



REPUBLIC OF ZAMBIA



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STATEMENT BY

**HIS EXCELLENCY DR. CHOLA MILAMBO
AMBASSADOR/PERMANENT REPRESENTATIVE
OF THE REPUBLIC OF ZAMBIA TO THE UNITED NATIONS**

ON

**AGENDA ITEM 80:
CRIMES AGAINST HUMANITY**

AT THE SIXTH COMMITTEE

DURING THE

**SEVENTY-NINTH SESSION OF
THE UNITED NATIONS GENERAL ASSEMBLY**

October 10, 2024
New York

Mr. Chairman, I thank you for giving me the floor.

My delegation aligns itself with the Statement delivered by the distinguished representative of Uganda on behalf of the African Group and we wish to make the following statement in our national capacity.

Mr. Chairman,

Crimes against humanity are the most heinous violations of human rights and constitute a denial of their victims' very humanity. Crimes against humanity are some of the worst international crimes. They are widespread or systematic attacks on civilian populations. Crimes against humanity can be distinguished from war crimes in that they can take place outside the context of armed conflict, that is to say, they can occur in peace time or in war time, and they can be committed by state actor or non-state actors. Crimes against humanity differ from genocide because the scope of crimes against humanity is extensive. Genocide is a narrow sub-category of crimes against humanity that involves attacks on individuals based upon their race, religion, nationality, or their ethnicity. The resurgence of crimes against humanity across all parts of the world is disconcerting. Despite their prevalence and the egregious nature of crimes against humanity, there is no international legal instrument that specifically addresses these crimes.

Mr. Chairman,

The absence of a multilateral convention that specifically pertains to crimes against humanity is a lacuna in the international criminal law infrastructure. A convention that comprehensively addresses crimes against humanity will have a reinvigorating effect on international efforts to find universal standards to protect victims from these crimes and to fight impunity. The draft articles on Crimes Against Humanity that were first developed by the International Law Commission in 2013 serve as the foundational step towards the

enactment of an international treaty. The ILC worked in conjunction with States and civil society for a period of six years to develop the draft. The draft articles were submitted for deliberations to the Sixth Committee in 2019 and have been under consideration ever since.

Mr. Chairman,

The Zambian delegation supports this work of the Commission. The draft articles are of tremendous value towards the codification of a Convention. The set of 15 articles largely reflects principles of customary international law and complements existing treaties. The draft articles define the general procedure on issues pertaining to the establishment of national jurisdiction of States, including the obligation of prevention of crimes against humanity; inter-State cooperation in investigating and prosecuting such crimes, the principle of non-refoulement, as well as the overall protection of victims through punishment of the perpetrators, reparations and guarantees of non-repetition. The hallmark of the draft articles is that it builds upon existing customary international law while at the same time complements modern treaties in international criminal law such as the Ljubljana-The Hague Convention which aims to, inter alia, promote inter-state cooperation on prevention and punishment of crimes, provide for extradition while at the same time ensure that the rights of witnesses, victims and accused persons are all guaranteed.

Mr. Chairman,

The Zambian delegation would like to acknowledge the work put in by the various delegations and other organizations to carry the work forward from 2019 to date. The Zambian delegation takes note of all the views, comments and concerns expressed in the debates of the Sixth Committee on crimes against humanity, including those expressed in its resumed sessions at the Seventy-seventh and seventy-eighth sessions of the General Assembly. The genuine efforts and enthusiasm exhibited are a clear demonstration of our common

desire to fight the scourge of impunity and attacks on civilian populations.

Special recognition is given to the coalition of States led by Mexico and the Gambia who in December 2022 co-sponsored Resolution 77/249 which provided for a two-year timeline during which States could discuss the provisions of the draft treaty and take a decision on the draft articles in October 2024.

CONCLUDING REMARKS

We are now at an inflection point where, in a hyper-interconnected world, the brutality and scale of crimes against humanity in any given region threatens world peace as a whole. The international community must therefore work in concert to end these heinous crimes. The adoption of the Convention on Crimes Against Humanity must therefore be front and center as a contribution to consolidating the international legal framework to combat these heinous crimes. The Zambian delegation aligns itself with the delegations led by Mexico and the Gambia to co-sponsor the resolution entitled **United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity** whose raison d'être is to elaborate and conclude a legally binding instrument on prevention and punishment of crimes against humanity.

Mr. Chairman, I thank you for your attention.