



**THE SOCIALIST REPUBLIC OF VIET NAM
PERMANENT MISSION TO THE UNITED NATIONS**

Statement

**by the Delegation of Viet Nam to the Sixth Committee
of the 76th Session of the General Assembly
*Agenda item 83: “Crimes against Humanity”***

New York, 13 October 2021

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Madam Chair,

Crimes against humanity is one of the most serious crimes. Its scale and consequences shock the world and inflict lasting injuries on the victims, their families and nations.

My Delegation is firmly committed to the suppression and punishment of crimes against humanity in accordance with international law, especially the principles enshrined in the United Nations Charter, including respect for national sovereignty and non-intervention in domestic matters of Member States. Article 422 of Viet Nam’s Penal Code provides that, “any person who, whether in peace time or war time, commits genocide against the population of an area, destroys sources of living, cultural or spiritual life of a nation or a sovereign territory, upsets the foundation of a society in order to sabotage it or commits other acts of genocide or destruction of the environment shall face a penalty of 10-20 year imprisonment, life imprisonment or capital punishment”.

We are convinced that States must take the primary responsibility in preventing and punishing serious crimes. We must spare no efforts in building States’ capacity to fulfill this responsibility. International cooperation in capacity-building and mutual legal assistance should be promoted. Resort to international criminal mechanisms should take place after all national measures have been exhausted.

At its seventy-first session, the International Law Commission completed its work on the draft articles on prevention and punishment of crimes against humanity and recommended the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles.

We highly appreciate the work of the International Law Commission and the Special Rapporteur. In our view, the necessity of a new convention on crimes against humanity as well as its formation should be carefully examined, including in the context of challenges currently faced by international criminal institutions. We support the need for comprehensive study of the draft articles to ensure their accordance with principles of international law as reflected in the UN Charter, as well as their compatibility with national legislations. If an international convention is to be developed on this basis, it is critical that different national experiences and practices, especially on legal systems and matters, be fully reflected so as to ensure effective and universal implementation of the said convention.

In this regard, we are supportive of continued conversation with the view to reaching consensus on this crucial issue.

I thank you, Madam Chair./.