

## The Republic of Malta accedes to the Protocols

On 17 April 1989, the Republic of Malta acceded to the Protocols additional to the Geneva Conventions of 12 August 1949 relating to the protection of victims of international (Protocol I) and non-international (Protocol II) armed conflicts, which were adopted in Geneva on 8 June 1977.

The instrument of accession contained the following declaration:

“The Government of the Republic of Malta wishes to declare that it accepts the competence of the International Fact-finding Commission in accordance with Article 90 of Protocol I.”

The Republic of Malta is the **twelfth State** to make such a declaration about the International Fact-finding Commission (which will be set up when 20 such declarations have been made).

The Republic of Malta’s instrument of accession was accompanied by two reservations:

- 1) “Article 75 of Protocol I will be applied insofar as:
  - a) sub-paragraph (e) of paragraph 4 is not incompatible with legislation providing that any defendant, who causes a disturbance at the trial or whose presence is likely to impede the questioning of another defendant or the hearing of a witness or expert witness, may be removed from the courtroom;
  - b) sub-paragraph (h) of paragraph 4 is not incompatible with legal provisions authorizing the reopening of proceedings that have resulted in a final declaration of conviction or acquittal.”
- 2) “Article 6, paragraph 2, sub-paragraph (e) of Protocol II will be applied insofar as it is not incompatible with legislation providing that any defendant, who causes a disturbance at the trial or whose presence is likely to impede the questioning of another defendant or the hearing of a witness or expert witness, may be removed from the courtroom.”

In accordance with their provisions, the Protocols will enter into force for the Republic of Malta on 17 October 1989.

The Republic of Malta is the **83rd** State party to Protocol I and the **73rd** to Protocol II.