darfur and throughout the country, as well as violations of International Human Rights Law and International Humanitarian Law, and call for the protection of civilians.

As we repeat our call for a ceasefire and an eventual return to the political transitional process, we support enhanced coordination among regional and sub-regional mediation initiatives, to be complemented by efforts of the recently appointed Personal Envoy Lamamra and this Council.

We reaffirm our steadfast support for, and solidarity with, the Sudanese people.



President

Accountability remains essential to end this cycle of violence. Efforts must be made to enhance accountability measures for all atrocity crimes throughout Sudan.

We commend the efforts of the Prosecutor to accelerate investigations with respect to crimes committed in Darfur as part of the current hostilities, and in particular crimes committed in Geneina, by deploying investigative missions to the field, carrying out extensive open-source investigations and analysis. Efforts to harness partnerships, in particular with civil society actors and victims' groups, are essential and contribute to empowering victims, witnesses, and affected communities.

Progress must also continue with regard to the core elements of the strategy for the situation in Darfur outlined in previous briefings, including the trial in the Al-Rahman case. Making sure that investigations and prosecutions continue unabated is essential.

While commending States that have cooperated with the Court, including the Chadian authorities and refugee board, we encourage the Sudanese authorities to continue abiding by their obligations under Resolution 1593. The newly appointed focal point and the issuance of visas are a positive step, and we hope this will translate into requests for assistance being executed and access to documentary evidence provided.



President

The prioritisation of investigations addressing crimes of sexual and gender-based violence, in all situations including Darfur, is essential. The commitment towards seeking accountability for sexual and gender-based crimes must result in strengthening the application of a gender analysis and securing new convictions. In this regard, the recent update of the Office's Policy on Sexual and Gender-based Crimes is welcome.

We underline the urgent need to provide survivors of sexual violence with access to integrated medical care, including sexual and reproductive health care, psychosocial support, legal assistance, reintegration, and community-based prevention – in keeping with a survivor-centred and trauma-informed approach.

We take this opportunity to honour the women and women-led organizations at the front lines of the struggle to support survivors and hold perpetrators accountable, as well as leading civilian engagement, anti-war and humanitarian initiatives, in the context of current hostilities.

The parties to the conflict in Sudan must take full responsibility for preventing and responding to all forms of sexual and gender-based violence, and must issue clear command orders that prohibit it.

We also refer to the ICC's broader work, and in particular the launch of a new Policy on Children to help remedy their historic underrepresentation



and lack of engagement in international criminal justice processes. We commend such efforts that seek to take a child-sensitive, survivor-centred and intersectional approaches to investigations and prosecutions. They help better understand the ways children are targeted and impacted by crimes under the Rome Statute. In situations such as Sudan, such policies are essential.

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

Malta reiterates its unwavering support to the ICC in all its efforts towards accountability.

I thank you.