

Statement of the Republic of Malta

Delivered by Ambassador H.E. Dr Mark A. Pace

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Madame President,

At the outset, Malta fully aligns itself with the EU statement which was delivered by the Slovenian Presidency on behalf of the European Union.

This delegation would like to thank you, Madame President, the Bureau, the Secretariat, and other facilitators in preparing and making the necessary arrangements for this Assembly of States Parties to take place once again in difficult circumstances. Despite these conditions, this year has once again presented us with renewed opportunities to reform, to regenerate as well as to reinforce the Court further.

Allow me also, Madame President, to warmly welcome and congratulate Prosecutor Karim Khan and to augur him all the very best in the execution of his mandate as the third Prosecutor of the ICC. Malta takes this occasion to reassure him and his Office of its unwavering support. The Court is entering a new phase, not least with the election of a new Prosecutor, new Judges, and, by the end of this session, two Deputy Prosecutors. The commencement of the implementation of the Independent Expert Review's recommendations, is another milestone in the history of the Court which requires of State Parties to reiterate the Court's indispensable role once again in the rules-based international order.

Last year's recommendations of the Independent Group of Experts paved the way for a process of renewal through which the various aspects and organs of the Court could be reformed and improved, with the prevailing objective remaining that of having a more efficient, effective, and transparent Court. We commend the intensity and pace of work undertaken since the process was launched. The different organs working on their respective recommendations and areas of concerns, both internally and jointly, where necessary have already given a solid contribution to this complex task. We do not underestimate the difficulty

of such a process, but it is a requisite part of the process and journey of renewal and our collective fight against impunity.

Madame President,

As States 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'¹ 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 human rights violations, Malta made a voluntary contribution to the Trust Fund for Victims as a token of our support.

Madame President,

Malta remains fully committed to promoting the Court to achieve universality, as it is only through concerted effort and commitment, and continuous and meaningful dialogue with key partners that the milestone of ending impunity could be achieved. We must also not neglect the core principle of complementarity which necessitates robust national legislations/systems which enable the effective implementation of the Rome Statute.

We continue to hold that the independence and impartiality of the Court are paramount, and as States Parties, we must remain supportive of the Court and its officials when pressure is exerted and cooperate with the Court when assistance is so needed. We must thus ensure that the Court is neither hindered nor obstructed in carrying out its mandate, especially given the often-complicated circumstances within which the Court must operate.

Madame President,

In closing, this delegation reiterates its unwavering commitment to the Court, its values and its principles, and it is this delegation's firm belief that it is only through collective effort and action that impunity can be put to an end, and justice is truly served.

Thank you.

¹ *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.