



**Permanent  
Mission  
of Austria**

to the United Nations  
in New York

**76<sup>th</sup> Session of the General Assembly**

**Sixth Committee**

**Agenda item 83: Crimes against humanity**

**Statement by H.E. Alexander Marschik**

**Permanent Representative**

**Permanent Mission of Austria to the United Nations**

**New York, 15 October 2021**

Thank you Mme. Chair,

My delegation fully aligns itself with the statement made by the European Union and I would like to make the following remarks in our national capacity:

Like so many allies Austria is also very much committed to the fight against impunity for the most serious international crimes. It is therefore no surprise that Austria supports the conclusion of an international convention on the basis of the “Draft articles on prevention and punishment of crimes against humanity” elaborated by the International Law Commission.

Such a convention - codifying existing customary international law on the criminalization of widespread or systematic attacks directed against civilian populations - is long overdue. It would complement the Genocide Convention of 1948 and the Geneva Conventions of 1949. What’s the advantage of such a codification of existing customary international law? We are convinced that a convention would provide a new momentum for the criminalization of crimes against humanity at the national level and improve international cooperation in the prosecution of the perpetrators of such crimes. We – the international community - owe it to the victims of crimes against humanity to step up our efforts in this regard.

Mme. Chair,

Austria is committed to multilateralism and the promotion and development of international law. The Sixth Committee has a key role when it comes to the consideration of the work of the International Law Commission. In order to live up to its purpose as well as to ensure an ongoing fruitful relationship with the ILC, the Sixth Committee must conduct meaningful and outcome-oriented discussions on the ILC’s work and ensure the appropriate follow-up.

The importance of progress in the Sixth Committee on the topic of crimes against humanity is twofold: advancing on the prevention and punishment of atrocity crimes, and contributing to the rule of law.

In the last two years, we have heard many voices in support of a convention. We have also noticed more cautious approaches asking for further discussions among states. We have had these discussions.

Now we need to take the next step. We must set up a structured process for consultations and the consideration of the ILC’s recommendation. An Ad Hoc Committee for the intersessional period would be a suitable forum to consolidate areas of agreement and discuss open issues in a constructive, efficient manner on an expert level. At the same time, a clear timeline for the

work of the Ad Hoc Committee and for the further consideration of the topic by the Sixth Committee must be set.

It is our hope that the Sixth Committee will be able to deliver on its task and find consensus so we can jointly move forward on this important matter. Let us not miss an opportunity to actively support the further development and deepening of international law.

Thank you.