



**Sixth Committee – Agenda item 80
Crimes against Humanity**

**Statement by the Federal Republic of Germany
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Germany fully aligns itself with the statement delivered by the European Union.

As a firm supporter of international criminal law, Germany continues to attach great importance to a Convention on Crimes against Humanity, based on the International Law Commission's Draft Articles.

Introductory Observations

Seventy-Seven years after the Nuremberg trials, and over a century since the adoption of The Hague Conventions, the international community faces a pivotal moment with the opportunity to reach a new milestone in the common fight against impunity: a Convention governing the prevention and punishment of crimes against humanity. No such global Convention currently exists – unlike with respect to genocide and war crimes. Not only would the envisioned Convention harness national legal systems' capacity to investigate, prosecute and punish crimes against humanity, it would also constitute a new cornerstone of robust inter-state cooperation. Such a Convention could facilitate the harmonization of national laws and thus strengthen the complementary nature of global efforts to fight impunity – an endeavor perhaps more pressing than ever.

Germany would like to take this opportunity to thank the International Law Commission once again for the draft articles. They stand as a solid foundation for the elaboration of a Convention.

Observations concerning the process

Work to expand on the draft articles as well as discussions on the further procedural steps continued constructively in particular during the resumed sessions in April 2023 and April 2024. Germany contributed by organising workshops on the topic of the Convention in March 2023 and again in February 2024, offering an opportunity for government representatives and civil society to engage in fruitful exchange. Germany believed that it was crucial to facilitate a substantive and meaningful discussion in order to move forward towards a Convention on crimes against humanity.

Observations regarding the draft articles

Germany recognises that there were still differing opinions on certain details of various draft articles. Germany, however, believes that consensus on the core elements of the Convention – i.e. on the criminalisation of crimes against humanity at the national level – evolved. Germany thus reiterates its strong support for the elaboration of a Convention on the basis of the ILC draft articles: This imminent milestone is about accountability. It is about making all core crimes punishable under national jurisdiction, thus closing a gap in the legal framework, while at the same time guaranteeing consistency with existing instruments such as the Ljubljana–The Hague Convention on Mutual Legal Assistance. Germany thus welcomes and supports the draft resolution submitted by Mexico and The Gambia in July 2024. This is substantial progress.

Germany hopes that further progress on this important endeavour will not be delayed by attempts to achieve even more detailed provisions or introduce new legal terminology at this stage. Rather, in light of the Convention's significance, Germany supports a pragmatic approach to advance the process based on the ILC draft articles and the draft resolution submitted by Mexico and The Gambia.

Thank you.