



# CZECH REPUBLIC

## Permanent Mission of the Czech Republic to the United Nations

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77<sup>th</sup> Session of the General Assembly  
Sixth Committee

### **Crimes against humanity**

**Statement by**

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Mr./Madam Chair,

On behalf of the Czech Republic I align myself with the statement delivered by the representative of the European Union on behalf of the Union and its Member States. I now want to add a few remarks in my national capacity.

The topic of crimes against humanity has been discussed in this Committee since 2018. Back then, the International Law Commission provided us with the draft articles on prevention and punishment of crimes against humanity with a recommendation to elaborate a convention on their basis. Since we first discussed these draft articles, sadly, we have not made much progress.

Let me recall that we are not talking about some abstract legal categories. Crimes against humanity are, unfortunately, very real. They include murders, torture, rapes and other inhumane acts committed on a massive scale. And they are being perpetrated in different parts of our world way too often. Everyone in this room, every Member of this Organization must agree that commitment of such terrible and heinous crimes is absolutely unacceptable. And therefore, as the international community, we must do anything in our power to prevent them from being committed.

Mr./Madam Chair, we have power to prevent them. We can do it by outlawing them and by prosecuting their perpetrators and punishing them where those crimes have already been perpetrated. In 1948 the international community outlawed genocide by adopting the Convention on the Prevention and Punishment of the Crime of Genocide. In 1949 the international community confirmed outlawing war crimes by adopting the Geneva Conventions and by obliging States to prosecute perpetrators of war crimes. Crimes against humanity are not less serious. We must take the same approach towards them and codify the existing customary prohibition of these crimes into an international treaty. Right now, they are not sufficiently regulated. If we truly agree on the fact that these crimes are unacceptable, concluding a treaty on their prevention and punishment is the least we can do.

The draft presented by the ILC surely can be a basis for negotiations of such treaty. We hear some Member States saying that they do not consider these draft article ideal – for whatever reasons. We too believe that States should have a thorough substantive discussion on the articles. After all, it is States who are legislators in international law, not the ILC. What we are suggesting is that we start discussion on these articles. We want to exchange opinions on their content. Unfortunately, we cannot do it during the session of the Sixth Committee, as there is a lot of Permanent Missions which do not have enough resources to hold such a thorough discussion during this busy period. So what we are suggesting is that we establish an adequate forum, an ad hoc committee, to meet during the less busy intersessional period and to discuss the content of the draft articles there. Without prejudice to outcome of the discussion.

Mr./Madam Chair, the time has come for the Sixth Committee to decide on further steps leading towards the start of negotiations on the draft convention on crimes against humanity. Let us show our resolution not to tolerate crimes against humanity by committing ourselves for further substantive discussion on a legal instrument that would outlaw them once and forever. That is all we are asking for.

Thank you for your attention.