



General Assembly

Distr.: General
25 November 2024

Original: English

Seventy-ninth session

Agenda item 80

Crimes against humanity

Report of the Sixth Committee

Rapporteur: Mr. Nathaniel Khng (Singapore)

I. Introduction

1. The item entitled “Crimes against humanity” was included in the provisional agenda of the seventy-ninth session of the General Assembly pursuant to Assembly resolution [77/249](#) of 30 December 2022.
2. At its 2nd plenary meeting, on 13 September 2024, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee considered the item at its 8th to 11th, 38th and 39th meetings, from 9 to 14 October and on 22 November 2024. The views of the representatives who spoke during the Committee’s consideration of the item are reflected in the relevant summary records.¹

II. Consideration of draft resolution [A/C.6/79/L.2/Rev.1](#) and the amendment thereto contained in document [A/C.6/79/L.20](#)

4. At the 38th meeting, on 22 November, the representative of the Gambia, on behalf of Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, the Comoros, the Congo, Costa Rica, Croatia, Cyprus, Czechia, the Democratic Republic of the Congo, Denmark, Djibouti, the Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, the Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, the Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro,

¹ [A/C.6/79/SR.8](#), [A/C.6/79/SR.9](#), [A/C.6/79/SR.10](#), [A/C.6/79/SR.11](#), [A/C.6/79/SR.38](#) and [A/C.6/79/SR.39](#).



Mozambique, Myanmar, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay, Vanuatu, Zambia and the State of Palestine, introduced a revised draft resolution entitled “United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity” (A/C.6/79/L.2/Rev.1).²

5. At the same meeting, the representative of the Russian Federation, on behalf of the Democratic People’s Republic of Korea, Nicaragua and the Russian Federation, introduced an amendment to revised draft resolution A/C.6/79/L.2/Rev.1, as contained in document A/C.6/79/L.20.³ The Committee had before it a statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly concerning the programme budget implications of the amendment contained in document A/C.6/79/L.20 (A/C.6/79/L.21).

6. At the 39th meeting, on 22 November, the representative of the Gambia made a statement, and the representative of Mexico orally revised the revised draft resolution A/C.6/79/L.2/Rev.1 as follows:⁴

In operative paragraph 4, replace “for three consecutive weeks in early 2027, and for three consecutive weeks in 2028,” with “for three consecutive weeks in early 2028, and for three consecutive weeks in 2029, unless otherwise agreed by the Preparatory Committee,” and insert “, with a possibility to hold an additional session, if necessary, bearing in mind the aim of developing an instrument enjoying the broadest possible support” at the end of the paragraph;

In operative paragraph 6, replace “from 31 August to 3 September 2026” with “in 2027”;

In operative paragraph 8, replace “and also decides that, upon completion of its mandate, the Preparatory Committee shall report directly to the Conference” with “and shall also decide, at its first session, on the participation of stakeholders other than those referred to in paragraph 16, and decides that, upon completion of its mandate, the Preparatory Committee shall report directly to the Conference”;

Delete operative paragraph 17, including its footnote 9, and renumber subsequent operative paragraphs;

In renumbered operative paragraph 17 (former 18) replace “*Decides* that participation in respect of paragraphs 16 and 17 above means” with “*Also decides* that participation in respect of paragraphs 8 and 16 above means”.

7. At the same meeting, the representative of the Russian Federation made a statement in explanation of position before adoption, and withdrew her delegation’s proposal for amendments to revised draft resolution A/C.6/79/L.2/Rev.1, as contained in document A/C.6/79/L.20.⁵

8. Also at the same meeting, the Secretary of the Committee made a statement regarding the financial implications of revised draft resolution A/C.6/79/L.2/Rev.1,

² A/C.6/79/SR.38.

³ Ibid.

⁴ A/C.6/79/SR.39.

⁵ Ibid.

as orally revised, in accordance with rule 153 of the rules of procedure of the General Assembly.

9. Also at the 39th meeting, the representatives of Nigeria and Canada made statements on a point of order, to which the Secretary of the Committee replied.

10. At the same meeting, the representative of the Russian Federation made a statement in explanation of position before adoption of the revised draft resolution [A/C.6/79/L.2/Rev.1](#), as orally revised.

11. Also at the same meeting, the Committee adopted revised draft resolution [A/C.6/79/L.2/Rev.1](#), as orally revised, without a vote (see para. 14).

