

#studyguide

LEGAL

*Definition and Prosecution of Crimes
Against Humanity*

#ourcommittees

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1. Letters

1.1 Letter from the Secretary General

Most distinguished participants,

It is with great enthusiasm and pride that I welcome you to the Final Model United Nations Conference 2025. I am honored to serve as your Secretary General for this year's conference; an event that aims to strengthen leadership, promote academic excellence, and foster meaningful diplomatic engagement.

Over the next three days, you will confront some of the world's most pressing global issues, step into the shoes of world leaders, and strive to find common ground amidst diversity. The FINALMUN25 team is here to support you every step of the way. We are committed to ensuring that every delegate feels heard, respected, and empowered throughout the conference. Whether this is your first MUN or your tenth, our goal is to provide a welcoming and inclusive space where you can thrive, grow, and form unforgettable memories.

FINALMUN25 is more than just a conference; it is where inspiration is born, where new friendships are formed, and where future changemakers take their first steps. We believe that every voice matters, and through your participation, you contribute to building a better, more understanding world.

On behalf of the entire Secretariat, I warmly welcome you to FINALMUN25. We are excited to witness the passion, creativity, and leadership you will bring to the committees.

Yours sincerely,

Eylül İdil Orhan

Secretary General

1.2 Letter from the Director General

Dear everyone,

Welcome to FINALMUN 2025!

This conference means a lot to me, not just because it's our school's first-ever MUN, but because I get to be a part of it as the Director General. It feels a bit surreal, to be honest. When we started planning FINALMUN25 , we had one main goal in mind: creating a space where people could come together, challenge each other's ideas, and still enjoy every second of it. We wanted it to be something more than just formal sessions.

Every person who will join us every delegate, chair, press member, and guest is part of something we've dreamed about for a long time. And if you're reading this, it means you're part of that dream now, too. As long as you respect the boundaries we've set and follow the spirit of our rules, I'm sure you'll have a great time , maybe even better than you expect.

I genuinely can't wait to see you all in action. You've already been welcomed with lots of excitement (and yes, maybe a bit of nerves, too), and I really hope this conference becomes a memory you'll smile at later on.

See you at FINALMUN25!

Yours sincerely,

Melek Güner

Director General

1.3 Letter from the Under Secretary General

Dutiful delegates,

Welcome to FINALMUN 2025, and most especially, welcome to the LEGAL Committee!

This event is truly special to me, as it marks a milestone in my MUN journey, the moment I step beyond being a delegate to take on a new role as a member of the chairboard. After all the unforgettable memories I've made as a delegate, I now have the honour of guiding you through this experience.

The LEGAL Committee holds a very special place in my heart, as it was the very first committee I ever joined. It didn't just start my MUN career, it gave me lasting friendships and inspired me to continue this path with passion and curiosity. So, when I was offered the opportunity to chair this committee, I was genuinely thrilled.

And now, you, my dear delegates, are about to experience what I believe to be one of the most exciting, engaging, and thought-provoking committees at FINALMUN. I encourage you to be active, confident, and open-minded. Dive into the debates, challenge ideas, and let your creativity and diplomacy shine. That is how you will truly live the spirit of MUN.

I am your Under Secretary General, Ahmet Malkoç, and it is my absolute pleasure to welcome you all to FINALMUN 2025 and the LEGAL Committee.

With my utmost respect,

Ahmet Malkoç

Under Secretary General

2. Introduction to the Committee

2.1 Committee Overview

The LEGAL Committee, the sixth committee of the United Nations General Assembly, is tasked with addressing issues related to international law and it plays a crucial role in shaping the legal principles governing relations between states, international organizations, and individuals.

In this committee, delegates have the opportunity to discuss how international law has evolved in response to contemporary challenges such as human rights, cybersecurity, and global justice.

The LEGAL Committee offers a unique environment for delegates who seek to develop fair and workable solutions by combining logical thinking, diplomacy, and creativity. It is an excellent platform for future diplomats who wish to contribute to the advancement of global justice.

