



**Statement on behalf of the Republic of South Africa**

**by**

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United Nations**

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United Nations General Assembly**

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**“Crimes Against Humanity”**

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**Chair,**

I wish to thank you for giving South Africa the opportunity to take the floor and to address you on this very important agenda item. My delegation aligns itself with the statements delivered by The Gambia on behalf of the cross-regional group and Uganda on behalf of the African Group. The South African delegation reiterates its support for further discussions on the elaboration of a possible convention on crimes against humanity.

**Chair,**

South Africa has long supported the elaboration of a convention on crimes against humanity. The horrific crimes against humanity that South Africa witnessed is well-known to the world. It is our historical experience that has in large part informed South Africa's position, which has been one of consistently supporting the elaboration of a convention on crimes against humanity.

In 1946, the United Nations General Assembly unanimously affirmed the principles of international law recognised by the Charter of the Nuremberg Tribunal and the judgment of the Tribunal, which included crimes against humanity.

It is remarkable that seventy-seven years later, one of the most serious crimes under international law remains the only category that still does not have an international agreement dealing exclusively therewith.

**Chair,**

South Africa is also a proponent of the principle of complementarity. International courts serve an important role in ensuring accountability for serious crimes, but international courts can never fully subsume the role that States will be able to play in the broader investigation and prosecution of international crimes.

The role of States in ending impunity for crimes against humanity remains paramount and closer cooperation between States is growing evermore necessary in an increasingly globalised world.

**Chair,**

I am certain many in this room would have heard that earlier this year one of the four remaining fugitives from the Rwandan genocide was finally arrested in South Africa, more than twenty years after being indicted by the International Criminal Tribunal for Rwanda. This could not have been achieved had it not been for extensive cooperation between South African authorities and the International Residual Mechanism for Criminal Tribunals, and it serves as a stark reminder of what we can achieve if we work together.

Incidentally, the aforementioned arrest took place just two days before the adoption of the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes, on the 26<sup>th</sup> of May this year.

The Ljubljana-The Hague Convention is commendable and a significant development that strengthens cooperation in combating impunity for international crimes. However, it must be emphasised that the convention on crimes against humanity is not a duplication but is in fact a distinct convention. Indeed, the development of a separate convention focussed on crimes against humanity remains as significant now as it was when it was first introduced.

We once again reiterate South Africa's profound support for ongoing discussions of a substantive nature. We remain confident that we will find a middle ground that will drive us toward a convention on crimes against humanity.

**Chair,**

In conclusion, South Africa expresses its grave concern over the recent devastating escalation in the Israeli-Palestinian conflict. South Africa condemns all attacks against civilians as crimes against humanity. The international community cannot avoid its duty to act, and together, we must shoulder the responsibility to remove obstacles to peace and any violations of international law.

No real and lasting peace in Israel, Palestine, and the region is possible in the absence of a just and comprehensive resolution of the conflict. Israelis, Palestinians, and the region do not stand to gain anything from escalated tensions, increased violence, growing instability, and a continued and protracted violent conflict.

We reaffirm our solidarity with Palestine and its people on their fight for self-determination and we call on the International Criminal Court to investigate ALL crimes and breaches committed.

**I thank you.**