

UNITED STATES MISSION TO THE UNITED NATIONS

United States Statement

April 2024 Resumed Session of the Sixth Committee

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Cluster 5 (Safeguards: Arts. 5, 11, and 12)

Intervention by Hawa Ghaus, Senior Advisor

notification and access described in Article 36 belong to States, not individuals and, as such, they are not enforceable by private individuals. We would also welcome further discussion by others with respect to the novel language on stateless persons in Draft Article 11(2)(e).

Turning to Draft Article 12, the United States welcomes the focus placed on the rights of victims, their relatives and representatives, and witnesses, who play a key role in proceedings relating to crimes against humanity. Ensuring that individuals have the opportunity to be heard, not subjected to retaliation, and able to obtain redress, as appropriate, is critical to holding those responsible for crimes against humanity accountable and providing victims and their families with some measure of justice. Accordingly, we view Draft Article 12 as an important step in that regard.

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 that States may address issues relating to remedies in their domestic legal systems in a range of different ways² that the context of armed conflict may give rise to interpret differences and that provisions of widely ratified treaties, such as the Convention against Torture, provide useful models² the United States believes there would be value in further discussion of this concept and is interested in hearing the views of other States.

Thank you, [Mr./Madam Chair].