



**Statement on behalf of the Republic of South
Africa**

by

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**Before the Resumed 78th Session of the Sixth
Committee of the of the United Nations General
Assembly**

ILC Recommendation

Agenda Item 80: “Crimes Against Humanity”

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Chairperson,

In exactly 23 days from now, South Africa will be marking 30 years of freedom. This will be 30 years of living without the scourge of crimes against humanity being committed against innocent South Africans daily for hundreds of years. It is sobering to think that 30 years ago, this diverse country witnessed crimes of the most serious kind. Crimes which by their nature targeted the very humanity that we now celebrate.

South Africa understands first-hand from its very own history of Apartheid, the ramifications of crimes against humanity, which have a negative ripple effect that is felt by many future generations. Thousands across the globe have had to experience and witness international crimes. We are now in the 21st century and crimes against humanity are still taking place; it is far from being a crime of the past. The wounds caused by crimes against humanity underlie South Africa's support for the proposed convention. We know first-hand that healing cannot take place without accountability.

South Africa is of the view that we, as an international community, are long overdue in finalising a convention relating to crimes against humanity. We must not hesitate to give priority to its finalisation because, as we gather here for this second resumed 78th session, many around the world depend on us to act for them, to be a voice for them and to ensure the peaceful continuation of humanity and its respect thereof in all Member States.

Crimes against humanity remains the only type of most serious international crimes that is not overseen by a convention despite the harrowing effects it leaves. South Africa is of the firm view that it does not serve humanity if we continue to delay the elaboration of a convention on crimes against humanity and strongly encourages Member States to take a decision during the 79th session to move these draft articles to a negotiation stage. The elaboration of a convention would aid us not only in ensuring accountability and punishment of crimes against humanity already committed, but also in preventing them from being committed in the first place.

In conclusion Madam Chair, South Africa wishes once again to thank the International Law Commission and in particular the Special Rapporteur, Mr Sean Murphy for the work and efforts in preparing the draft articles on prevention and punishment of crimes against humanity. They have provided us with a text that led to the robust and very constructive debate we have had in the two resumed sessions, the aim of which was to have substantive discussion for the betterment of the draft articles. I wish to also thank the members of the Bureau, the Secretariat, and all who played a crucial role in the success of both these sessions. We look forward to the same spirit when a decision to move to the negotiation of the convention on Crimes Against Humanity would be taken during the 79th Session.

I thank you.