

**Statement by the Republic of Turkey
on Agenda Item 83
(Crimes against humanity)
at the Sixth Committee
15 October 2021**

(Check against delivery)

Madam Chair,

At the outset, we would like to congratulate you on your election, as well as the other members of the Bureau, and assure you of our delegation's full support throughout this session.

We would like to thank once again the International Law Commission and Professor Sean Murphy for their work on the draft articles on prevention and punishment of crimes against humanity. This document, as other documents prepared by this esteemed body on various crucial topics of international law, undoubtedly deserves to be the subject of a genuine, inclusive and dedicated discussion among Member States in the Sixth Committee.

Crimes of the most serious nature, including the crime of genocide, crimes against humanity, war crimes and terrorism, pose existential threats against the very purposes and principles on which the United Nations is established. Preventing these crimes and punishing those that commit them, through a combination of national, regional and international efforts, including inter-state cooperation, continue to be our shared goal.

Turkey has codified crimes against humanity in its national legislation, and supports international efforts to tackle them. Also, under the Turkish Penal Code, crimes against humanity are among the list of crimes to which Turkish law shall apply regardless of the nationality of the perpetrator or where the crime is committed, albeit subject to strict conditions.

We have closely followed the preparation of the draft articles by the Commission, and engaged on the topic at various stages, providing our comments and suggestions. As expressed by the members of the Commission themselves and also acknowledged by international tribunals, the definition and components of this crime are complex in many dimensions. Crimes against humanity, compared to certain other categories of international crimes, are also more susceptible to political exploitation, for which reason, addressing the rules concerning their prevention and punishment require special care. In this regard, we would like to underline the importance we attach to non-politicization, and to ensuring and preserving the integrity of international law, including especially when issues relating to serious international crimes are concerned.

In view of these considerations, we have consistently highlighted both in the previous stages of the evolution of this topic, as well as after the adoption of the draft articles by the Commission, that this topic needs to be addressed in a diligent and inclusive manner, and at a reasonable pace which will enable the international community to move forward in unison towards its shared goal.

Madam Chair,

Last year has indeed been a challenging year for all of us in many respects. We hope that, at this session, we will be able to make progress in terms of the discussion that we started in 2019 on the steps which may be taken with regard to the consideration of this topic.

We have heard this week, and in the past two sessions, that several Member States have specific comments, views or concerns regarding the substance of the draft articles. In this regard, we would like to reiterate our support for inviting States to submit written comments, as has been proposed during previous consultations. We believe that thorough consideration by States of each other's views concerning various aspects of this complex matter would greatly facilitate a subsequent discussion on the topic.

In view of the foregoing, we support the Sixth Committee to carry out a meaningful and structured exchange of views on the substance of the draft articles, without prejudice to the outcome of such discussions. We look forward to engaging with Member States in the coming days to be able to take this important first step in the Committee's overall examination of the Commission's recommendation.

Thank you.