



Permanent Mission  
of the Federal Republic of Germany  
to the United Nations  
New York

- Check against delivery -

**Statement by the Federal Republic of Germany at the Sixth Committee on “Crime against humanity”, October 2021**

Germany aligns itself with the statement delivered by the European Union and wishes to emphasize a couple of points in its national capacity.

Germany highly welcomes the work of the International Law Commission on the topic of crimes against humanity – we once again thank Rapporteur Sean Murphy for his outstanding contribution on the draft articles since 2015. We appreciate that the Commission considered many suggestions and concerns of various member States and consider the Commission’s adoption, upon second reading, of the draft articles in 2019 an outstanding success. We recall that already in the summer of 2019 many delegations supported the ILC’s recommendation to elaborate a convention by the General Assembly or by an international conference of plenipotentiaries based on the draft articles.

Two years later it is crucial to facilitate a meaningful discussion towards a convention on Crimes against Humanity. As has been elucidated before: While some delegations still consider that some draft articles may require further clarification, we trust that there is consensus as to the core provisions of the draft articles: We are convinced that the draft provides a solid basis for successful negotiations on a convention on this matter within suitable institutional frameworks to address remaining concerns in an effective and inclusive manner.

We share the view that at this stage an Ad Hoc Committee of the 6th Committee could offer an ideal framework to that effect, where the more ambitious and the more cautious approaches could be discussed in a balanced, constructive and efficient expert setting.

We would like to emphasise that until today, there still does not exist a specialised global convention governing the prevention and punishment of crimes against humanity - unlike with respect to genocide and war crimes. A specialized and comprehensive instrument for the prevention and punishment of crimes against humanity would hence remedy a historical gap that has practical implications in securing accountability and bringing such crimes to justice – across legal systems and cultures. A new convention would foster inter-state cooperation with regard to the investigation, prosecution and punishment of crimes against humanity. It would also provide an important international treaty basis for the prohibition and prevention of such crimes. In short: We are convinced that a new convention would provide much-needed further impetus for the international efforts to prevent and prosecute atrocity crimes and would represent a milestone in the common fight against impunity.

Germany fully supports the elaboration of a convention on the basis of the draft articles, as recommended by the ILC, preferably by an international conference of plenipotentiaries – and will proactively facilitate the work of an Ad Hoc Committee to this end.

Thank you.