

STATEMENT OF  
THE DELEGATION OF THE REPUBLIC OF INDONESIA  
ON THE SECOND RESUMED SESSION OF THE SIXTH COMMITTEE  
TO CONTINUE ITS CONSIDERATION OF AGENDA ITEM 80  
ON CRIMES AGAINST HUMANITY

Thematic Debate 1:  
Preambular Paragraph and Draft Article 1  
of the International Law Commission Draft Articles  
on the Prevention and Punishment of Crimes against Humanity

Monday, 1 April 2024

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Thank you, Mr. Chair,

Allow me to express my gratitude and appreciation to **you**, the **Bureau members**, **Co-Facilitators**, and **the Secretariat** for your efforts in organizing the program and modalities of this meeting.

I also wish to extend my appreciation to **all delegates** attending this second resumed session.

The **active engagement** of member states will reflect our **unified commitment to navigating the complexities** of the ILC Draft Articles on the Prevention and Punishment of Crimes against Humanity.

The depth of our discussions will guide us toward **a mutual understanding**, and to **reconcile**, where possible, **any divergent perspectives**, and ensure the draft's ultimate **acceptance and endorsement** by the General Assembly.

Indonesia is steadfast in its commitment to **upholding international law** and fostering an environment where **justice** and adherence to **treaty obligations** are paramount.

This commitment is **vital** for the maintenance of **international peace and security**.

My delegation welcomes **the opportunity to contribute our substantive exchanges** on the ILC Draft Articles through an interactive dialogue.

Please rest assured of Indonesia's support to engage constructively during the discussions of the five clusters.

Mr. Chair,

Indonesia's dedication to human dignity, the sanctity of life, and the principles of the Universal Declaration of Human Rights remains unwavering.

Our foundational philosophy, **Pancasila**, places **humanity at its core**, emphasizing a just and civilized humanity.

We are **dedicated to preventing actions** that undermine the essence of human dignity.

Crimes against humanity represent not only violations against individuals but also **an affront to our collective humanities**.

It is imperative that the international community unite **to cooperate in the prevention** of these crimes, **supporting the states which have the primary jurisdiction** to hold offenders accountable, and **ensure justice** for the victims.

**Against this backdrop, Mr. Chair,**

Allow me to offer **two observations** on our **First Thematic Cluster**, specifically concerning the Preambular Paragraphs and Article 1.

**FIRST**, regarding **Preambular Paragraph 1**, my delegation proposes changing the phrase “children, women, and men” to **“people”**.

We need not to mention particular groups in the Draft Article, considering Crimes against Humanity is a widespread or systematic attack **directed against any civilian population, regardless of their groups**. I repeat, **against any civilian population**.

**SECONDLY**, we believe that referencing the Rome Statute in **Preambular Paragraph 7 is unnecessary**.

The commentary on this paragraph suggests its inclusion is indicative **as a threshold matter**.

However, if this Draft Article's scope aligns with that of the Rome Statute concerning crimes against humanity, then delineating the sources, rationale, and rationale for criminalization is redundant.

Moreover, the inclusion of Preambular Paragraph 7 **might imply** the existence, if any, **discrepancies** between the draft and with the Rome Statute, which could be **misleading** not only about the content of the draft, but against the propriety of our own work which has begun years ago.

I thank you.

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