

**Statement by the Republic of Türkiye
at the Resumed Sixth Committee Session
"Crimes against humanity"
United Nations, New York
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Mr. Chair,

At the outset, we would like to thank you, as well as the other members of the Bureau, and all the esteemed delegations for enabling this interactive format to exchange views on the draft articles prepared by the International Law Commission (ILC) on the prevention and punishment of crimes against humanity.

We would like to assure you of our full support throughout this resumed session.

We also would like to take this opportunity to once again thank the ILC and Special Rapporteur Sean Murphy for their work on the draft articles.

We attach great importance to the ILC's past and current work on international criminal law. We believe that the ILC's work on crimes against humanity, carry potential to contribute significant ways to the ongoing global struggle to counter impunity for serious violations of international law. Crimes against humanity have the potential to disrupt social order and the rule of law, and jeopardize peace and security. They threaten human dignity and the very foundations of this organization.

Ensuring that such crimes are prevented and duly punished must remain at the heart of the international community's efforts to achieve the purposes set out in the Charter of the United Nations.

Türkiye has always been committed to promoting respect for international law and rules-based international order which is crucial for the international community for safeguarding peace and security.

Türkiye has codified crimes against humanity in its national legislation, and supports international efforts to tackle them. Also, under the Turkish Penal Code, crimes against humanity are among the list of crimes to which Turkish law shall apply.

Mr Chair,

The extensive discussions we have had on this agenda item in the past demonstrated that crimes against humanity are complex in many dimensions. The preamble and Article 1 overall reflect these complexities.

However, compared to certain other categories of international crimes, crimes against humanity are also more susceptible to political exploitation. Hence, addressing the rules concerning their prevention and punishment require special care. We therefore would like to underline the importance we attach to non-politicization of this agenda item, and to ensuring and preserving the integrity of international law.

We have consistently highlighted the need for this topic to be addressed in a diligent and inclusive manner, and at a reasonable pace. This will enable the international community to move forward in unison towards its shared goal.

In order to secure the broadest acceptance of any proposed convention on crimes against humanity, it is preferable that the said document would reflect widely accepted principles on the subject and equally important, contain safeguards against their potential abuse with political motives.

In the absence of such safeguards, any convention could give rise to tensions between the States and undermine rather than strengthen the efforts to promote justice.

We believe certain provisions of the draft articles expand the scope of universal jurisdiction, a principle on which the international community is divided, such as in the reference to “jus cogens” in the Preamble. It is therefore important to further study the relevant State practice and to uphold recognized principles in international law, especially those of immunity and sovereign equality.

In our view, the expansion of the scope of the draft articles into issues such as civil jurisdiction, amnesty and immunity would be unhelpful to the goal of a widely accepted convention.

In view of the foregoing, we support the Sixth Committee to carry out a meaningful and structured exchange of views on the substance of the draft articles.

Türkiye will follow closely the discussions and we will submit written comments in due course, if need be.

I thank you.