



PERMANENT MISSION OF THE REPUBLIC OF SINGAPORE  
UNITED NATIONS | NEW YORK

**STATEMENT BY MR NATHANIEL KHNG,  
COUNSELLOR (LEGAL), PERMANENT MISSION OF SINGAPORE  
TO THE UNITED NATIONS, ON AGENDA ITEM 80, ON CRIMES  
AGAINST HUMANITY, SIXTH COMMITTEE,  
11 OCTOBER 2023**

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1 Crimes against humanity are among the most serious crimes of concern to the international community. It is imperative that the international community works together to end impunity for perpetrators and provide justice for victims. Singapore reiterates its appreciation to the International Law Commission for its work on this important topic. Singapore also expresses its appreciation to the co-facilitators of the resumed session of this Committee in April, Guatemala, Iceland and Malaysia. Their effective facilitation fostered an inclusive and welcoming space that enabled all delegations to have rich and constructive exchanges on the Commission's draft articles.

2 Singapore was among the delegations that submitted written comments to the Commission on this topic and engaged in substantive discussions with other delegations at the resumed session of the Committee. We continue to reflect on the important legal and practical issues raised by other delegations in their written comments and in discussions of this Committee. Singapore has consistently supported transparent and substantive dialogue on these issues, to further improve and clarify the draft articles and commentaries. In this spirit, my delegation also intends to submit written comments and observations by the end of 2023.

3 The active and serious engagement of many delegations at the resumed session reflects the readiness of Member States to engage with the substance of the draft articles to resolve the divergence of views, with the common goal of ending impunity. The discussions also demonstrate the complexity of the issues underlying our differences, which require serious and careful treatment, reflecting the gravity of this topic and accounting for the respective views of Member States. One example is the issue of potential jurisdictional conflicts, which would benefit from further discussion. Singapore and other delegations have observed that under draft article 7,

multiple States may concurrently wish to exercise national jurisdiction over a particular criminal offence. However, the draft articles do not state how such potential conflicts of jurisdiction can be resolved. Singapore believes that where such conflicts of jurisdiction exist, the draft articles should accord primacy to the State which can exercise jurisdiction on the basis of at least one of the limbs in draft article 7, paragraph 1. Such a State would have greater interest in prosecuting the offence in question than a custodial State that can only exercise jurisdiction on the basis of paragraph 2 alone. Other important areas that would benefit from further discussion and clarification include the scope of the undertaking of prevention in draft article 4, particularly with respect to international cooperation, and the treaty-based nature of the jurisdictional link under draft article 7, paragraph 2, which should be stated in the draft articles for greater legal certainty.

4 My delegation looks forward to engaging positively in discussions with other delegations on the substance of the draft articles as well as on the issue of what further action should be taken on the draft articles. Singapore supports a practical and effective outcome based on consensus in the Sixth Committee that will strengthen accountability through wide acceptance and implementation by States of effective measures for the prevention and punishment of crimes against humanity.

5 Thank you for your attention.

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