



**THE SOCIALIST REPUBLIC OF VIET NAM
PERMANENT MISSION TO THE UNITED NATIONS**

STATEMENT

By the Delegation of Viet Nam

**at the Sixth Committee of the 78th Session of the General Assembly
*Agenda item 80 “ Crimes against humanity”***

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Madam Chair,

Viet Nam reiterates its appreciation to the work of the International Law Commission and the Special Rapporteur on this topic. Crimes against humanity are among the most serious crimes under international law. Their scales and consequences shock the world, cause immeasurable suffering and leave lasting scars on the victims, their families and societies. We view that Commission’s draft articles and commentaries are important contribution to the international community’s collective efforts to the prevention and punishment of these crimes.

Viet Nam also commends joint efforts that have been made in the Committee to organize the resumed session this April for Member States to exchange substantive views on all aspects of the drafts articles. Like many other delegations who raise their concerns during previous deliberations, Viet Nam share the view that the draft articles, while serve as a good basis for discussion, needs to be elaborated, clarified or improved to address the shortcomings shown in the current text. For example, some articles in the draft articles might be interpreted as a recognition and application of universal jurisdiction which remains under intensive discussion in the Committee with different points of views.

Madam Chair,

My delegation is firmly committed to the suppression and punishment of crimes against humanity in accordance with international law, especially the principles enshrined in the United Nations Charter including respect for national sovereignty and non-intervention in domestic matters. We believe that the prevention and punishment of serious crimes lie primarily in the responsibility of states. Efforts need to be made to build state capacity to fulfill this responsibility

by all methods, including by strengthening international cooperation. Resort to international criminal mechanisms should take place, as complementary method, only after all national measures have been exhausted. We stress the importance of providing technical assistance to develop national capacities in the fields of investigation and prosecution of crimes against humanity. Only with measures at national levels can we be able to address such crimes and their root causes in a comprehensive and long-term manner, taking into account their complexities.

Madam Chair,

We are of the view that the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles requires a thoughtful and thorough deliberation process within the UN framework, including the Sixth Committee. The necessity of such convention and its formation should be carefully examined, including in the context of multifaceted challenges currently faced by the international criminal institutions. If an international convention is to be developed on this basis, it is critical that different national experiences and practices, especially legal systems and matters be fully reflected, legitimate concerns by all Member States be addressed, so as to ensure effective and universal implementation and enforcement of the said convention.

Having said that, Mr. Chair, Viet Nam is ready to actively and constructively engage in this discussion and we support the ongoing process in the Committee, on the basis of consensus, for continued deliberation on this crucial issue.

I thank you./.