



Published on *How does law protect in war? - Online casebook* (<https://casebook.icrc.org>)
Home > Crimes against humanity

The legal definition of crimes against humanity, as they are understood today, can be found in the ICC Statute. A crime against humanity is one of the acts listed below when committed “as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”: murder; extermination; enslavement; deportation; persecution on political, racial, national, ethnic, cultural, religious, gender or other grounds; apartheid; arbitrary imprisonment; torture; rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence; enforced disappearance of persons; or other inhumane acts intentionally causing great suffering or serious injury to the body or to mental or physical health.

OUTLINE

Chapter 13, Crimes against humanity ^[1]

CASES

Germany, International Criminal Code (para 7) ^[2]

Hungary, War Crimes resolution ^[3]

Case Study, Armed Conflicts in the former Yugoslavia ^[4]

ICTY, The Prosecutor v. Tadic ^[5] (B. paras 618-654; C. paras 238-304)

ICTY, The Prosecutor v. Kupreskic (paras 567-636) ^[6]

ICTY, The Prosecutor v. Blaskic ^[7] (A. paras 66-72 ^[8]; B. ^[9] 94-128 ^[10])

ICTY, The Prosecutor v. Kunarac, Kovac and Vukovic ^[11]

Case Study, Armed Conflicts in Sierra Leone, Liberia and Guinea ^[12]

32nd International Conference of the Red Cross and Red Crescent, Sexual and gender-based violence: joint action on prevention and response ^[13]

BIBLIOGRAPHIC RESOURCES

Suggested readings :

BASSIOUNI M. Cherif, *Crimes against Humanity in International Criminal Law*, The Hague, Kluwer Law International, 1999, 610 pp.

BYRON Christine, *War Crimes and Crimes against Humanity in the Rome Statute of the International Criminal Court*, Manchester, Manchester University Press, 2009, 285 pp.

DINSTEIN Yoram, "Crimes against Humanity", in MAKARCZYK Jerzy, *Theory of International Law at the Threshold of the 21st Century*, The Hague, Kluwer Law International, 1996, pp. 891-908.

FRULLI Micaela, "Are Crimes Against Humanity More Serious than War Crimes?", in *EJIL*, Vol. 12/2, 2001, pp. 329-350.

JIA Bing Bing, "The Differing Concepts of War Crimes and Crimes against Humanity in International Criminal Law", in GOODWIN-GILL Guy S. (ed.), *The Reality of International Law*, Oxford, Clarendon, 1999, pp. 243-271.

JUROVICS Yann, *Réflexions sur la spécificité du crime contre l'humanité*, Paris, LGDJ, 2002, 525 pp.

PALOMBINO Fulvio Maria, "The Overlapping between War Crimes and Crimes against Humanity in International Criminal Law", in *Italian Yearbook of International Law*, Vol. 12, 2002, pp. 123-145.

POILLEUX Sylvia, "Le crime contre l'humanité: limites actuelles et perspectives d'avenir", in *L'Astrée*, Vol. 8, 1999, pp. 43-57.

ROBERTSON Geoffrey, *Crimes Against Humanity: the Struggle for Global Justice*, London, Penguin, 3rd ed., 2006, 758 pp.

ROBINSON Darryl, "Crimes against Humanity: Reflections on State Sovereignty, Legal Precision and the Dictates of the Public Conscience", in LATTANZI Flavia & SCHABAS William A. (eds), *Essays on the Rome Statute of the International Criminal Court*, Ripa Fagnano Alto, Sirente, 1999, pp. 139-169.

ZAKR Nasser, "Approche analytique du crime contre l'humanité en droit international", in *RGDIP*, Vol. 105/2, 2001, pp. 281-306.

Further readings :

BLANCHET Dominique, "L'esclavage des Noirs dans la définition du crime contre l'humanité: de l'inclusion impossible à l'intégration implicite", in *Revue de la Recherche Juridique – Droit Prospectif*, Vol. 24/4, 1999, pp. 1173-1205.

CHALANDON Sorj, *Crime contre l'humanité: Barbie, Touvier, Bousquet, Papon*, Paris, Plon, 1998, 517 pp.

DINSTEIN Yoram, "Crimes Against Humanity after Tadic", in *Leiden Journal of International Law*, Vol. 13/2, 2000, pp. 373-393.

FLORES ACUNA Tathiana, "The Rome Statute's Sexual Related Crimes: an Appraisal under the Light of International Humanitarian Law", in *Humanitäres Völkerrecht*, Vol. 19, No. 1, 2006, pp. 39-51.

LAQUIÈZE Alain, "Le débat de 1964 sur l'imprescriptibilité des crimes contre l'humanité", in *Droits*, Vol. 31, 2000, pp. 19-40.

LATTANZI Flavia, "Crimes Against Humanity in the Jurisprudence of the International Criminal Tribunals for the Former Yugoslavia and Rwanda", in FISCHER Horst (ed.), *International and National Prosecution of Crimes Under International Law*, Berlin, Berliner Wissenschafts-Verlag, 2001, pp. 473-504.

NSABIMANA Christian Garuka, "The Interpretation of the Concept of "Other Inhumane Acts" in Armed Conflicts by the ICTY and ICTR and its Impact on IHL and Human Rights Law", in *African Yearbook on International Humanitarian Law 2008*, 2007, pp. 163-174.

SLYE Ronald C., “Apartheid as a Crime against Humanity: A Submission to the South African Truth and Reconciliation Commission”, in *MJIL*, Vol. 20, February, 1999, pp. 267-300.

VAN SCHAAK Beth, “The Definition of Crimes against Humanity: Resolving the Incoherence”, in *Columbia Journal of Transnational Law*, Vol. 37/3, 1998, pp. 787-850.

ZAWATI Hilmi M., “Impunity or Immunity: Wartime Male Rape and Sexual Torture as a Crime against Humanity”, in *Torture: Journal on Rehabilitation of Torture Victims and Prevention of Torture*, Vol. 17, No. 1, 2007, pp. 27-47.

Source URL: <https://casebook.icrc.org/glossary/crimes-against-humanity>

Links

- [1] https://casebook.icrc.org/law/criminal-repression#i_d
- [2] https://casebook.icrc.org/case-study/germany-international-criminal-code#section_7
- [3] <https://casebook.icrc.org/case-study/hungary-war-crimes-resolution>
- [4] <https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia>
- [5] https://casebook.icrc.org/case-study/icty-prosecutor-v-tadic#partb_618
- [6] https://casebook.icrc.org/case-study/icty-prosecutor-v-kupreskic-et-al#para_567
- [7] <https://casebook.icrc.org/case-study/icty-prosecutor-v-blaskic>
- [8] https://casebook.icrc.org/case-study/icty-prosecutor-v-blaskic#part_a_para_66
- [9] <https://casebook.icrc.org/case-study/icty-prosecutor-v-blaskic#partB>
- [10] https://casebook.icrc.org/case-study/icty-prosecutor-v-blaskic#part_a_para_127
- [11] <https://casebook.icrc.org/case-study/icty-prosecutor-v-kunarac-kovac-and-vukovic>
- [12] <https://casebook.icrc.org/case-study/case-study-armed-conflicts-sierra-leone-liberia-and-guinea-1980-2005>
- [13] <https://casebook.icrc.org/case-study/32nd-international-conference-red-cross-and-red-crescent-sexual-and-gender-based-violence>