2.2 Mandate and Scope

The Committee's mandate encompasses promoting the progressive development of international law, ensuring justice among states, and strengthening legal cooperation. The Committee examines issues such as treaty law, international criminal law, the law of the sea, state responsibility, and the legal status of international organizations.

In this context, it aims to strengthen the rule of law at both the national and international levels, promote the peaceful resolution of disputes, and encourage the establishment of treaties that protect human rights, justice, and equality.

2.3 Previous Works and Achievements

Since its inception, the Legal Committee has played a significant role in shaping the international legal system. By drafting resolutions on numerous issues, including the Rights and Obligations of States, Diplomatic and Consular Relations, the Establishment of the International Criminal Court, the Law of the Sea Convention, the Prevention of Terrorism, and the Protection of the Rights of Asylum Seekers and Refugees, the Committee has strengthened the common legal foundation of the international community.

Working in close collaboration with the International Law Commission (ILC), the Committee played a leading role in the drafting of the Rome Statute and the

establishment of the International Criminal Court (ICC). These efforts are considered significant achievements in protecting human rights, ensuring justice, and strengthening the rule of law in interstate relations.

3. Agenda Item: Definition and Prosecution of Crimes Against Humanity

3.1 Background of the Subject

Crimes against humanity are one of the most serious categories of international crimes to emerge after World War II. The concept was first introduced during the Nuremberg Trials (1945–1946) and formed a fundamental base for prosecuting widespread or systematic attacks against civilians.

Over time, this definition has expanded to encompass grave violations of human dignity such as genocide, torture, deportation, sexual violence, and racial or political persecution. The Rome Statute of the International Criminal Court, adopted in 1998, established the legal framework for crimes against humanity, defining their definition, jurisdiction, and principles of individual responsibility at the international level.

Rome Statute of the International Criminal Court (1998)

Article 5

Crimes within the jurisdiction of the Court

The jurisdiction of the Court shall be limited to the most serious crimes of concern to the international community as a whole. The Court has jurisdiction in accordance with this Statute with respect to the following crimes:

- (a) The crime of genocide;
- (b) Crimes against humanity;
- (c) War crimes;
- (d) The crime of aggression.

3.2 Current Legal Framework

In 2019, the United Nations International Law Commission (ILC) published a draft text titled "Draft Articles on the Prevention and Punishment of Crimes

Against Humanity." This document defines states' obligations to prevent, punish, and return crimes against humanity. It also clearly states that these crimes can be committed not only in times of war but also in times of peace.

The draft, aligned with Article 7 of the Rome Statute, aims to strengthen international cooperation. Germany, France, and the United Kingdom actively support this text, while the United States, the Russian Federation, the People's Republic of China, India, while not a direct party, advocate for the maintenance of similar international criminal standards. This framework is one of the most up-to-date legal foundations for the international community in combating impunity for crimes against humanity.

3.3 Defining Crimes Against Humanity

Crimes against humanity are most generally defined as serious acts committed against any civilian population in a widespread or systematic manner. As it is mentioned in Part 3.1, the definition was first included in the Nuremberg Charter (1945) and later expanded by Article 7 of the Rome Statute of the International Criminal Court.

Rome Statute of the International Criminal Court (1998)

Article 7

Crimes against humanity

1. For the purpose of this Statute, “crime against humanity” means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;

(h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;

(i) Enforced disappearance of persons;

(j) The crime of apartheid;

(k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

According to the Rome Statute, acts such as murder, enslavement, deportation, torture, sexual violence, enforced disappearance, and discriminatory persecution fall within this scope.

The International Law Commission (ILC)'s 2019 Draft Articles reinforce the definition of these crimes, emphasizing that they can be committed in peacetime or wartime, and that states bear the responsibility to prevent and punish them.

This approach demonstrates that crimes against humanity can manifest not only as individual acts but also as state policies or organized systematic attacks.

3.4 Role of the International Criminal Court (ICC)

The International Criminal Court (ICC), established in 2002 with the entry into force of the Rome Statute, is an independent judicial body responsible for the prosecution of the most serious international crimes, including crimes against humanity. Based in The Hague, Netherlands, the Court has jurisdiction to try individuals for genocide, war crimes, aggression, and crimes against humanity.

