

Statement by the Government of Japan
Resumed Sixth Committee Session on Crimes against Humanity
Cluster 1
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Thank you, Mr. Chair.

Japan welcomes this opportunity to exchange substantive views with other States on the International Law Commission's Draft Articles on Prevention and Punishment of Crimes against Humanity.

Japan acknowledges the significance of prevention and punishment of crimes against humanity. With an understanding that our discussion on the present draft articles is without prejudice to the question of their future adoption as a convention, Japan is honored to take part in this substantive discussion on the draft articles.

Crimes against humanity are defined in the Rome Statute of the International Criminal Court, which has been playing a crucial role in prosecuting and punishing individuals who have committed crimes against humanity. Japan has been in support of the Court's activities, and in this regard, and from the perspective of legal stability, Japan is of the view that the present draft articles should be consistent with the Rome Statute that provides for State Parties' obligation to cooperate with the Court.

The ultimate purpose of the draft articles is to prevent and punish crimes against humanity. We would fulfil this purpose by making the content of the draft articles acceptable to as many States as possible. Most of the acts that constitute crimes against humanity as articulated in the draft articles would be punishable in Japan under its existing national criminal law. Furthermore, Japan considers that the ultimate purpose of the draft articles can be achieved by ensuring the punishment of a perpetrator of those crimes by the International Criminal Court through surrender of the person to the Court. Japan welcomes this opportunity to discuss and explore together the ways to fulfil this purpose.

Mr. Chair,

Japan considers that draft article 1 concisely presents the purpose of the draft articles and that it should provide for a temporal scope of application of the draft articles. It is important to clarify that the draft articles would not bind a party in relation to any act or fact which took place or any situation which ceased to exist before the date of the entry into force of the convention with respect to that party, accurately reflecting the intention of the commentary of the International Law Commission.