



Security Council briefing on Briefing on the International Criminal Court, Libya, 14 May 2024

Malta Statement delivered by Ms Francesca Gatt,
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Thank you, President, and let me also thank Prosecutor Khan for the report and his briefing this morning.

I welcome the Permanent Representative of Libya.

Accountability is essential for durable and sustainable peace. As Volker Turk, High Commissioner for Human Rights, said: *“we know that if impunity reigns, and if the facts are not told and if the truth is not told, we will have grievances going on and on and on”*. This applies to all conflict situations.

In this regard, Malta reiterates its support to the work of the International Criminal Court, and the efforts of the Prosecutor and his office in pursuing justice for victims of the most horrific crimes.



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The ICC's work in relation to the Security Council's referral of the situation in Libya is critical for long-term peace and stability in the country. We commend the continued implementation of the ICC's renewed strategy, including in relation to events between 2014 and 2020, as well as the provision of concrete support to national proceedings.

We also take note of the 'Roadmap towards completion' of the investigative phase by the end of 2025, and the objective of additional arrest warrants, fugitive tracking and preservation of evidence. These will lead to the transition into the judicial phase of the Court's activities. We underline that such endeavour to complete investigations should be sensitive towards victims' needs and their right to justice.

Malta commends the positive momentum with respect to engagement with Libyan authorities, including the recent visits of the office and the issuance of multiple entry visas. Such cooperation is essential, both in relation to the Court's Roadmap, and the implementation of complementarity activities with Libyan authorities.



The proactive policy of cooperation by the Court with other States, regional organisations and international partners, enhances complementarity and is also essential to achieve the objectives of the mandate.

Let me also recognize the deepening of engagement with civil society, including recent meetings of Deputy Prosecutor Khan with CSOs and victims' groups in Tripoli and Tunis. We encourage the Office to maintain a meaningful consultative process in the road towards completion of investigations and after – a process that involves listening to the voices of victims, survivors, their families and the affected communities. Moreover, as part of the cooperation with the Libyan authorities, we underline the importance of measures that protect civil society organisations, to fully empower them to carry out their activities.



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We remain concerned with the incidence of sexual and gender-based crimes against migrants, crimes against children, enslavement, torture, arbitrary detention and killings. The Security Council and the international community must redouble efforts in support of Libya to ensure that alleged wrongdoers are held accountable. We call for effective, comprehensive and non-discriminatory psychosocial and health services for survivors, and reiterate the importance that such services are age-appropriate, survivor centred and gender responsive.

President

Malta acknowledges the continued assistance provided by UNSMIL to the Office, and underlines the importance of this ongoing support in anticipation of increased field missions to Libya in the coming months ahead of the completion of the investigation phase.

The situation in Libya continues to warrant the international community's focus and support.



President

Before concluding, let me reiterate the call of the Court on all States to respect the integrity and independence of the Court and to cooperate actively with its investigations. We underline the importance of its impartial work in combatting impunity for atrocity crimes, which is ever more necessary in our world. If we do not address accountability, we will not end the cycles of violence which continue to inhibit our efforts towards peace and security.

I thank you.