12. Also at the 39th meeting, the representatives of Eritrea, Singapore and the Islamic Republic of Iran made statements in explanation of position after adoption.

13. Also at the same meeting, the representatives of Czechia, Brazil, the Gambia, Mexico, the State of Palestine, Sierra Leone, the United Kingdom of Great Britain and Northern Ireland, the European Union, Jordan and Australia (on behalf of Australia, Canada and New Zealand) made statements.

III. Recommendation of the Sixth Committee

14. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity

The General Assembly,

Having considered chapter IV of the report of the International Law Commission on the work of its seventy-first session,¹ which contains the draft articles on prevention and punishment of crimes against humanity,²

Recalling that the Commission decided to recommend the draft articles on prevention and punishment of crimes against humanity to the General Assembly and recommended the elaboration of a convention by the Assembly or by an international conference of plenipotentiaries on the basis of the draft articles,³

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Recalling its resolutions [74/187](#) of 18 December 2019, [75/136](#) of 15 December 2020, [76/114](#) of 9 December 2021 and [77/249](#) of 30 December 2022,

Recalling also the written summary of the deliberations at the first resumed session (2023) and the second resumed session (2024) of the Sixth Committee on the draft articles on prevention and punishment of crimes against humanity and on the recommendation of the Commission,⁴ as well as the summary by the Chair of the Committee, annexed thereto,

Noting that a number of suggestions for changes to the draft articles were presented by Governments, including at the resumed sessions of the Sixth Committee held during the seventy-seventh and seventy-eighth sessions of the General Assembly,

Deeply disturbed by the persistence of crimes against humanity, and recognizing the need to prevent and punish such crimes, which are among the most serious crimes of concern to the international community as a whole,

Emphasizing that States have the primary responsibility to prevent and punish crimes against humanity,

1. *Expresses its appreciation* to the International Law Commission for its continuing contribution to the codification and progressive development of international law;

2. *Takes note* of all the views, comments and concerns expressed in the debates of the Sixth Committee on crimes against humanity⁵ including at its resumed sessions held during the seventy-seventh and seventy-eighth sessions of the General

¹ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 10 (A/74/10).*

² *Ibid.*, chap. IV, sect. E.1.

³ *Ibid.*, sect. C.

⁴ [A/C.6/78/2](#).

⁵ See [A/C.6/74/SR.23](#), [A/C.6/74/SR.24](#), [A/C.6/74/SR.25](#), [A/C.6/74/SR.26](#), [A/C.6/74/SR.27](#), [A/C.6/74/SR.30](#), [A/C.6/75/SR.5](#), [A/C.6/75/SR.6](#), [A/C.6/76/SR.8](#), [A/C.6/76/SR.9](#), [A/C.6/76/SR.29](#), [A/C.6/77/SR.9](#), [A/C.6/77/SR.10](#) and [A/C.6/77/SR.11](#).

Assembly,⁶ as well as the comments and observations received from Governments on the draft articles on prevention and punishment of crimes against humanity and on any future action thereon;

3. *Also takes note* of the written summary of the deliberations during the two resumed sessions of the Sixth Committee held during the seventy-seventh and seventy-eighth sessions of the General Assembly, as well as the report of the Secretary-General prepared pursuant to Assembly resolution 77/249 on the basis of written comments and observations submitted by Governments on the draft articles and on the recommendation of the Commission;⁷

4. *Decides* to convene the United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity, to meet at United Nations Headquarters in New York for three consecutive weeks in early 2028, and for three consecutive weeks in 2029, unless otherwise agreed by the Preparatory Committee, to elaborate and conclude a legally binding instrument on prevention and punishment of crimes against humanity, with a possibility to hold an additional session, if necessary, bearing in mind the aim of developing an instrument enjoying the broadest possible support;

5. *Refers* to the Conference a compiled text, to serve as the basis for negotiations, consisting of both the draft articles and a compilation of proposals for amendments to the draft articles submitted by Governments, and also refers the commentaries to the draft articles,⁸ the written comments and observations of Governments, the views expressed in discussions at the seventy-fourth to seventy-eighth sessions of the General Assembly, the written summary of the resumed sessions of the Sixth Committee and the recommendation of the Commission;

6. *Decides* to convene a preparatory committee for the Conference, to meet for two consecutive weeks, from 19 to 30 January 2026, and for four days, in 2027, at United Nations Headquarters in New York;

