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البعثة الدائمة لدولة إريتريا لدى  
الأمم المتحدة  
نيويورك

PERMANENT MISSION OF THE STATE OF ERITREA TO THE UNITED NATIONS  
NEW YORK

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*Check against delivery!*

**STATEMENT DELIVERED BY THE DELEGATION OF ERITREA**

**SIXTH COMMITTEE RESUMED 78<sup>TH</sup> SESSION OF THE UNITED NATIONS  
GENERAL ASSEMBLY**

**AGENDA ITEM 80: "CRIMES AGAINST HUMANITY", THEMATIC CLUSTER II**

**1-5 AND 11 APRIL 2024, NEW YORK**

**Thank you Mr./Madam Chair,**

Regarding the definition of crimes against humanity as reflected in draft article 2, Eritrea joins others in expressing its reservation on the reference to the verbatim definition as stipulated in Article 7 of the Rome Statute. We believe this limited approach does not reflect the promotion of progressive development of international law and we stress that further discussions on its reconceptualization is needed.

Having said that, my delegation wishes to share some of its observations concerning draft article 2, without prejudice to the definition of crimes against humanity in article 7.

If what sets crimes against humanity apart from other crimes is merely the fact that these acts are widespread or systematic in nature organized by a government or other entity exercising political power and directed against a civilian population, then Draft Article 2 does not cover all aspects of crimes against humanity that fall within this scope.

As mentioned before, Eritrea is of the view that we must consider taking a progressive approach toward redefining the boundaries of international criminalization, in accordance with the latest developments. In this context, my delegation stresses the legal consideration of including, *inter alia*, the act of human trafficking, environmental crimes involving severe environmental degradation and serious harm to human beings, the exploitation of natural resources, and the illegal dispossession of land.

Eritrea asserts that, similarly, the application of "unilateral coercive measures" (UCMs) should be included as a crime against humanity. The question of their legality or illegality in this regard is secondary to the question of individual criminal responsibility. These coercive acts are perpetrated in a widespread or systematic manner, pursuant to a State or an organizational policy, and intend to target any civilian population of the sanctioned State to induce political changes that would be desired by those who are imposing coercive measures. The displacement of population from targeted States and regions because of the harsh economic conditions in their home country is a direct result of coercive acts, and potentially constitutes a crime against humanity of deportation.

Turning to Draft Article 4, my delegation recalls the inclusion of the UN Charter principles of sovereignty, non-intervention in internal affairs, and territorial integrity. We have reservations about the extraterritorial element through *de facto* jurisdiction in *paragraph a*, as well as in various other places in the draft articles. Concerning *paragraph b*, Eritrea echoes the concerns of several other delegations on the obligation of States to cooperate with "relevant intergovernmental organizations, and as appropriate other organizations".

When it comes to "any particular intergovernmental organization" my delegation finds the explanation provided by the ILC in the commentary on the contextual nature of the obligation to cooperate ambiguous. Similarly, we stress that the reference to "other organizations" is inappropriate and needs to be revised.

**I thank you.**