

**STATEMENT OF
THE DELEGATION OF THE REPUBLIC OF INDONESIA
ON THE SECOND RESUMED SESSION OF THE SIXTH COMMITTEE
TO CONTINUE ITS CONSIDERATION OF AGENDA ITEM 80**

Draft Articles contained in Thematic Cluster 3, namely Draft Articles 6, 7, 8, 9 and 10 are **very important** as it prescribes issues of ***National Measures***.

These five Draft Articles provide States to exercise their jurisdiction in accordance with their national law **to establish its jurisdiction and to criminalize, to investigate, to take measures**, as well as **to prosecute or to extradite** the alleged offender.

Allow me to provide several observations.

FIRST, Indonesia welcomes the formulation of Draft Articles 6 and 7 on the criminalization under national law and establishment of national jurisdiction respectively.

It is important to ensure that **the primary responsibility with respect to the prevention and prosecution of crimes against humanity remains with the states in whose jurisdiction the alleged crimes against humanity occur**.

In this regard, Indonesia enacted **Law Number 26 Year 2000 on the Human Rights Court**, which criminalizing crimes against humanity and asserting domestic jurisdiction.

The law stipulates that Indonesia Human Rights Court is **competent to hear and to rule on cases of crimes against humanity**, including cases perpetrated by Indonesian citizens **outside the territory of Indonesia**.

The definitions of crimes against humanity under the law are similar with the definitions prescribed by the Rome Statute, including the elements of the crimes.