Countries such as Italy, Poland, Argentina, Brazil, Mexico, and Vietnam, as parties to the Rome Statute, recognize the ICC's jurisdiction and actively contribute to the strengthening of international justice. However, some countries, such as the United States, the Russian Federation, the People's Republic of China, India, Israel, and Turkey, have not signed or ratified the Rome Statute. This limits the Court's global jurisdiction and is considered one of the most significant obstacles to the goal of universal justice.

The ICC's work continues to reinforce the principles of human rights, accountability, and the rule of law by demonstrating that individuals can be held internationally accountable for their crimes.

3.5 State Sovereignty and Global Justice

The prosecution of crimes against humanity represents the most complex balance between state sovereignty and global justice.

The Rome Statute's principle of complementarity stipulates that the International Criminal Court (ICC) should intervene when states are unable to provide justice through their own domestic legal mechanisms. This ensures that the principle of sovereignty is protected and that serious international crimes do not go unpunished.

However, some states, particularly Russia, China, and the United States, have chosen not to accede to the Rome Statute on the grounds that this principle could limit their sovereign rights. This stance creates a double standard between the protection of human rights and political interests and undermines the concept of global justice. In contrast, countries such as Germany, France, and the United Kingdom both support the Rome Statute and advocate for international cooperation and accountability in combating crimes against humanity.

Furthermore, freedom of expression and freedom of the press are vital for documenting crimes against humanity, ensuring the voices of victims are heard, and informing the international public. In countries where these freedoms are restricted -for example, censorship in China, the suppression of dissident media in Russia, and political pressures on the media in some US policies- the effectiveness of the justice system is seriously impaired.

A truly global justice system is possible not only with international courts, but also with a free press, an independent judiciary, and the unrestricted right to expression. At this point, freedom of expression and freedom of the press play a vital role in revealing and documenting crimes against humanity.

Article 19 of the United Nations Covenant on Civil and Political Rights states:

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

However, Article 20 specifies the limits of this article. Article 20 claims that:

Article 20 of the United Nations Covenant on Civil and Political Rights states:

1. Any propaganda for war shall be prohibited by law.

2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

These two articles together show that while freedom of expression and the press are fundamental to justice and accountability, they must also be exercised responsibly to prevent the spread of hatred and violence.

3.6 Accountability of Non-State Actors

In today's conflicts, not only states but also non-state actors—armed organizations, private military companies, militia groups, and terrorist organizations—are among the perpetrators of crimes against humanity. Such actors often operate in areas where state authority is weak and commit systematic violations against civilians. However, because international law is fundamentally based on state responsibility, holding these groups accountable for their actions, whether at the individual or institutional level, remains a significant challenge.

Article 25 of the Rome Statute, by defining individual criminal responsibility, paved the way for non-state actors to be tried before the International Criminal Court (ICC). However, the Court's jurisdiction is limited only to crimes

committed on the territory of a State Party or by its citizens; this creates serious gaps, for example, because states from which some armed groups operate are not party to the Rome Statute. Consequently, the United Nations, the International Law Commission (ILC), and regional courts are taking new steps to strengthen international cooperation, evidence-sharing, and judicial coordination mechanisms to increase the accountability of non-state actors.

Article 25 of the Rome Statute (1998)

Individual Criminal Responsibility

1. The Court shall have jurisdiction over natural persons pursuant to this Statute.
2. A person who commits a crime within the jurisdiction of the Court shall be individually responsible and liable for punishment in accordance with this Statute.
3. In accordance with this Statute, a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the Court if that person:
 - (a) Commits such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible;
 - (b) Orders, solicits or induces the commission of such a crime which in fact occurs or is attempted;
 - (c) For the purpose of facilitating the commission of such a crime, aids, abets or otherwise assists in its commission or its attempted commission, including providing the means for its commission;
 - (d) In any other way contributes to the commission or attempted commission of such a crime by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either:
 - (i) Be made with the aim of furthering the criminal activity or criminal purpose of the group, where such activity or purpose involves the commission of a crime within the jurisdiction of the Court; or
 - (ii) Be made in the knowledge of the intention of the group to commit the crime;

(e) In respect of the crime of genocide, directly and publicly incites others to commit genocide;

(f) Attempts to commit such a crime by taking action that commences its execution by means of a substantial step, but the crime does not occur because of circumstances independent of the person's intentions. However, a person who abandons the effort to commit the crime or otherwise prevents the completion of the crime shall not be liable for punishment under this Statute for the attempt to commit that crime if that person completely and voluntarily gave up the criminal purpose.

