



MALAYSIA

Permanent Mission to the United Nations, New York

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**STATEMENT BY
MS. NURUL AINY YAHAYA
ATTORNEY GENERAL'S CHAMBERS OF MALAYSIA**

**ON AGENDA ITEM 78:
CRIMES AGAINST HUMANITY**

**AT THE SIXTH COMMITTEE OF
THE 77TH SESSION OF THE GENERAL ASSEMBLY**

NEW YORK, 11 OCTOBER 2022

Mr. Chair,

Malaysia stands firm by its belief in the rule of law and commitment to ending impunity. Malaysia has long held the position that genocide, war crimes, crimes against humanity and crimes of aggression are the most serious crimes of concern to the international community. As such, the perpetrators of such crimes need to be brought to justice.

2. Malaysia reiterates the importance of accountability pertaining to the perpetrators of international crimes, including crimes against humanity. Investigation and prosecution of such offences, as well as international cooperation amongst States require our crucial attention. No violations and crimes should be treated as exceptions, and no culprits should be regarded as non-prosecutable.

3. Access to justice and universal standards of international law and international human rights law should be preserved and upheld for everyone, including for the Palestinians that have long suffered at the hands of the apartheid Israel regime, and, in our own region, the people of Myanmar, including the Rohingyas, that have been subjected to continued violence even before the military takeover in February 2021.

Mr. Chair,

4. Within Malaysia's current framework, perpetrator of crimes against humanity may be prosecuted under its general criminal laws, foremost of which, the Penal Code. International cooperation on this matter is mainly governed by the Mutual Assistance in Criminal Matters Act 2002 (MACMA) and the Extradition Act 1992.

Mr. Chair,

5. Malaysia records and expresses its appreciation to the International Law Commission ("ILC") for its continuing contribution to the codification and progressive development of international law, including for the completion of the draft articles on Prevention and Punishment of Crimes Against Humanity ("draft articles") during its seventy-first session in 2019.

6. This is the fourth time that the draft articles concluded by the ILC are before the Sixth Committee. Malaysia remains flexible and supportive to the continuation of elaboration and discussion of the draft articles be it by the General Assembly or by an international conference of plenipotentiaries. My delegation reiterates our hope for the draft articles to be examined prudently to ensure that any further work should not overlap with existing regimes but rather to complement it.

Thank you.