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“Crimes against humanity”

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Madam/Mr. Chair,

The Kingdom of the Netherlands aligns itself with the statement given by the European Union on behalf of the EU and its Member States. In addition, the Kingdom of the Netherlands would like to share the following.

Crimes against humanity are among the most serious crimes under international law and their prevention and punishment is of concern to the international community as a whole. Despite being categorically prohibited under international law, civilian populations continue to be victims of such atrocities and perpetrators continue to act with impunity.

The draft Articles on Crimes against humanity, delivered by the International Law Commission (the ILC) four years ago, brought us a lot closer to the objectives that were identified when the ILC started its work in 2013, namely filling a gap in the international legal framework for the prevention and punishment of the worst international crimes. Among the three core international crimes, crimes against humanity lack a specific convention. The current international context once again illustrates the need to fill the gap in the international legal framework.

The elaboration of a Convention based on the draft articles, as recommended by the ILC, would strengthen the international criminal justice system and would contribute to strengthening national laws and criminal jurisdiction in the fight against impunity for crimes against humanity.

The Kingdom of the Netherlands would therefore strongly welcome the opening of treaty negotiations. The Kingdom of the Netherlands looks back at a lively and constructive discussion on the draft articles during the first resumed session of the Sixth Committee last April. The resumed sessions offer an appropriate forum for further scrutiny of the draft articles and at the same time offer the possibility to make concrete progress towards the opening of treaty negotiations. The Kingdom of the Netherlands welcomes further discussion during the resumed session in April 2024.

Madam/ Mr Chair,

The Kingdom of the Netherlands would also like to recall the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes (the LHC), as adopted in Ljubljana

in May 2023. This Convention pursues a similar objective of fighting impunity for the most serious crimes as the draft articles of the ILC on crimes against humanity. The Kingdom of the Netherlands underlines the importance of consistency between the text of a future Crimes against Humanity Convention and the Ljubljana – the Hague Convention.

The signing ceremony of the Ljubljana – the Hague Convention will take place on 14 and 15 February 2024 in the Peace Palace in the Hague. It is important that as many states as possible sign and ratify it. The Kingdom of the Netherlands would therefore like to invite all states to sign the Ljubljana- the Hague Convention on 14 February next year, at the Peace Palace in The Hague.

Thank you, Madam/Mr. Chair