3 bis. In respect of the crime of aggression, the provisions of this article shall apply only to persons in a position effectively to exercise control over or to direct the political or military action of a State.

4. No provision in this Statute relating to individual criminal responsibility shall affect the responsibility of States under international law

Countries that are directly experiencing or partially affected by the problem:

Turkey → Cross-border conflicts (Syria-Iraq regions) face the activities of non-state actors in the context of the fight against the Kurdistan Workers' Party and other armed groups. However, Turkey is not a party to the Rome Statute, so the ICC does not have direct jurisdiction.

India → Similar problems are being faced by armed groups and separatist organizations in the Kashmir region and various internal security operations. India is also not a party to the Rome Statute.

South Africa → A party to the Rome Statute, the ICC's place in domestic law is controversial. The lack of accountability in cases of non-state militias and political violence has been discussed in the past.

Brazil → Drug cartels and organized crime networks act as non-state authorities in some regions; The issue of accountability for non-state actors in the context of human rights violations has been raised.

Mexico → Cases similar to crimes against humanity have been discussed due to cartels' acts of violence against civilians. Mexico is a party to the Rome Statute and therefore falls under the jurisdiction of the ICC.

Ukraine → After 2022, crimes allegedly committed by non-state armed groups and foreign mercenaries were also included in the ICC's jurisdiction (Ukraine is not a party but has granted ICC jurisdiction).

Sudan → The International Criminal Court intervened due to crimes against humanity committed by the Janjaweed militia in the Darfur region. Sudan remained non-cooperating for a long time, but partial cooperation began after 2020.

Israel → Because Israel is not a member of the International Criminal Court (ICC), it is generally not under the Court's direct jurisdiction. However, because Palestine is a party state, the ICC has included Israel's actions in Gaza and the West Bank, as well as the actions of certain armed actors, within its scope of investigation.

State of Palestine → The State of Palestine is a party to the Rome Statute and has granted jurisdiction to the ICC, enabling it to investigate crimes against humanity and war crimes alleged to have occurred in the Palestinian territories.

3.7 Victim Protection and Reparations

Justice for crimes against humanity can be achieved not only by punishing the perpetrators but also by protecting and redressing the victims. The International Criminal Court (ICC) is a pioneer in this regard, and Articles 68 and 75 of the Rome Statute regulate the right to the safety of victims, witness protection, and reparations. These articles stipulate the provision of physical, psychological, and economic support to victims.

Article 68

Protection of the victims and witnesses and their participation in the proceedings

1. The Court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses. In so doing, the Court shall have regard to all relevant factors, including age, gender as defined in article 7, paragraph 3, and health, and the nature of the crime, in particular, but not limited to, where the crime involves sexual or gender violence or violence against children. The Prosecutor shall take such measures particularly during the investigation and prosecution of such crimes. These measures shall not be prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial.

(...)

Article 75

Reparations to victims

1. The Court shall establish principles relating to reparations to, or in respect of, victims, including restitution, compensation and rehabilitation. On this basis, in its decision the Court may, either upon request or on its own motion in exceptional circumstances, determine the scope and extent of any damage, loss and injury to, or in respect of, victims and will state the principles on which it is acting.

2. The Court may make an order directly against a convicted person specifying appropriate reparations to, or in respect of, victims, including restitution, compensation and rehabilitation. Where appropriate, the Court may order that the award for reparations be made through the Trust Fund provided for in article 79.

(...)

