



ICRC

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**Report of the International Law Commission
on the Work of its Sixty Eighth Session,
Chapter VII – Crimes against humanity [agenda item 78]**

Statement of the

International Committee of the Red Cross

October 2016

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Mr Chairman,

The International Committee of the Red Cross (ICRC) would like to take this opportunity to comment on the work of the Commission and of Special Rapporteur Mr Sean Murphy on the important topic of **crimes against humanity**. The ICRC welcomes initiatives that contribute to the prevention and repression of international crimes in order to ensure accountability and end impunity.

The ICRC commends the Special Rapporteur's commitment to ensuring that the Draft Articles and the Commentaries are based on existing international law and complement the Rome Statute, in particular, and other relevant treaties. In the ICRC's view, it is crucial that any new instrument be consistent with, and not conflict with or undermine, existing international law. Given the global nature of international crimes, it is important to continue working to strengthen inter-State cooperation in order to effectively address international crimes through their prevention and repression. In this regard, the focus of the Draft Articles on improving national measures, as well as cooperation between States and with international criminal tribunals, to prevent and punish crimes against humanity is important. The ICRC would also like to recall that it remains critical to ensure the universal character and the integrity of the Rome Statute, and to continue working to achieve its effective implementation. Furthermore, the promotion of complementarity under the Rome Statute remains important in order to increase the prevention and repression of crimes against humanity at the national level, and the strengthening of national capacities and international cooperation would contribute to this.

Finally, the ICRC would like to thank the Special Rapporteur for the consultations that he has carried out in his consideration of this topic and for taking into account many of the comments we provided on the Draft Articles. We will continue to follow the International Law Commission's work on the topic of crimes against humanity with great interest and we reaffirm our commitment to contribute to the work of the Special Rapporteur.

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