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U.S. Remarks at a Meeting of the State Committee on Agenda Item 63

Crimes against Humanity
Julian Simcock, Deputy Legal Advisor
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Thank you, Chair.

More than 75 years after the Nuremberg trials, there remains a significant gap concerning the international legal framework for addressing the absence of a dedicated multilateral treaty on the prevention and punishment of crimes against humanity. This stands in stark contrast to the numerous treaties which are the subject of widely ratified multilateral treaties. The convention on the prevention and punishment of crimes against humanity has not waned in the decades since Nuremberg. Recognizing our long history of supporting responsible leadership to address this hole in the international legal framework. Thanks to the tremendous efforts of the Special Rapporteur, Sean Murphy, to whom we are a debt of gratitude, a Commission in final articles on the prevention and punishment of crimes against humanity provides an opportunity for States to do so. That is why, in our view, it is critical that States seize this moment and establish a structured mechanism to exchange substantive views on the draft articles.

We recognize that States have a long history of work on this critical draft articles. The United States, for its part, is of the view that, notwithstanding the many merits, the draft articles can and should be modified in certain key respects. However, we believe that States should seek to address any concerns with the content of the draft articles through constructive engagement and meaningful dialogue. For that reason, the United States strongly supports the establishment of an ad hoc committee with an appropriate robust mandate that reflects the importance of this project and the gravity of this subject.

We continue to believe that this approach, which is based on the draft articles, would be a more robust and widely ratified by States. Advancing discussion of this project towards the elaboration of a convention should be our shared goal. We are confident that a robust mandate that reflects meaningful progress towards achieving that goal.

Thank you, Chair.

Mr. Chairman, as the industry transitions to a new role, I hope you will allow me a few final reflections.

It has been an honor to serve at the SEC. Our class is proud to have served in this role.

As I've said before, when we gather in this setting, there is an implicit understanding. That at its best, legal disclosure is a dangerous way to solve a problem.

This only works, however, if we're willing to approach one another with honesty and in good faith. Our system is built on the principle of transparency and absolute disclosure.

I thank you for your time.