



# General Assembly

Distr.: Limited  
7 July 2017  
English  
Original: English and French

---

## International Law Commission

### Sixty-ninth session

Geneva, 1 May-2 June and 3 July-4 August 2017

## Crimes against humanity

### Texts and titles of the draft preamble, the draft articles and the draft annex provisionally adopted by the Drafting Committee on first reading

#### Addendum

### Text and title of draft Article 6 [5], paragraph 4 *bis*, provisionally adopted by the Drafting Committee on first reading

#### Article 6 [5]

##### Criminalization under national law

4 *bis*. Each State shall take the necessary measures to ensure that, under its criminal law, the fact that an offence referred to in this draft article was committed by a person holding an official position is not a ground for excluding criminal responsibility.