The Trust Fund for Victims program was established for this purpose and has provided assistance, particularly to victims of war, sexual violence, and forced displacement. However, lack of evidence, security risks, and political obstacles make the implementation of these processes difficult. Countries such as Germany, Canada, and the Netherlands support international victim protection mechanisms by contributing to these funds.

Article 79

Trust Fund

1. A Trust Fund shall be established by decision of the Assembly of States Parties for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims.

2. The Court may order money and other property collected through fines or forfeiture to be transferred, by order of the Court, to the Trust Fund.

3. The Trust Fund shall be managed according to criteria to be determined by the Assembly of States Parties.

3.8 Towards a Global Convention

There is still no comprehensive and binding global convention on crimes against humanity. The current legal framework is based on the Rome Statute and the International Law Commission's (ILC) 2019 "Draft Articles on the Prevention and Punishment of Crimes Against Humanity." However, these texts have not achieved the status of a universal treaty ratified by all states.

Therefore, many countries -notably France, Germany, Canada, and South Korea- support the call for a binding UN convention governing the prevention, punishment, and cooperation among states for crimes against humanity. Such a convention would not only strengthen the fight against impunity but also establish common standards for victim protection, evidence sharing, and jurisdiction.

Adopting a global convention would legally reinforce the international community's zero-tolerance policy towards crimes against humanity. This goal is seen as one of the most important steps for the future of international justice.

4. Key Country Roles

Germany

Germany is a founding signatory of the Rome Statute and a strong advocate for the International Criminal Court (ICC). The country supports broadening the definition of crimes against humanity and institutionalizing interstate cooperation. In the Sixth Committee, it played an active leadership role in the adoption of the draft Crimes Against Humanity Convention. Germany prioritizes the protection of victims and the guarantee of their right to reparations. The country regularly contributes to the Trust Fund for Victims. Furthermore, under the principle of universal jurisdiction, Germany is one of the few states that prosecute crimes against humanity in its own courts.

France

France is a founding member of the ICC and actively defends the independence of international criminal justice. The country aims to strengthen international coordination on the definition, prevention, and punishment of crimes against humanity. In the Sixth Committee, France provided diplomatic leadership within the European Union for the ratification of the draft Crimes Against Humanity Convention. The Paris government supports international investigations into crises in Africa and the Middle East. France advocates for strengthening victim

protection programs. It also implements legal assistance projects for countries in Africa and Asia to promote the universalization of the Rome Statute.

United Kingdom

While the United Kingdom is a party to the Rome Statute, it criticizes the ICC's operational independence. London supports strengthening the definition of crimes against humanity but maintains the primacy of the national judiciary. In the Sixth Committee, the United Kingdom emphasizes that international justice should be conducted independently of politics. The country supports the development of legal standards for victim protection and witness protection. Furthermore, the United Kingdom advocates for an approach that requires state consent for the prosecution of soldiers serving in peacekeeping missions. Diplomatically, it supports the Crimes Against Humanity Convention process while maintaining its emphasis on sovereignty.

United States

The United States has signed but not ratified the Rome Statute and is therefore not a party to the ICC. While Washington supports international criminal law in principle, it opposes the ICC's exercise of authority over its military. In the Sixth Committee, the US prioritizes international cooperation, education, and diplomatic pressure to prevent crimes against humanity. The US advocates an approach that encourages voluntary cooperation among states rather than binding agreements. The US also emphasizes the need to strengthen regional alliances and enforcement mechanisms to combat impunity. Furthermore, it is one of the countries that provides funding for initiatives to protect victims.

Japan

Japan is the largest financial contributor to the ICC in Asia. In the Sixth Committee, it plays an active role in technical regulations for the definition, prevention, and punishment of crimes against humanity. The Tokyo government defends the impartiality of international justice and supports the draft Crimes Against Humanity Convention. Japan also conducts capacity-building programs in evidence gathering and victim support. The US prioritizes diplomatic measures against human rights violations and is actively engaged in diplomatic efforts to disseminate the Rome Statute among Asian countries.

