



Crimes Against Humanity Initiative
Whitney R. Harris World Law Institute
Washington University School of Law



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Draft Articles on Crimes Against Humanity: Civil Society Workshop

December 5, 2023 | 3:30-5:30 pm EDT

Conference Room 1920 (19th Floor), UN Women
220 E 42nd St, New York, NY 10017

To RSVP, please fill out the form at this [link](#)

Concept Note

The absence of an international convention on crimes against humanity is a critical gap in the international legal framework deprives populations at serious risk of needed protections, especially as these egregious crimes proliferate regions around the world.

On 18 November 2022, the U.N. General Assembly's Sixth Committee adopted a draft resolution on the International Law Commission (ILC)'s 2019 Draft articles on Prevention and Punishment of Crimes Against Humanity, which established a two-year process for the exchange of "substantive views" on "all aspects" of the draft articles, including two intersessional resumed sessions of the Sixth Committee in April 2023 and April 2024, with a decision on next steps for the draft articles to be taken at the UN General Assembly in Fall 2024. A new international crimes against humanity treaty based on these draft articles would require states to prevent and punish crimes against humanity in their national laws, either prosecute crimes against humanity or extradite suspects to a jurisdiction that could do so, and provides for interstate cooperation on crimes against humanity.

We are now halfway through the current two-year deliberation process. The purpose of this workshop is to provide members of civil society attending the Assembly of States Parties with an overview of the draft articles and the ongoing process and provide a forum to contextualize progress, hurdles, and opportunities. The workshop aims to broaden the community of civil society

actors who are equipped to engage on the draft articles, with the ultimate aim of creating a broad constituency pushing for the adoption of a robust treaty to prevent and punish crimes against humanity.

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The workshop will convene experts in international law who have closely tracked the development of the draft articles to highlight key developments and challenges, strategize on how to advance the convention, and share ideas to continue to improve the draft articles' substance, including on sexual and gender-based crimes.

Programme

- **Introduction** - Emily Kenney, Policy Specialist, Rule of Law and Transitional Justice, UN Women (5 minutes)
- **Origin of the Draft articles on Prevention and Punishment of Crimes Against Humanity, relationship to other relevant conventions, and ongoing United Nations deliberation process** (55 minutes)

Moderators:

- Professor Leila Sadat, Director, Crimes Against Humanity Initiative and James Carr Professor of International Criminal Law, Washington University School of Law; Visiting Fellow, Yale Law School
- Richard Dicker, Senior Legal Advisor, Human Rights Watch
- Matt Cannock, Head, Centre for International Justice, Amnesty International

Suggested discussion questions: *Why is a crimes against humanity treaty needed; where did the draft articles originate; how do the draft articles relate to other criminal treaties e.g. the Rome Statute and the Ljubljana-The Hague mutual legal assistance convention; what is the current political process and which states are supportive; key takeaways from the Sixth Committee's April resumed session and October debate*

- **Opportunities for civil society advocacy, engagement, and progressive development of the law** (60 minutes)

Moderators:

- Priya Pillai, Head, Asia Justice Coalition Secretariat
- Paloma van Groll, Legal Adviser, Global Justice Center
- David Donat Cattin, Adjunct Associate Professor, New York University Center for Global Affairs; Senior Advisor, Coalition for International Criminal Justice

Suggested discussion questions: *What are opportunities for progressive development of the law in the draft articles e.g. on gender apartheid, the slave trade, reproductive violence, forced marriage, victim/survivor rights, persecution, enforced disappearances, and environmental crimes, among others; what civil society advocacy is currently happening around the treaty; what are key upcoming moments for engagement; how can we build civil society momentum outside of New York*

