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POLICY BRIEF SERIES

Crimes Against Humanity and the Unity of Humankind

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Policy Brief Series No. 200 (2026)

1. Treaty Recognition of Collective Values

International law reflects agreement between states on shared goals or the protection of interests or values. To reach agreement, multilateral treaties often use ambiguous or cautious language, resulting in dry texts with limited popular appeal or ability to inspire. While this may be a constraint in bringing about rapid social change, international law remains the only common global value system of states, the international community, and humankind.

Both the 1919 Covenant of the League of Nations[1] and the 1945 Charter of the United Nations[2] establish respect for treaty obligations as a foundational objective of international organization. More than a century ago, the League Covenant declared that the "firm establishment of the understandings of international law as the actual rule of conduct among Governments" is a precondition for international peace and security.[3] The wisdom codified after two world wars was that principles established in treaties must be respected to keep the peace. While considerations of economy, security or power 'rule' much day-to-day contemporary decision-making of states, most governments profess that their above-mentioned "actual rule of conduct" abides by international legal obligations. Awareness of which fundamental values are protected by international legal obligations is therefore important, whether we seek to nourish respect for or develop this common value system – even more so if the spirit of the day suffers nationalist inebriation while our concern is the day after.

'International peace and security' may be the most widely recognized *collective* value protected by international law, alongside its siblings 'international co-operation'[4] and 'friendly relations among nations'.[5] Together they were intended to protect a baseline of peace, co-operation and exchange between states, values that were trampled upon during the world wars. While all three are collective values, they traditionally concern relations between states and have often been talked about as values *of states* or, at most, the 'international community'. In light of increasingly collective harms faced by humankind, this policy brief posits that the three collective values should be reinforced by renewed affirmation of a more fundamental, precursor value.

2. Humanity and Humankind

Treaty recognition of values of 'humanity' goes further back in time than 'international peace and security', expressed in 1899 as the "laws of humanity" alongside "public conscience"[6] (referred to as "conscience of humanity" in 1998, a century later).[7] The frequently invoked term 'crimes against humanity' finds a significant treaty expression in 1945.[8] The ordinary meaning of these notions implies a normative *quality* of humanness (what it means to be human), used in response to the affront caused by atrocities or aggression, and related to the 'human dignity' which is seen as the basis of human rights or the concern for 'humanity' which motivates humanitarian efforts.

Terminologically, 'humanity' has also come to denote the *collectivity* of humankind (or 'mankind'). For example, a 1954 convention provided that cultural property forms part of the "cultural heritage of all mankind".[9] This construct was later extended to additional global commons, designating the deep seabed as the "common heritage of mankind"[10] and the exploration and use of outer space as the "province of all mankind".[11] Moreover, a 1952 High Seas fisheries treaty had recognized the "common interest of mankind",[12] later specified in environmental law instruments as being "useful to mankind"[13] or similar terms

1 The Preamble declares the goal "to achieve international peace and security" by "a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another", see Covenant of the League of Nations, 28 April 1919, Preamble ('League Covenant') (https://www.legal-tools.org/doc/106a5f/).

2 The Charter states as a fundamental goal of the Organization "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained", see Charter of the United Nations, 26 June 1945, Preamble ('UN Charter') (https://www.legal-tools.org/doc/6b3cd5/).

3 League Covenant, Preamble, see *supra* note 1.

4 UN Charter, Article 1(3), see *supra* note 2; UN General Assembly Resolution 2625 (XXV), Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations, UN Doc. A/RES/2625 (XXV), 24 October 1970 (https://www.legal-tools.org/doc/5039aa/).

5 See Declaration, *ibid*.

6 Convention (II) with Respect to the Laws and Customs of War on Land, 29 July 1899, Preamble (https://www.legal-tools.org/doc/7879ac/).

7 Statute of the International Criminal Court, 17 July 1998, Preamble ('ICC Statute') (https://www.legal-tools.org/doc/7b9af9/).

8 Charter of the International Military Tribunal, 8 August 1945, Article 6(c) (https://www.legal-tools.org/doc/64ffdd/).

9 Convention for the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954, Preamble (https://www.legal-tools.org/doc/r0zimj/).

10 In the sense of the "Area [that is, the "seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction"] and its resources are the common heritage of mankind", see UN Convention on the Law of the Sea, 10 December 1982, Preamble, Articles 1(1) and 136 (https://www.legal-tools.org/doc/c7b2bf/).

11 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 27 January 1967, Article I (https://www.legal-tools.org/doc/55930e/).