7. *Also decides* to convene a working group, which shall be governed by the rules of procedure of the General Assembly, to meet for the entire first session of the Preparatory Committee to facilitate consultations on the draft articles, and to enable Governments to prepare formal proposals for amendments to the draft articles for consideration by the United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity to be included in the compiled text, and encourages Governments to include experts in the relevant fields in their delegations to the working group;

8. *Further decides* that the Preparatory Committee shall also discuss the organization and methods of work of the Conference, including the rules of procedure, with a view to making recommendations thereon, at its second session, to the Conference, taking into account the importance of promoting consensus on the final results of the work of the Conference, requests the Secretary-General to prepare proposals thereon for the consideration of the Preparatory Committee, decides that the Preparatory Committee shall also prepare the compiled text for submission to the Conference, and shall also decide, at its first session, on the participation of stakeholders other than those referred to in paragraph 16, and decides that, upon

⁶ See [A/C.6/77/SR.37](#), [A/C.6/77/SR.38](#), [A/C.6/77/SR.39](#), [A/C.6/77/SR.40](#), [A/C.6/77/SR.41](#), [A/C.6/77/SR.42](#), [A/C.6/77/SR.43](#), [A/C.6/77/SR.44](#), [A/C.6/77/SR.45](#), [A/C.6/78/SR.38](#), [A/C.6/78/SR.39](#), [A/C.6/78/SR.40](#), [A/C.6/78/SR.41](#), [A/C.6/78/SR.42](#), [A/C.6/78/SR.43](#), [A/C.6/78/SR.44](#), [A/C.6/78/SR.45](#), [A/C.6/78/SR.46](#) and [A/C.6/78/SR.47](#).

⁷ [A/78/717](#), [A/78/717/Corr.1](#) and [A/78/717/Add.1](#).

⁸ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 10 (A/74/10)*, para. 45.

completion of its mandate, the Preparatory Committee shall report directly to the Conference;

9. *Invites* Governments to submit to the Secretary-General, no later than 30 April 2026, proposals for amendments to the draft articles for inclusion in the compiled text, and requests the Secretary-General to submit a proposed compiled text to the Preparatory Committee at its second session;

10. *Decides* that the rules of procedure of the General Assembly shall apply provisionally to the procedure of the Conference until otherwise agreed by the Conference;

11. *Also decides* that the Conference shall exhaust every effort in good faith to reach agreement on substantive matters by consensus;

12. *Encourages* participants in the Conference to organize consultations on issues of substance, prior to the convening of the Conference, in order to facilitate the conclusion of its work;

13. *Decides* that the Conference will be undertaken in an open and transparent manner, with a view to promoting universal adherence, and emphasizes the need to ensure the widest possible and effective participation in the Conference;

14. *Also decides* that the Conference and the Preparatory Committee shall be open to all States Members of the United Nations and members of the specialized agencies, and requests the Secretary-General to invite those States to participate in the Conference;

15. *Further decides* that the Conference and the Preparatory Committee shall be open to observers having received a standing invitation to participate in the sessions and the work of the General Assembly, on the understanding that they shall participate in the Conference in accordance with the rights and privileges conferred upon them by the Assembly, and requests the Secretary-General to invite them to the Conference, and also to invite, as observers to the Conference, representatives of interested regional intergovernmental organizations and other interested international bodies;

16. *Decides* that attendance at the Conference and the Preparatory Committee as observers will also be opened to relevant non-governmental organizations in consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996;

17. *Also decides* that participation in respect of paragraphs 8 and 16 above means attending formal meetings, receiving copies of the official documents, making their materials available to delegates and addressing the meetings, through a limited number of their representatives, as appropriate;

18. *Invites* the States referred to in paragraph 14 above to include as far as possible among their representatives experts competent in the field to be considered;

19. *Requests* the Secretary-General to arrange for the attendance at the Conference and the first session of the Preparatory Committee, as an expert, of the Special Rapporteur of the International Law Commission on crimes against humanity;

20. *Also requests* the Secretary-General to appoint a Secretary-General of the Conference to serve as focal point within the Secretariat for providing support to the organization of the Conference;

21. *Further requests* the Secretary-General to provide the Preparatory Committee and the Conference with the necessary assistance for the performance of their work, including secretariat services and the provision of essential background

information and relevant documents, including summary records, as appropriate, and United Nations media coverage, and to arrange for support to be provided by the Codification Division of the Office of Legal Affairs of the Secretariat;

22. *Decides* to include in the provisional agenda of its eightieth session the item entitled “Crimes against humanity”.
