



**New Zealand Permanent Mission to the United Nations
Te Aka Aorere**

**United Nations General Assembly: Sixth Committee
Resumed seventy-eighth session (Cluster One)**

**New Zealand Statement delivered by
Legal Adviser, Naushyn Janah**

1 April 2024

CHECK AGAINST DELIVERY



Thank you Chair.

New Zealand reaffirms its position that the International Law Commission's Draft Articles on the Prevention and Punishment of Crimes against Humanity present an important opportunity to close the gap in the international treaty law framework in relation to a multilateral convention on the prevention and punishment of crimes against humanity. The widespread, systematic and violent nature of crimes against humanity threaten the pillars of the UN Charter wherever they occur.

We again welcome the opportunity for deeper discussions at this resumed session. New Zealand sees the Draft Articles as providing a solid foundation for the development of convention.

New Zealand considers that the preamble provides a strong conceptual framework for the Draft Articles. We note in particular that the fourth preambular paragraph recalls that the prohibition of crimes against humanity is not only a rule of customary international law, but also a peremptory norm of general international law. This language reflects the ILC's view in relation to the prohibition and accords with New Zealand's understanding of the peremptory character of the prohibition.

With regards to draft article 1, New Zealand considers that this provision clarifies the two aims of the draft articles – namely, the prevention and punishment of crimes against humanity. We consider the inclusion of an article on scope to be valuable for the purposes of clarity and legal certainty.

Thank you Chair.