

**DRAFT STATEMENT**

**BY THE PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED  
NATIONS**

**77TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY**

**“CRIMES AGAINST HUMANITY”  
AGENDA ITEM 83**

Mr. Chair,

The notion of crimes against humanity has a long history but its definition has evolved over the years in the light of new concepts, new situations and the severity of the consequences of such crimes.

The horror and ubiquity of crimes against humanity around the globe afflict many if not all regions of the world and their prevention and punishment have been seriously hampered by the absence of an internationally legally binding treaty.

Crimes such as enslavement, torture, unjustified imprisonment and forcible displacement of populations are amongst the most egregious crimes that deeply shock the conscience of humanity because they involve human beings like us. It is our duty to protect,

defend, and preserve the integrity of humanity and most importantly the dignity of fellow human beings. This can only be achieved by criminalising such crimes and by putting in place a robust system of arrest, prosecution and sentencing through a legally binding treaty.

Mauritius commends the International Law Commission (ILC) and its members in particular Mr. Sean D. Murphy for their important and tireless work in implementing the crucial mandate of the ILC in the progressive development of international law, and its codification.

We encourage this committee to continue the examination of the recommendations of the Commission and to consider practical ways in which these recommendations could be translated into implementable actions by states.

In order to move closer to the development of the legal framework for Crime Against Humanity, Mauritius supports the proposal to establish an Ad Hoc Committee in 2023, open to all States, to examine and exchange substantive views on the draft Articles, and

to consider further the recommendation of the ILC for the elaboration of a convention. This will provide us all an opportunity to engage substantively on the contents of the draft Articles, within a clear and dedicated framework.

Having a comprehensive international treaty that specifically addresses the grave offences enumerated and prohibited in Article 7 of the Rome Statute of the International Criminal Court requires cooperation among States and a wide consensus on an effective international legal framework. The treaty should not only act as a serious deterrent to such crimes but should also provide adequate tools to investigate and conduct impartial proceedings against those accused of these crimes.

As Grotius stated centuries ago the “gross violations of the law of nature and of nations” should be condemned. There can be no “raison d’état” whatsoever, wherever and by whosoever that can put in jeopardy the will and resolve of the international community to fight impunity of the crimes against humanity.

At the same time we have to ensure that we have the lessons from other such international mechanisms where there has been a clear perception that only some specific groups of persons were being targeted by international prosecutors. Such perceptions can only breed resistance against a global treaty and make it difficult to implement.

The application of international law should be universal and should not discriminate against any one.

Mauritius considers that there is an urgency to have a treaty in place as quickly as possible and supports any action that will allow us to reach that goal.

I thank you.

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