



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY MR NATHANIEL KHNG,
COUNSELLOR (LEGAL), PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS, FOR CLUSTER 5 DEBATE, ON AGENDA
ITEM 78 ON CRIMES AGAINST HUMANITY, RESUMED SESSION OF
THE SIXTH COMMITTEE,
13 APRIL 2023**

Thank you, Mdm Chairperson.

1 Singapore has comments on draft articles 11 and 12.

2 In relation to draft article 11, my delegation appreciates the inclusion of a succinct provision indicating that an alleged offender of crimes against humanity is entitled to fair treatment, as is done in other international conventions addressing crimes. We agree with the Special Rapporteur that it is not necessary to replicate the wide array of rights possessed by an alleged offender before a national court in the draft articles. This was a view that he had expressed in his fourth report. We note, in this connection, that under paragraph 1, a State must accord the legal protections that an accused person is entitled to under national and international law.

3 In relation to draft article 12, my delegation does not believe that reference to moral damages is necessary in draft article 12 paragraph 3. The scope of damages for which reparation is available should be left to each State to determine in each case. This would be consistent with the approach in many international conventions on crimes. We also appreciate the explanation in the Commentary, at paragraph 22, that reparation may be “through the use of regular civil claims processes in national courts”. This indicates that the obligation in paragraph 3 may be fulfilled through the availability of civil claims processes in national courts. We are of the view that it would be useful to incorporate this into the text of draft article 12.

4 Thank you for your attention.

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