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Statement by (Ms) Hyunseung Lee (1st Secretary)

Permanent Mission of the Republic of Korea to the United Nations

Crimes Against Humanity (Agenda 81)

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Securing criminal justice against perpetrators of heinous crimes that shock the conscience of humanity is part and parcel of the rule of law. The Republic of Korea has been joining the efforts of the international community to enhance the rule of law and to put an end to impunity for perpetrators of heinous crimes. For example, the Republic of Korea has been a staunch supporter of the International Criminal Court since its inception, and has been actively engaged in the discussions on the draft articles on the Prevention and Punishment of Crimes against Humanity when it was considered under the topic of ‘Report of the International Law Commission’ in this Committee for the previous years. Taking this opportunity, we would like to once again express our deep appreciation to the International Law Commission for its work, and in particular to Special Rapporteur Mr. Sean D. Murphy for his outstanding contributions.

The Republic of Korea shares the view that the draft articles adopted by the International Law Commission will contribute to enhancing the accountability for serious crimes under international law. We note that currently there exists no global convention governing the prevention and punishment of crimes against humanity, and that a new convention will complement the existing treaty law and promote inter-state cooperation for investigation, prosecution and punishment.

The Republic of Korea believes that if adopted, the draft articles could provide a suitable legal basis for strengthening law enforcement cooperation among States, particularly in the absence of bilateral treaties on extradition or mutual legal assistance. The draft articles could strengthen the current system of international criminal law, by maintaining coherence and stability in line with the existing core legal instruments such as the Rome Statute. Additional consideration could be given to the relationship between the draft articles on crimes against humanity and other relevant international instruments, including the initiative to adopt a new Convention on Mutual Legal Assistance for Crimes against Humanity, Genocide, and War Crimes.

In this respect, we believe that further efforts can be made for the elaboration of a convention, where the draft articles adopted by the Commission could provide a good basis, while taking into consideration the opinions of Member States. We look forward to the further discussions among States about how to move forward, including consultation methods and procedures.

I thank you. /End/