

10 November 1999  
English  
Original: Spanish

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**Preparatory Commission for the International Criminal Court**  
**Working Group on Elements of Crimes**  
New York  
16-26 February 1999  
26 July-13 August 1999  
29 November-17 December 1999

**Comments by Colombia on document  
PCNICC/1999/WGEC/RT.9 proposed by  
the Coordinator**

**Article 8 (2) (b) (i): War crime of attacking civilians**

We feel that it would be worthwhile to reflect further on the phrase “and was associated with” in point 1, for the reasons given in the general section of our comments on document PCNICC/1999/WGEC/RT.5/Rev.1.

**Article 8 (2) (b) (ii): War crime of attacking civilian objects**

We likewise draw attention here to the unnecessary repetition of the phrase “and was associated with”, as pointed out in our earlier comments.

**Article 8 (2) (b) (iii): War crime of attacking personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission**

We reiterate our statement concerning point 1, to the effect that the phrase “and was associated with” is unnecessary, since, as noted previously, it states the obvious.

It also seems unnecessary to require awareness of the circumstances, as provided in point 3, since that would make the subjective aspect an element of the crime. When that is required in the description, the Statute so states explicitly, as in the case of the elements we are studying. However, according to the Statute, intent to commit the crime is a requirement, but awareness of the circumstances is not.