



**Statement on behalf of the European Union and its Member States
by Ms. Simona Popan, Counsellor, Delegation of the European Union to the United
Nations**

at the Resumed Sixth Committee Session

"Crimes against humanity"

Agenda Item 80

Cluster IV

United Nations, New York

3 April 2024

– CHECK AGAINST DELIVERY –

Thank you, Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia , Montenegro , Serbia , Albania , the Republic of Moldova, Bosnia and Herzegovina and Georgia, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Monaco and San Marino align themselves with this statement.

Mr./Madam Chair,

Article 13 Extradition

Draft article 13 on extradition generated useful exchanges in the last session, as a number of delegations pointed out to some difficulties. The European Union and its Member States would like to stress a number of issues, which are key in their view.

First, extradition is an important tool of cooperation among States in their global fight against the most serious crimes. It prevents safe havens for perpetrators and enhances the effective law enforcement cooperation.

Second, all offences under the draft articles are extraditable. There is no and there should be no - exception for political offenses.

Third, we agree with the ILC that no one should be prosecuted or punished on the basis of their race, religion, nationality, ethnic origin, culture, membership of a particular social group or politicalrace,

Fourth, draft article 13 should be read in conjunction with draft article 10. Therefore, the grounds for refusing extradition do not dispense States with the obligation to submit the case to their own competent authorities for prosecution.

Article 14 Mutual legal assistance

The European Union and its Member States believe that draft article 14 leaves the necessary flexibility for States to conduct their mutual legal assistance. It essentially says that if States are not bound by other MLA treaty, the draft articles apply. If States are bound by an MLA treaty, the MLA treaty applies unless States opt for the draft articles.

We note that the signing Conference of the Ljubljana-

States in line with our objective of having a universal convention. On