



CZECH REPUBLIC

Permanent Mission of the Czech Republic to the United Nations

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Crimes Against Humanity

Statement by

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Mr./Madam Chair,

The Czech Republic has been following the work of the International Law Commission and the 6th Committee on the topic of “Crimes against humanity” very closely. We fully align ourselves with the statement delivered by the representative of the European Union on behalf of the European Union and its Member States on this topic.

Despite being clearly recognized as crimes under international law, the crimes against humanity are not sufficiently regulated on the international level. The rules related to remaining categories of crimes under international law, such as genocide and war crimes, have already been codified in several international instruments. Crimes against humanity, however, still wait for such codification. This state does not reflect the gravity of crimes against humanity. Cruelty of these atrocities should lead us all to adoption of such norms that would clearly outlaw them and fill this considerable legal gap in international law.

In this context, I would also like to recall article 13 of the Charter of the United Nations, which lists among purposes of studies initiated by the General Assembly encouragement of codification and progressive development of international law. Building on the draft articles adopted by the International Law Commission would undoubtedly contribute to this cause.

Mr./Madam Chair,

The Czech Republic fully supports the International Law Commission’s recommendation to start negotiations aimed at adopting a convention on crimes against humanity. We believe that, two years after the adoption of the draft articles by the Commission, the time has come for the 6th Committee to decide on further steps leading towards the start of negotiations on the draft convention on crimes against humanity. We note with satisfaction that the adopted draft articles represent a model of a modern criminal law treaty and that they are based on comprehensive research, taking duly into account other generally accepted criminal law instruments. On the other hand, we are aware of the fact that the content of the draft articles, as well as further process leading towards the negotiation of the draft convention, require further substantive discussion among delegations.

Therefore, we are of the opinion that the 6th Committee should agree upon creation of an adequate forum for discussions on these issues. We believe that the establishment of an ad hoc committee for discussions during the intersessional period would be the most appropriate way forward. Such an ad hoc committee must have clear mandate and a clear timeline should be set in order to live up to expectations and achieve meaningful results.

To conclude, Mr./Madam Chair, we would like to express our hope that the 6th Committee will reach consensus on the way forward which would enable States to discuss substantively future procedure concerning the draft articles, as well as their content. It is our common responsibility – not only to contribute to the codification

and development of the international law as such, but also to prevent commission of the most heinous atrocities in the future and to punish them where they have already been committed.

Thank you, Mr./Madam Chair.