



## UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA  
NEW YORK, N.Y. 10017-3505

**U.S. Remarks at a Meeting of the Sixth Committee on Agenda Item 83:  
Crimes against Humanity  
Julian Simcock, Deputy Legal Adviser  
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Thank you, Chair.

More than 75 years after the Nuremberg trials, there continues to be a significant and concerning gap in the international legal framework for addressing atrocity crimes: the absence of a dedicated multilateral treaty on the prevention and punishment of crimes against humanity. This stands in stark contrast to genocide and war crimes, the prevention and punishment of which are the subject of widely ratified multilateral treaties. Unfortunately, the need for a convention on the prevention and punishment of crimes against humanity has not waned in the decades since Nuremberg. On the contrary, events have only reinforced its importance. Recognizing our long history of supporting justice for victims and accountability for those responsible for crimes against humanity, the United States strongly believes that States should address this hole in the international legal framework. Thanks to the tremendous efforts of the Special Rapporteur, Sean Murphy, to whom we are deeply grateful, the Commission's final draft articles on the prevention and punishment of crimes against humanity provide an important opportunity for States to do so. That is why, in our view, it is critical that States seize this moment and establish a structured mechanism to exchange substantive views on the draft articles.

We recognize that States have a range of views on the content of the final draft articles. The United States, for its part, is of the view that, notwithstanding their many merits, the draft articles can and should be modified in certain, key respects. However, we believe that States should seek to address any concerns with the content of the final draft articles through constructive engagement and meaningful dialogue. For that reason, the United States strongly supports the establishment of an ad hoc committee with an appropriately robust mandate that reflects the importance of this project and the gravity of this subject.

We continue to believe that this approach would have the greatest probability of ensuring that any future convention based on the draft articles would be effective in practice and widely ratified by States. Advancing discussion of this project towards the elaboration of such a convention should be our shared goal. We cannot afford to let another year go by without meaningful progress towards achieving that goal.

Thank you, Chair.

Mr. Chair, as this is likely to be my last statement in this forum before I transition to a new role, I hope you'll allow me a few final reflections.

It has been an immense privilege to serve at the United Nations, amidst the world class diplomats sitting in this room.

As I've said before, when we gather in this setting, we do so on the basis of an implicit understanding. That at its best, legal discourse is a substitute for more dangerous ways to solve problems.

This only works, however, if we're willing to approach the work meaningfully and in good faith. Our working methods must be driven by engagement, not by absolutism. And I hope that will be the hallmark of our work going forward.

I thank you, Mr. Chair.