

**Statement of the Republic of Malta**  
**delivered by The Hon. Ian Borg**  
**Minister for Foreign and European Affairs and Trade**

**21<sup>st</sup> Session of the Assembly of States Parties to the ICC**  
**The Hague, 5 - 10<sup>th</sup> December 2022**

Madame President,

At the outset, Malta fully aligns itself with the EU statement being delivered by the Czech Republic on behalf of the European Union.

I am greatly honoured to address the Assembly of State Parties and would like to thank you, Madame 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 reform, to regenerate as well as to reinforce the Court.

Allow me also, Madame President, to pay tribute to the commitment and dedication shown by all the officials of the Court over the past year and not least by President Hofmański and the Judges of the Court. As we prepare to welcome a new Registrar, I wish to pay tribute to outgoing Registrar Peter Lewis who leaves a solid legacy for the new Registrar to build upon.

During their first year in office Prosecutor Khan and his Deputies have shown remarkable leadership. I wish to once again reassure him and his Office of Malta's unwavering support which this year we sought to demonstrate also through a voluntary contribution.

This year we commemorated the 20<sup>th</sup> anniversary since the entry into force of the Rome Statute, and the setting up of a permanent international Court. A court that seeks to bring to justice people responsible for the most atrocious crimes. Individuals that national Courts were unable or unwilling to pursue. This milestone was sadly overshadowed by the outbreak of a war of aggression on the European Continent. Increasingly we receive reports of war crimes and crimes against humanity being committed not too far from where this Assembly is gathering. Against this challenging backdrop we reiterate the Court's indispensable role in the rules-based international order and reaffirm our resolute commitment to our obligations under the Statute.

During the past year, the role the Court has played, in ensuring accountability of individuals was as crucial as ever, with the Court's trial activity reaching unprecedented levels. Malta welcomes the opening of new investigations by the Prosecutor, most recently those concerning the situation in Ukraine, where numerous State Parties, including Malta, have jointly referred the situation in Ukraine to the Office of the Prosecutor for investigation. There has never been a more pressing time for State Parties to renew their commitment to the Court, to reaffirm our beliefs and our adherence to the values and principles of the Court. No efforts must be spared to ensure timely accountability for long-term peace and justice.

Madame President,

As an elected member of the UN Security Council, for the coming two years Malta notes that amelioration in the relationship between the Court and the Security Council is certainly desirable. We note that so far, only two situations have been referred to the Court. Malta also attaches great importance to the principle of universality and believes that progress can only be made through a concerted effort and commitment, and continuous and meaningful dialogue.

As State Parties, we must also ensure that survivors' voices are heard, and that their suffering is duly acknowledged. The salience of reparative justice which is both a 'unique ... [and] a key feature'<sup>1</sup> of the Rome Statute must not be undermined. It is for this reason that this year, to demonstrate our firm support to the ICC and its indispensable role in delivering justice to victims of heinous crimes, Malta has made a second voluntary contribution to the Trust Fund for Victims.

Madame President,

In closing, Malta reiterates its resolute commitment to the Court, its values and its principles. We encourage fellow state parties to look to the coming year, as a year which is presenting us with a unique opportunity to play our role in further strengthening the Court and reinforcing its role in ending impunity and bringing perpetrators of war crimes, crimes against humanity, the crime of aggression and genocide to justice. Thank you.

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<sup>1</sup> *Prosecutor v. Thomas Lubanga Dyilo*, Decision on the Prosecutor's Application for a Warrant of Arrest, Article 58, Case No. ICC-01//04-01/06 (10 February 2006), para 136.