



United Kingdom Mission  
to the United Nations

One Dag Hammarskjold Plaza  
(885 Second Avenue)  
New York, NY 10017

Email: [uk@un.int](mailto:uk@un.int)  
[http://twitter.com/UKUN\\_NewYork](http://twitter.com/UKUN_NewYork)

# UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,  
UNGA76, AGENDA ITEM 83

CRIMES AGAINST HUMANITY

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Delivered by Chanaka Wickremasinghe  
Legal Adviser

*Check against delivery*

Thank you Madam President.

The United Kingdom welcomes the opportunity to resume our discussions on this important topic - indeed when one considers the suffering of the victims of such crimes it is hardly possible to think of a more pressing topic for us to consider.

As we have said before, the United Kingdom considers that the ILC's Draft Articles on Prevention and Punishment of Crimes Against Humanity would, in broad terms, provide a good basis for the negotiation of Convention. And a Convention on this topic would be a powerful tool to promote international cooperation for prosecutions of these atrocity crimes at the national level.

Indeed, in our view this is an excellent example of the International Law Commission playing its traditional role: identifying a lacuna in the framework of multilateral treaties; collating a stable and sufficient body of State practice and opinion juris; codifying the existing rules of customary international in this field; and, recommending appropriate aspects of progressive development.

It has been noted by some that the definitions of Crimes Against Humanity in the draft articles bear a strong resemblance to the definitions in the Rome Statute of the International Criminal Court. However that is hardly surprising given that the Rome Statute primarily sought to codify customary international law, and was inspired by a similar body of State practice and opinion juris including the Statutes of the International Criminal Tribunals adopted by the

Security Council and adjudicated upon by judges from all over the world. And of course that body of practice and opinion juris is now supplemented with the further developments since 1998. And in tracing the origins of these definitions, reference may also be made to previous work of the ILC, not least the Code of Crimes Against the Peace and Security of Mankind, led by the late Doudou Thiam.

In short, we believe that the draft articles are a work of high quality and seriousness and deserve similar consideration.

We listened carefully to the debate last year and we recognise that a variety of views were expressed, both on aspects of the content of the draft articles and also on how we take forward our consideration of this matter. But we were also heartened to note some common ground emerged. Speakers recognised the importance of the subject-matter and speakers appeared to be open to further discussion.

We think that it is now time for us to move our consideration of the draft articles into a deeper, structured conversation, in which all members States can fully engage. It is in keeping with the traditions of this Committee that we seek to resolve our differences through dialogue and reach consensual outcomes. However that process requires the active engagement of all, and it requires dedicated time and space (with appropriate facilities), to ensure we can have the detailed discussions we need. In our view the establishment of an ad hoc committee, that can meet with sufficient time and facilities in the

intersessional period, would provide the best means of enabling such a dialogue to proceed.

Madam President, in closing I assure the members of the Committee of the United Kingdom's full engagement in our further work on this topic.