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# UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE

CRIMES AGAINST HUMANITY: CLUSTER 1

1 April 2024

Delivered by  
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**Thank you Mr/Madam Chair.**

1. As this is the first time the UK has taken the floor during this resumed session, let me begin by thanking the members of the Bureau, the co-facilitators and the Secretariat for their work in support of our discussions.
2. Mr Chair, the UK is pleased that we have a further opportunity to have a substantive discussion on this important topic.
3. As other colleagues have said, crimes against humanity are among the most serious crimes under international law. Such crimes are of concern to the international community as a whole.
4. In our view the lack of a general multilateral convention establishing a framework for the national prosecution of crimes against humanity represents a gap in the existing international legal framework. This gap risks undermining efforts at the prevention and prosecution of such crimes.
5. We therefore remain strongly supportive of the International Law Commission's work on crimes against humanity and of the development of the draft articles into a Convention.
6. Turning to the preamble Mr Chair, the UK is broadly supportive of the Commission's draft.
7. The UK supports the definition of crimes against humanity that has been included in Article 2 of the draft articles. This definition broadly reflects that set out in article 7 of the Rome Statute. This definition has been largely endorsed both by the States Parties to the Rome Statute and, importantly, by a number of States which are not ICC States Parties. Indeed, in light of the widespread acceptance of the definition, we note that many experts consider this provision to represent a codification of customary international law.

8. However, we are also conscious that a proposed convention on crimes against humanity represents a substantively different endeavour to that which led to the Rome Statute.
9. The UK has therefore reflected on the concern raised by some States about the reference to Article 7 of the Rome Statute in the seventh preambular paragraph of the draft articles. We would therefore be open to the proposal made by another State in written comments of “simply noting the Rome Statute in reference to the definition of Crimes Against Humanity and adding a reference to Customary International law”. This may represent a sensible way forward for States Parties and non-States Parties to the Rome Statute alike.
10. The UK further notes that several States have expressed support for a survivor centred approach to punishing crimes against humanity. We welcome this and have made further proposals in this regard as set out in our written comments of December 2023.
11. Turning now to draft Article 1, the UK supports this provision as drafted by the ILC. Draft article 1 concisely identifies the two core aims of the draft articles: the prevention and punishment of crimes against humanity.
12. Finally, Mr Chair, we agree with the view expressed by another State in their written comments on draft Article 1 that the temporal scope of a future convention should be interpreted in accordance with article 28 of the Vienna Convention on the Law of Treaties. We welcome that this also appears to be the International Law Commission’s understanding as set out in its commentary to the draft articles.

Thank you.