



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

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**Notification**  
**to the Governments of the States party**  
**to the Geneva Conventions of 12 August 1949**  
**for the protection of the war victims**

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Accession of Malta to the Additional Protocols I and II

On 17 April 1989, the Republic of Malta has deposited with the Swiss Government its instrument of accession to the Additional Protocols I and II.

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."

To the instrument of accession of the Republic of Malta to the Additional Protocols I and II were joined the following 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."

According to the final clauses of the said Protocols, the accession of the Republic of Malta shall take effect six months after the deposit of the instrument of accession, i.e. on 17 October 1989.

The present notification is made by the Swiss Government in its capacity of Depositary of the two Additional Protocols.

Berne, 5 June 1989