



**New Zealand Permanent Mission to the United Nations
Te Aka Aorere**

**United Nations General Assembly: Sixth Committee
Resumed seventy-seventh session (cluster five)**

**New Zealand Statement delivered by
Second secretary, Zoe Russell**

12 April 2023

CHECK AGAINST DELIVERY



Thank you Chair,

New Zealand supports the inclusion of the safeguards set out at Draft Articles 5, 11, and 12. These safeguards are important to ensure consistency with states' obligations under international human rights law and well-established aspects of the rule of law like the right to a fair trial. We further welcome views from others on what changes to these Draft Articles, if any, might be usefully incorporated.

New Zealand particularly welcomes the inclusion of the obligation to protect and consider the rights of victims of crimes against humanity in the Draft Articles, and recognises the significance of the rights of victims in the prevention and punishment of crimes against humanity.

New Zealand welcomes Draft Article 12(3) and its specific discussion of the question of reparation. New Zealand supports the flexibility built into article 12(3) which enables States to have discretion to determine the appropriate form of reparation in giving effect to this obligation. This recognises that in the aftermath of the commission of crimes against humanity, various scenarios may arise which require reparations to be tailored to specific circumstances.

I thank you.