



## UNITED STATES MISSION TO THE UNITED NATIONS

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**U.S. Remarks at Meeting of the Sixth Committee  
Agenda Item 80: Crimes against Humanity  
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United States Mission to the U.N.  
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Thank you, Chair.

The United States has a long and proud history of supporting justice and accountability for those responsible for crimes against humanity, dating back to the instrumental role the United States played in the first prosecution of such crimes before the International Military Tribunal at Nuremberg. However, more than 75 years after the Nuremberg trials, there is no general multilateral convention on the prevention and punishment of crimes against humanity.

The United States views the International Law Commission's Draft Articles on the prevention and punishment of crimes against humanity as an important step forward in this regard. In 2022, the United States was proud to join over eighty other co-sponsors of UN General Assembly resolution 77/249, which established a process for States to further examine and exchange substantive views on the Draft Articles through two resumed sessions of the Sixth Committee and the submission of written comments and observations. We were pleased to participate in both resumed sessions and submit our written comments to the Draft Articles. The Sixth Committee process over the past two years has been extraordinarily fruitful. We have appreciated the dedicated time and space during last year's and this year's resumed sessions of the Sixth Committee to have a robust, in-depth discussion of the substance of the Draft Articles. We have also benefited from the written submissions made by so many Member States. In 2022, the General Assembly decided that the Sixth Committee would take a decision during the 79<sup>th</sup> Session on this matter. The United States supports the Sixth Committee taking a decision in November to begin a process to negotiate a convention on the prevention and punishment of crimes against humanity. We think that now is the time to proceed to the next stage of this process. The United States has accordingly joined more than 70 other States in co-sponsoring the draft resolution, led by Mexico and The Gambia, that would launch this negotiation process. We look forward to the Sixth Committee adopting such a resolution by consensus.

Some delegations have noted that differences remain among the delegations regarding various substantive issues in the Draft Articles. These delegations take the position that it is premature for the Sixth Committee to decide on launching a process to negotiate a crimes against

humanity convention at this stage. Although the United States agrees that there are still important substantive issues that remain in the Draft Articles, the United States does not view this as an obstacle to moving forward. Rather, these substantive differences of view can themselves be the subject of negotiation. In order to address concerns and take the next step to substantively engage with this text, we should begin a negotiation process. We do not think there must be consensus on all substantive aspects of these Draft Articles in order to achieve consensus on a decision to launch a treaty negotiation process.

We look forward to engaging with all of our colleagues in the coming days so that we can finally fill the gap in our suite of international crimes treaties given the importance of crimes against humanity to modern international crimes prosecutions.

Thank you, Chair.