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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-seventh session
Agenda item 2

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND
SEGREGATION, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE
TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES:
REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON
HUMAN RIGHTS RESOLUTION 8 (XXIII)**

**Mr. Bíró, Ms. Chung, Mr. Decaux, Mr. Dos Santos, Ms. Hampson, Ms. Motoc,
Ms. O'Connor, Mr. Pinheiro, Mr. Tuñón Veilles and Mr. Yokota: draft resolution**

2005/... Attacks on persons entitled to protection as civilians

The Sub-Commission on the Promotion and Protection of Human Rights,

*Guided by the Charter of the United Nations and the Universal Declaration of
Human Rights,*

*Mindful of the International Covenant on Civil and Political Rights, the Geneva
Conventions, of 12 August 1949, and the Additional Protocols thereto of 8 June 1977,*

Mindful also of the Rome Statute of the International Criminal Court,

Noting Commission on Human Rights resolution 2005/63 of 20 April 2005 on protection of the human rights of civilians in armed conflicts,

Reaffirming that the intentional killing of persons entitled to protection as civilians is prohibited by customary international criminal law,

Stressing the importance of combating impunity for perpetrators of international crimes,

1. *Strongly emphasizes* that no ground, political, philosophical, religious or military, justifies attacks against persons entitled to protection as civilians;

2. *Confirms* that anyone who participates in an intentional attack against persons entitled to protection as civilians is guilty of an international crime;

3. *Confirms also* that anyone who attempts intentionally to attack persons entitled to protection as civilians is guilty of an international crime;

4. *Confirms further* that anyone who incites intentional attacks against persons entitled to protection as civilians is guilty of an international crime;

5. *Confirms* that anyone who knowingly finances an intentional attack or an attempted intentional attack on persons entitled to protection as civilians is guilty of an international crime;

6. *Decides* to consider this issue at its fifty-eighth session under the same agenda item.
