

69th meeting of the Committee of Legal Advisers on Public International Law - Strasbourg, 25-26 September 2025

Seminar: "Crimes Against Humanity – Advancing Toward a Dedicated International Convention"

26 September 2025, 1.30 – 5.45 pm

Concept Note

Background

Crimes against humanity are among the most serious crimes of concern to the international community as a whole, demanding both robust prevention and the eradication of impunity. These crimes are the most serious violations of human rights, such as intentional killing, extermination, enslavement, torture, committed on a large scale or in a systematic manner against members of the civilian population. Alarming, such crimes continue to be perpetrated in various parts of the world today, underscoring the pressing need for a more effective and coordinated international mechanism to prevent their occurrence and ensure accountability.

Unlike other serious international crimes such as war crimes and genocide, crimes against humanity are not covered by any comparable international convention. This legal gap hampers coordinated global action to prevent such atrocities, prosecute perpetrators, and assist victims. In 2019, the International Law Commission adopted draft articles to fill this gap and submitted them to the United Nations General Assembly with a recommendation to elaborate a convention. The proposed treaty would define and prohibit these crimes, oblige States to criminalize, prevent and suppress them, and enhance international cooperation – including extradition and mutual legal assistance. Unlike the Rome Statute, which regulates the prosecution of crimes by the International Criminal Court, the new convention is intended to provide a basis for national prosecution and universal jurisdiction. In 2024, the General Assembly decided to initiate intergovernmental negotiations on this basis.

As the international community considers taking this initiative forward, it is critical to examine the historical evolution of the concept, the scope and content of the ILC draft articles, and the added value such a convention would bring for the prevention of atrocities and the fight against impunity.

Objective of the Seminar

This side event aims to provide a platform for discussion on the elaboration of a dedicated international convention on the prevention and punishment of crimes against humanity, and how such an instrument could fill existing legal and institutional gaps. Through expert presentations and an interactive dialogue, the event will explore the following topics:

- **Historical and legal foundations** - tracing the evolution of the concept of crimes against humanity and examining how such crimes are addressed within the current international legal framework;
- **Overview and key provisions** – reviewing the core provisions of the ILC’s draft articles, assessing where they offer a sound basis for retention and where they may be scope for refinement or further development;
- **Rationale and added value of a dedicated convention** - exploring the benefits such an instrument could bring, the prerequisite substantive elements and required breath of support;
- **Legal review and dispute settlement** – considering the role of including a robust dispute settlement mechanism to enhance legal certainty and inter-state cooperation.
- **Negotiation process and key milestones** – outlining the procedural steps ahead, identifying pivotal moments in the process, and considering strategic priorities at each stage;

Proposed Structure and Topics

The side event will take the form of an interactive panel discussion. Interpretation will be provided in English and French.

Moderator: Prof. Chiara Giorgetti, Richmond University

Programme

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| 1.30 – 1.40 pm | Welcoming Remarks
H.E. Franz Perrez, Legal Adviser, Ministry of Foreign Affairs of Switzerland |
| Panel I | |
| 1.40 – 2.00 pm | Historical and Legal Overview of Crimes Against Humanity
Prof. Guénaél Mettraux, Judge at the Kosovo Specialist Chambers |
| 2.00 – 2.20 pm | Overview of the ILC Draft Articles
Prof. Sean D. Murphy, George Washington University Law School in Washington, former ILC Special Rapporteur for Crimes Against Humanity |
| 2.20 – 2.45 pm | Q&A and Discussion |
| 2.45 – 3.15 pm | <i>Break</i> |

Panel II

- 3.15 – 3.35 pm **The Convention and National Prosecution of Crimes Against Humanity**
Dr. Stephanie Egerer-Uhrig, Federal Prosecutor at the Office of the Federal Prosecutor General of Germany
- 3.35 – 3.55 pm **Dispute Settlement: A Critical Component for Legal Effectiveness**
Prof. Leila Sadat, Washington University Law School, former Special Adviser on Crimes Against Humanity to the Prosecutor of the ICC
- 3.55 – 4.15 p.m. **Q&A and Discussion**
- 4.15 – 4.35 pm **The Road Toward a New Convention**
H.E. Pablo Arrocha, Legal Adviser, Ministry of Foreign Affairs of Mexico (televised)
- 4.35 – 5.00 pm **Discussion on the way forward**
- 5.00 – 5.35 pm **Discussion with all panelists**
- 5.35 – 5.45 pm **Closing Remarks**
Jörg Polakiewicz, Director of Legal Advice and Public International Law, Legal Adviser of the Council of Europe

Expected Outcomes

- Enhanced understanding of the legal context, as well as the benefits, challenges and practical implications of a convention on crimes against humanity;
- Identification of key substantive and procedural issues requiring further attention to inform and support effective negotiations;
- Strengthened cooperation for the preparations of the upcoming negotiation process.