



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY MR NATHANIEL KHNG,
COUNSELLOR (LEGAL), PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS, FOR CLUSTER 5 DEBATE, ON AGENDA
ITEM 80 ON CRIMES AGAINST HUMANITY, RESUMED SESSION OF
THE SIXTH COMMITTEE,
4 APRIL 2024**

Mr Chairperson,

Singapore has comments on draft articles 11 and 12.

2 In relation to draft article 11, Singapore appreciates the balance struck in draft article 11. The present text ensures the entitlement of an alleged offender of crimes against humanity to fair treatment, without being overly prescriptive, in line with the practice in other multilateral conventions addressing crimes. We continue to be of the view that it is not necessary to replicate in the text of the draft articles the wide array of rights possessed by an alleged offender before a national court. Draft article 11, paragraph 1 suffices to make it clear that a State must accord the legal protections that an accused person is entitled to under national and international law.

3 In relation to draft article 12, Singapore wishes to reiterate that it is important that draft article 12, paragraph 3 takes appropriate account of the variety of ways in which States' respective domestic legal systems address rights to obtain reparation and forms of compensation. We appreciate the explanation in paragraph 22 of the Commentary that reparation may be "through the use of regular civil claims processes in national courts" and are of the view that it would be useful to incorporate this clarification—that the obligation in paragraph 3 may be fulfilled through the availability of civil claims processes in national courts—into the text of draft article 12. We also continue to consider that the reference to moral damages in draft article 12, paragraph 3 is unnecessary and inappropriate. The scope of damages for which reparation is available should be left to each State to determine in each case, consistent with the approach in many multilateral conventions addressing crimes.

4 Thank you for your attention.

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