

UN Advances Toward Landmark Crimes Against Humanity Treaty | Historic Resolution

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What's in today's article?

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Why in News?

- The UN General Assembly's legal committee approved a landmark resolution on **November 22, 2024**, initiating negotiations for the first-ever treaty to prevent and punish crimes against humanity.
- This step followed intense negotiations, culminating in Russia withdrawing amendments that could have derailed the process.

Laws governing the conflict

- **1949 Geneva Conventions**
 - The **1949 Geneva Conventions** are a set of four international treaties establishing humanitarian protections during armed conflicts.

- They safeguard wounded soldiers, prisoners of war, and civilians, emphasizing humane treatment and non-combatant rights.
- Ratified by 196 countries, these conventions form the cornerstone of international humanitarian law, ensuring accountability and limiting the horrors of war.
- **Additional Protocols to the Geneva Conventions (1977)**
 - Two protocols that expand protections to cover civil wars and non-international conflicts, reinforcing humanitarian principles.
- **International Humanitarian Law**
 - The **Law of Armed Conflict (LOAC)**, also known as **International Humanitarian Law (IHL)**, governs the conduct of warfare.
 - It aims to protect those who are not actively participating in hostilities, such as civilians, medical personnel, and prisoners of war.
 - It sets out rules to limit the methods and means of warfare, ensuring humanitarian protections and minimizing suffering.
 - Key instruments include the **Geneva Conventions** and **Hague Regulations**, focusing on humane treatment during conflicts.
- **Hague Conventions (1899, 1907)**
 - These address the laws of war and war crimes, focusing on the conduct of hostilities, treatment of prisoners, and protection of civilians and cultural property.
- **International Criminal Court (ICC) Statute (1998)**
 - Established to prosecute individuals for crimes such as war crimes, crimes against humanity, and genocide, ensuring accountability for violations of IHL.
- **United Nations Charter (1945)**
 - Governs the use of force in international relations, emphasizing the prohibition of aggressive war and the right of self-defense.

Why a Separate Treaty for Crimes Against Humanity is Necessary?

- **Existing Legal Gaps**
 - While global treaties address war crimes, genocide, and torture, there is no comprehensive international treaty specifically targeting crimes against humanity.
 - This creates a legal vacuum, leaving many atrocities unaddressed and perpetrators unpunished.
- **Limitations of the International Criminal Court (ICC)**
 - The ICC can prosecute crimes against humanity but lacks jurisdiction over nearly 70 countries, including major nations like the United States, China, and India.
 - A treaty would strengthen the international legal framework by ensuring a universal mechanism for prosecution and accountability.
- **Broad Scope of Crimes Against Humanity**
 - Crimes against humanity include murder, rape, sexual slavery, enforced disappearances, torture, and deportation, often committed as part of widespread attacks on civilians.
 - A dedicated treaty would comprehensively define these crimes and establish uniform standards for prosecution.

- **Addressing Global Proliferation of Atrocities**

- The rise of conflicts and state-sponsored atrocities in regions like Ethiopia, Myanmar, Gaza, Ukraine, and Sudan highlights the urgent need for a binding international instrument to combat impunity and protect civilians.

- **Universal Accountability**

- By criminalizing such acts globally, a treaty would eliminate safe havens for perpetrators, ensuring that no region or individual is beyond the reach of justice.

Step towards a Crimes Against Humanity Treaty

- **About the news**

- A key United Nations (U.N.) General Assembly committee adopted a resolution paving way for negotiations on a first-ever treaty on preventing and punishing crimes against humanity.
- Sponsors of the resolution, led by **Mexico and Gambia** with the backing of 96 countries, emphasized the need to close legal gap in dealing with such crimes.
 - Existing treaties cover war crimes, genocide, and torture, but no treaty specifically addresses crimes against humanity, such as murder, rape, sexual slavery, torture, and enforced disappearances.

- **Timeline for Treaty Negotiations**

- The resolution outlines a structured timeline, with preparatory sessions in 2026 and 2027 and formal negotiating sessions in 2028 and 2029.
 - While some expressed disappointment at the extended timeline, the move is hailed as a significant step toward addressing impunity for grave human rights violations.
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Q.1. Why is a separate treaty needed for crimes against humanity?

There is no existing treaty specifically addressing crimes against humanity, leaving a legal gap. A dedicated treaty would ensure global accountability for atrocities like murder, torture, and sexual slavery, providing a mechanism for prosecution even in countries outside ICC jurisdiction.

Q.2. What is the timeline for the negotiations of the Crimes Against Humanity Treaty?

Negotiations for the treaty will begin with preparatory sessions in 2026 and 2027, followed by formal negotiations in 2028 and 2029. This timeline, while extended, is a crucial step toward addressing impunity for serious human rights violations globally.

Source: [Crimes against humanity: Key U.N. committee adopts resolution paving way for first-ever treaty](#)

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