



United Kingdom Mission  
to the United Nations

One Dag Hammarskjold Plaza  
(885 Second Avenue)  
New York, NY 10017

Email: [uk@un.int](mailto:uk@un.int)  
[http://twitter.com/UKUN\\_NewYork](http://twitter.com/UKUN_NewYork)

# UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,  
UNGA77, AGENDA ITEM 78

CRIMES AGAINST HUMANITY: CLUSTER 5

13 April 2023

Delivered by

Jonathan Hollis  
Legal Counsellor and Deputy Legal Adviser



## **Draft Article 12 Victims, witnesses and others**

5. Turning to draft Article 12, the real cost of crimes against humanity is the devastating impact upon victims, survivors, their families and communities. The UK government is determined to prevent crimes against humanity, as putting an end to such crimes is the greatest legacy we can leave to those who have suffered from them.

6. However, when crimes against humanity do occur, we must listen and respond appropriately to victims and survivors. It is important to engage with, and respond to, the needs of victims and survivors, as accountability in their eyes may be broader than criminal proceedings. The absence of a crimes against humanity framework fails to give the victims and survivors of such crimes the recognition and redress they deserve. For justice to be delivered, it is absolutely essential that victims, survivors and witnesses be empowered to have their voices heard in proceedings. Lastly, they must not be prevented from obtaining appropriate reparations. The UK welcomes the extensive work that the ICC has undertaken in this space to place victim participation at the heart of their policy approach, as set out in their 2010 Policy Paper on Victim Participation.<sup>1</sup>

### *Draft Article 12(1) Right to Complain to Competent Authorities*

7. In draft Article 12(1), the UK welcomes the right to complain being available to paragraph 8, of a crime against humanity, and may include legal persons such a religious bodies or non-governmental organizations.

### *Definition of victim*

---

1

[here](#)



notes that the right to reparations should not necessarily be dependent on the conclusion or result of criminal proceedings. Draft article