Russia

Russia signed the Rome Statute in 2000 but withdrew its signature in 2016. Moscow argues that the ICC has become a political tool and does not recognize the Court's jurisdiction. In the Sixth Committee, Russia emphasizes the concepts of state sovereignty and national judicial capacity. The country supports the prevention of crimes against humanity but argues that its implementation should only be carried out with state approval. Russia opposes universal jurisdiction and argues that the ICC targets only certain states. Recently, due to the Ukraine investigations, Russia's rhetoric has become defensive and sovereignty-centered.

China

China is not a party to the Rome Statute and does not recognize the jurisdiction of the ICC. Beijing supports the identification and prevention of crimes against humanity but maintains that this process should not be used as a tool for interference in the internal affairs of states. At the Sixth Committee, China stated that the definition of crimes against humanity should be universal but free from political influence. The country prioritizes sovereignty and internal stability. It also emphasizes that economic development is the key to preventing crimes in the long term. China is positioned within the "pro-sovereignty" bloc alongside developing countries.

Ukraine

While Ukraine is not a party to the Rome Statute, it made declarations recognizing the ICC's jurisdiction in 2014 and 2022. This ensures the country's full cooperation with the Court in investigating crimes against humanity. In the Sixth Committee, Ukraine champions the principles of combating impunity and individual responsibility. The Kyiv government plays an active role in swiftly adhering to the Crimes Against Humanity Convention. The country is a pioneer in evidence collection, digital monitoring, and victim support mechanisms. It also emphasizes the need to strengthen solidarity in international law and expand the principle of universal jurisdiction.

Israel

Israel has signed but not ratified the Rome Statute and does not recognize the ICC's jurisdiction in Palestine. The country maintains that its domestic judiciary

is sufficient to investigate crimes against humanity. In the Sixth Committee, Israel emphasizes the need to avoid politicization of international justice. The right to self-defense and the fight against terrorism are priority themes for Israel. The country supports the definition of crimes against

humanity but wants its implementation to remain within the framework of state sovereignty. It also states that politically motivated investigations would undermine international justice.

Palestine

Palestine has been a party to the Rome Statute since 2015 and recognizes the ICC's jurisdiction over crimes in Gaza and the West Bank. In the Sixth Committee, Palestine advocates for the protection of victims' rights and universal prosecution of crimes against humanity. The delegation emphasizes the need for independent and fair ratification of the Crimes Against Humanity Convention. Palestine prioritizes the protection of civilians in the occupied territories. It also emphasizes the need to free international justice from political influence. The country actively seeks diplomatic support to protect victims and ensure accountability.

Brazil

Brazil is a party to the Rome Statute and plays an active role in international criminal law in Latin America. In the Sixth Committee, it takes a conciliatory stance on preventing crimes against humanity and providing reparations to victims. The country faces challenges in combating organized crime and police violence domestically. Brazil openly supports the Crimes Against Humanity Convention process. It also advocates for the development of restorative justice approaches for victims. It works to strengthen regional cooperation with Latin American countries.

Spain

Spain was one of the first European countries to ratify the Rome Statute and has integrated the principle of universal jurisdiction into its domestic law. In the Sixth Committee, it advocates for a global definition of crimes against humanity. The country openly supports the adoption of the draft Crimes Against Humanity Convention. Spain provides legal advice for the implementation of international

justice in cases of human rights violations in Latin America. It cooperates closely with the ICC on victim protection, witness protection, and reparation mechanisms. It also supports restorative justice policies, drawing on past experiences with authoritarian regimes.

Sudan

Sudan is not a party to the Rome Statute, but it is one of the ICC's most notorious case countries due to crimes against humanity in Darfur. The arrest warrant issued against former leader Omar al-Bashir in 2009 was a first in the Court's history. This decision deepened sovereignty debates within the country. In the Sixth Committee, Sudan advocated for strengthening the national judiciary. It approached the Crimes Against Humanity Convention process cautiously. Currently, the Khartoum government cooperates with the ICC to a limited extent.

