



Statement on behalf of the African Group

“Crimes against humanity”

Agenda item 78

10 October 2022

Mr. Chair

I have the honour to speak on behalf of the African Group.

First of all, we would like to commend the International Law Commission (ILC) and its members for their important work in implementing the mandate of the ILC in the progressive development of international law and its codification.

M. Chair

In its resolution A/RES/74/187 of December 18, 2019, the General Assembly expressed appreciation to the International Law Commission for its continuing contribution to the codification and progressive development of international law, took note of the draft articles on crimes against humanity and decided to include in the agenda of its 75th session an item entitled “Crimes against humanity” in order to continue its consideration of the Commission's recommendation.

During the 75th and the 76th sessions, the 6th Committee decided to continue to examine the recommendation of the Commission. The General Assembly's willingness to continue considering this recommendation by the ILC is a clear manifestation of our collective will to prevent and punish crimes against humanity, which are amongst the most serious crimes that affect the entire international community, deeply shock the conscience of humanity and hold hostage the exercise of the most essential human rights.

In this context, the African Group will continue to constructively examine proposals on the way forward on this important ILC product.

Mr. Chair

The African Group, attaches paramount importance to the fight against impunity for all crimes, particularly the most serious ones, and thus welcomes in principle ideas of open discussions aimed at achieving the necessary consensus towards putting in place

an effective international legal framework that would prevent and punish such serious crimes.

In this regard, it remains clear to our Group that the success of our collective efforts against the scourge of international crimes depends on our ability, as an international community united by the common will to live together, to act collectively and will require each and every one of us to respect the fundamental foundations of our human society, cultural specificities and geographical realities.

In this respect, while the draft articles adopted on second reading by the International Law Commission may constitute a basis for our consideration for a future convention on the subject, the legitimate concerns of all Member States should not be ignored, as indicated by many delegations during the general debate on the ILC report during the 74th, 75th and 76th Sessions. Moreover, our future discussions on the subject should not, in any way, attempt to impose the views of any party or legal theories or definitions derived from some international agreements that do not enjoy universal acceptance.

Similarly, the African Group shares the view that, to effectively combat impunity, an efficient legal framework that enables the effective prosecution of perpetrators is needed, along with the development and strengthening of national capacities in the fields of investigations and prosecutions. In this context, international cooperation and assistance to developing countries, upon their request, remains a very essential element.

This can only be achieved by engaging in an inclusive, open and transparent debate, using all the time necessary for the proper and clear appreciation of these draft articles.

I thank you for your kind attention.