

 Permanent Mission
of Austria to the
United Nations in New York

**79th Session of the General Assembly
Sixth Committee**

Agenda item 80: Crimes against humanity

**Statement by Mr. Maximilian Gorke
Legal Adviser
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New York, 10 October 2024

Thank you, Mr./Madam Chair,

My delegation fully aligns itself with the statement made by the European Union and would like to make the following remarks in our national capacity:

Over the past two years the 6th Committee engaged in a constructive exchange on the draft articles on prevention and punishment of crimes against humanity. Two resumed sessions in spring allowed us to dissect all aspects of the draft articles and enhance the mutual understanding of various positions. As foreseen in GA resolution 77/249, we convene in this session to further examine the draft articles and take a decision on the recommendation of the ILC on the elaboration of a convention. After repeated, meaningful exchange that may have revealed a few different positions on certain draft articles, it is now time to act upon the explicit recommendation of the ILC and to advance to the negotiation stage of a convention.

Since the ILC made its recommendation in 2019, a vast number of states has voiced their support for a convention on crimes against humanity. It has been deplored that the lack of a convention on this topic presents a gap in international treaty law on the prevention and punishment of atrocity crimes. While differing views might remain on some formulations and definitions used in the draft articles, this must not keep us from taking action on the recommendation of the Commission. It is precisely the task of a diplomatic conference open to all States to negotiate remaining open issues. While we consider the draft articles to be a good basis for the elaboration of a convention, they are not set in stone yet. Therefore, Austria co-sponsored the draft resolution put forward by Mexico and the Gambia, which includes a decision to convene a Conference of Plenipotentiaries in 2026.

Let us be reminded of the positive outputs we can achieve if we work together and negotiate in good faith. We can deliver an international treaty that truly makes a difference in people's lives.

Thank you!