Vietnam

Vietnam is not a party to the Rome Statute and does not recognize the ICC's jurisdiction. The country supports the prevention of crimes against humanity but prioritizes state sovereignty. In the Sixth Committee, Vietnam advocates for a non-politicized approach to international law. It contributes to building human rights capacity within ASEAN. It follows the draft Crimes Against Humanity Convention but is not a party. It has historically prioritized victim protection policies.

South Africa

South Africa is a party to the Rome Statute and one of the first countries in Africa to support the ICC. It discussed withdrawing after the Al-Bashir incident in 2015, but reversed its decision. In its Sixth Committee, it emphasizes the ICC's need to operate in a fair and balanced manner. It supports the Crimes Against Humanity Convention process. It calls for the strengthening of regional judicial institutions. The country stands out with its experience in transitional justice.

Canada

Canada is a founding member of the Rome Statute and strongly supports the ICC. In its Sixth Committee, it prioritizes individual responsibility and victims' rights. It actively contributed to the draft Crimes Against Humanity Convention. Canada focuses on the protection of women and child victims. It also provides regular support to the Trust Fund for Victims. The country advocates for the administration of justice independent of politics.

Mexico

Mexico is a party to the Rome Statute and plays an active role in preventing crimes against humanity. Organized crime and non-state violence are significant problems in the country. In the Sixth Committee, Mexico emphasizes accountability and the responsibility of non-state actors. It supports the Crimes Against Humanity Convention process. It advocates for the development of victim compensation and restorative justice systems. It pursues a regional cooperation approach.

Taiwan

Because Taiwan is not a member of the UN, it cannot be a party to the Rome Statute, but it does de facto comply with ICC principles. The Taipei government has high standards in human rights law. While not a direct participant in the Sixth Committee, it is active in regional platforms. The country implements advanced systems for victim protection and witness protection. It indirectly supports the Crimes Against Humanity Convention process. Taiwan is de facto compliant with international criminal law.

Turkey

Turkey is not a party to the Rome Statute and does not recognize the jurisdiction of the ICC. The Sixth Committee supports the prevention of crimes against humanity. Ankara advocates for the draft's adoption without politicization. The country contributes with victim support programs and humanitarian aid. Turkey prioritizes national judicial capacity and emphasizes the balance between sovereignty and justice.

Netherlands

The Netherlands is the host country of the ICC and a party to the Rome Statute. The Sixth Committee prioritizes victim protection and witness safety. It is a strong supporter of the Crimes Against Humanity Convention process. The country defends the independence of international justice. It also provides funds to enhance the ICC's capacity. The Netherlands promotes the rule of law at the global level.

Indonesia

Indonesia is not a party to the Rome Statute and emphasizes sovereignty within ASEAN. The country supports international criminal law in principle but is cautious about joining the ICC. It is not directly active in the Sixth Committee but supports regional cooperation. Indonesia is pursuing human rights reforms within the framework of its national judicial system.

Thailand

Thailand is not a party to the Rome Statute but plays an active role in peacekeeping missions. It is an observer in the Sixth Committee and supports the prevention of crimes against humanity. The country advocates for strengthening national judicial capacity. Internal discussions on ICC accession are ongoing.

Italy

Italy is a founding member of the Rome Statute and one of the EU's strongest supporters of the ICC. It explicitly supports the draft Crimes Against Humanity Convention in the Sixth Committee. The country prioritizes victim protection and universal access to justice. Italy works to develop international legal capacity at the European level.

Poland

Poland is a party to the Rome Statute and advocates for the strengthening of international criminal law in Eastern Europe. In the Sixth Committee, it supports the principle of universal jurisdiction and individual responsibility. The country

actively contributes to the investigation of crimes against humanity in Ukraine. Poland advocates for the international protection of the rule of law.

Sweden

Sweden is a party to the Rome Statute and stands out for its victim-centered approach to justice. In the Sixth Committee, it advocates for the strengthening of victim protection mechanisms. The country makes significant contributions to the ICC's victims' fund. Sweden is considered an exemplary country for its policies focusing on the rights of women and children.

