



Statement on behalf of the European Union and its Member States

by

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at the Sixth Committee

on the Agenda item 80:

“Crimes against humanity”

United Nations

New York

9 October 2024

– CHECK AGAINST DELIVERY –

Thank you, Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Montenegro*, Serbia*, Albania*, the Republic of Moldova, Bosnia and Herzegovina* and Georgia, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Monaco and San Marino align themselves with this statement.

Mr./Madam Chair,

Five years have elapsed since the International Law Commission (ILC) - at its 71st Session (2019) – recommended to the General Assembly the elaboration of a Convention on the basis of the Draft Articles on Prevention and Punishment of Crimes Against Humanity.

The EU and its Member States commend the work of the ILC and recall that, already in the fall of 2019, many Delegations supported the ILC recommendation.

Since then, we have been discussing this item annually, including during the two resumed sessions in the spring of 2023 and 2024. It is our understanding that no one questions the need to ensure accountability for crimes against humanity, and an overwhelming majority of States considers that a dedicated convention is long overdue to fill a gap in international treaty law on this matter.

The EU and its Member States wish to thank all those who have spared no efforts in moving this discussion forward, starting with the Chairs, the co-facilitators, the

* Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

Secretariat of course, and all the Delegations, for their constructive engagement in the thorough substantive discussions on the Draft Articles during the past five years.

Mr./Madam Chair,

During the two resumed sessions, in particular, we had the opportunity to share our views on the preamble and each draft article.

Through our extensive discussions, we were able to find common ground on a broad number of core principles and legal issues, as well as on specific provisions of the ILC Draft Articles. Our discussions confirmed that the Draft Articles provide a sound basis on which the elaboration of a Convention may finally begin.

Of course, we listened with great attention and took note of the concerns or doubts expressed by some Delegations and we acknowledge that there are issues on which different views persist and where further in-depth discussion will be required.

However, this should not constitute an obstacle to moving forward and taking the next step.

We thank Mexico and The Gambia for submitting a draft Resolution, which proposes to convene a Conference of Plenipotentiaries to continue these discussions and to negotiate with a view to elaborate and eventually conclude a Convention on the Prevention and Punishment of Crimes Against Humanity, as recommended by the ILC five years ago.

This draft Resolution is the result of a collective effort, led by the two aforementioned Delegations through transparent and inclusive prior consultations, and it is based on extensive research on the language previously used for United Nations Conferences.

The draft Resolution provides for an inclusive and transparent process for convening the Conference and its preparatory committee, ensuring wide and effective participation from all stakeholders, including States, observers, intergovernmental organizations, and non-governmental organizations. The involvement of experts, including the ILC Special Rapporteur on crimes against humanity, will ensure that the discussions are enriched by specialized and expert knowledge as well as experience. The draft Resolution envisages for the Conference a three-week session (first half of 2026) that would allow ample time for negotiations.

The draft Resolution has been co-sponsored by more than 70 Member States already, including all EU Member States. In our view, it provides the most appropriate way forward.

Mr./Madam Chair,

Given the importance of the topic and the widespread interest, a Conference of Plenipotentiaries is indeed the best avenue to negotiate such a prominent Convention, to ensure visibility, transparency and inclusiveness. An international conference is the essence of multilateralism. It will provide a forum where all parties can discuss and negotiate at the appropriate level, with the assistance of technical experts, reconcile different perspectives and reach an agreement. All this without prejudice, of course, to States' final positions and possible participation in a future Convention.

It is a step forward that we must take now, because we have a responsibility to decisively advance our work on this important matter. We owe it to the too many people who have been victims of these heinous crimes or are at risk of becoming victims thereof, and to their relatives.

Mr./Madam Chair,

To conclude, the task ahead of us is clear, based on Resolution 77/249: we need to take a decision on the recommendation of the ILC. For the European Union and its Member States, there is no doubt. We reiterate our full support for the draft Resolution submitted by Mexico and The Gambia, providing for the elaboration of a Convention on the basis of the Draft Articles by a UN Conference of Plenipotentiaries, as recommended by the ILC. We look forward to discussing with all Delegations the modalities that can best ensure an open, inclusive, transparent and effective process, which can eventually lead us to achieve the most precious goal: protecting humanity.

I thank you.