Morocco

Morocco is not a party to the Rome Statute but is active in the UN Human Rights Council. In the Sixth Committee, it advocates for the definition of crimes against humanity to be consistent with universal values. The country maintains its emphasis on national sovereignty. Morocco sets a regional example with its policies of reconciliation and transitional justice.

South Korea

South Korea is a party to the Rome Statute and actively supports the ICC. It supports the progress of the Crimes Against Humanity Convention process in the Sixth Committee. The country argues that the definition of crimes against humanity should include modern threats. The Seoul government funds legal programs that strengthen victims' rights.

India

India is not a party to the Rome Statute and prioritizes the principle of sovereignty. In the Sixth Committee, it advocates that international justice should be carried out with state approval. The country demands that the definition of crimes against humanity be consistent with national law. India maintains the primacy of the national judiciary.

Argentina

Argentina is a party to the Rome Statute and is known for its experience in transitional justice. It supports the Crimes Against Humanity Convention process in the Sixth Committee. The country advocates for the protection of victims and the strengthening of processes for dealing with the past. Argentina is a pioneer in restorative justice practices in Latin America.

5. Tips for Delegates

Before entering debate, ensure that you are familiar with the Rome Statute (1998), particularly Article 7, which defines crimes against humanity. Also, study the 2019 ILC Draft Articles on Prevention and Punishment of Crimes Against Humanity, as this document forms the backbone of current UN discussions toward a potential global convention.

You must understand the distinction between crimes against humanity, war crimes, and genocide, these are not interchangeable terms. A delegate who can clearly articulate these boundaries will always command attention.

One of the central tensions in this topic is the balance between state sovereignty and international intervention. Delegates from nations such as China, Russia, the USA, India, and Türkiye often emphasize sovereignty, while countries like Germany, Canada, and the Netherlands advocate for a stronger international legal mechanism.

Neither side is “wrong”. Your task is to describe why your country believes what it believes. Remember that diplomacy is not about proving others wrong, it’s about finding common ground that acknowledges differing priorities.

Legal discussions can become abstract, but at their core lie human stories. Delegates must remember that “crimes against humanity” include torture, persecution, enslavement, and enforced disappearance; crimes that destroy lives and entire communities.

Always bring the victim perspective into debate. Mention institutions like the Trust Fund for Victims and the principle of restorative justice. Countries like Sweden, Argentina, and Canada strongly advocate for victim protection; building alliances with them can strengthen humanitarian clauses in your draft resolution.

To be honest, this topic will likely divide the committee into two or three ideological blocs:

- Pro-ICC Bloc: Germany, France, Canada, Japan, the Netherlands, South Korea, Spain.
- Sovereignty Bloc: China, Russia, India, Türkiye, USA.
- Humanitarian/Hybrid Bloc: Brazil, South Africa, Mexico, Argentina, and Sweden.

Don't merely follow your bloc — lead within it. Offer legal compromises: “conditional jurisdiction,” “regional courts,” or “review mechanisms” are powerful terms that can bridge divides.

When drafting resolutions, ensure that each operative clause serves a real purpose: create, enforce, or protect.

The goal of this debate is not just punishment, but prevention. Encourage your committee to include education programs, legal aid systems, and early warning mechanisms.

Crimes against humanity often begin with propaganda, dehumanization, and silence. Your resolution can include international campaigns to combat misinformation, promote tolerance, and strengthen civic education.

6. Questions to be Concerned

- 1- How can countries that are not parties to the International Criminal Court (ICC) be integrated into the international justice system?
- 2- How can evidence gathering and witness protection processes for war crimes committed in conflict zones such as Ukraine, Palestine and Sudan be made safer?
- 3- What steps can be taken to strengthen the independence and effectiveness of the International Criminal Court (ICC) from political influence and power dynamics?
- 4- How can freedom of speech and press (Article 19 ICCPR) be protected to ensure transparency in exposing Crimes Against Humanity without fueling hate or misinformation (Article 20)?
- 5- What preventive measures (legal, educational, or diplomatic) can be introduced to detect and stop Crimes Against Humanity before they occur?
- 6- What policies can be adopted to ensure that digital and AI-generated evidence is admissible in cases of Crimes Against Humanity?

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