12 International Convention Between the United States of America, Canada and Japan for the High Seas Fisheries of the North Pacific Ocean, 9 May 1952, Preamble (https://www.legal-tools.org/doc/z7bvl2n4/). International environmental and disarmament law later uses the formulations 'in the interest of mankind as a whole' (see Madrid Protocol on Environmental Protection, 4 October 1991, Preamble (https://www.legal-tools.org/doc/d7cfbe/)) and 'for the sake of all mankind' (see Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 13 January 1993, Preamble ('Chemical Weapons Convention') (https://www.legal-tools.org/doc/fc1928/)).

13 Vienna Convention for the Protection of the Ozone Layer, 22 March 1985, Article 1(2) (https://www.legal-tools.org/doc/okwgrrbr/). Other formulations of utility include 'for the benefit of mankind' (Chemical Weapons Convention,

of utility. Other instruments invoke the risk of harm to humankind ("the dangers to mankind")[14] or that something is already "a common concern of humankind".[15]

A noteworthy aspect in the above instruments is the conceptual difference that is made between the humanness quality of 'humanity' (*die Menschlichkeit*) and the collectivity of 'humankind' or 'mankind' (*die Menschheit*). This distinction can be blurred by the dual use of 'humanity' in English to cover both, risking dilution of the focus on the well-being of the collectivity of humankind as a whole – or of the *Menschheit*, as German-speakers would say.

But the idea of *Menschheit* is universal rather than German. The Sanskrit maxim *vasudhaiva kuṭumbakam* [the entire world constitutes but a family] comes to mind.[16] While Cicero's *communis hostis omnium*[17] [common enemy of all] did not bring us all the way, his *societate humani generis*[18] [from the society of the human kind or humankind] aided Gentili and others in using the term *hostis humani generis* [enemy of the humankind] from the early 1600s.[19] *Humanum genus* – humankind – is less diffuse than *omnium* [of all], pointing to a 'kind' and kin, and inviting attention to humankind's existential predicament and interests. Elsewhere, Cicero writes of the *communi humanitatis corpore* [from the common body of humankind] that the cruelty of tyrants threatens.[20]

3. Humankind is More Than the International Community of States

Moreover, the distinction between 'humankind', on the one hand, and the 'international community' (or other communities *of states*), on the other, may be more consequential if the collectivity of 'humankind' is to crystallize into a collective of 'humankind'. Our brief seeks to give 'humankind' or the *Menschheit* a more articulated face, with clearer features of a community.

Controlling international law-making, national governments have for decades placed state interests at the heart of legal construction by treaty – more so than common interests of all humankind. From a historical perspective, declaring a defined seabed to be the 'common heritage of mankind'[21] could well reflect a sense of lack of good alternatives among the involved governments, and not just an expression of common sense. Part of the explanation is that governments have neither perceived 'humankind' as a sovereign nor a subject of international law. Rather, international law is seen as a law agreed between sovereign nations – or nations once led by sovereigns (many of whom only felt sovereign when they stepped away from empire), now mostly by governments (or government officials). Yet the UN Charter opens with a plural first person: "We the Peoples of the United Nations".[22] Speaking in the name of peoples while retaining states as legal agents of international law-making, the Charter invites affirmation of 'unity of humankind' discussed here.

Late Judge Cançado Trindade was of the view, resolute albeit somewhat alone, that humankind has "emerged as a subject of International Law": "We are here still in the first steps, and there remains of course a long way to go in order to attain a more perfected and improved system of legal representation of humankind in International Law, so that the rights recognized to it thus far can be properly vindicated on a widespread basis".[23] Or, as he warned in a famous judicial opinion: "To insist on pursuing a strictly inter-State approach in the relationships of responsibility leads to manifest injustice".[24] While it is useful to understand Cançado Trindade's thoughts on the centrality of 'humankind', our view that the value of 'unity of humankind' should be more clearly affirmed by international law does *not* depend on the construct that humankind is a formal subject of international law with legal personality of its own.

Rather, our concern here is the well-being (not rights) of humankind as a whole, such as our most basic needs for a functioning atmosphere, uncontaminated oceans that sustain marine life, pandemic prevention and relief, and a rudimentary level of concord among nations that reduces the chances of war, makes co-operation more effective, and deepens solidarity.[25]

Are these needs 'shared challenges', 'cross-border challenges' or 'transnational challenges'? The nation-state remains the yardstick for each of these three expressions, while the threats cannot be resolved by any one national government or state alone.[26] They are 'global challenges', more accurately understood as 'common challenges of humankind', if we adopt a "planetary perspective, one focused on all human beings, regardless of the countries they live in, and their relationships to one another and to the planet".[27]

It therefore matters whether we refer to humankind or communities of states when discussing value-recognition in international law. Humankind as a whole is the ultimate referent of certain legally-protected interests and the collectivity exposed to certain forms of global harm.[28] Far from being a radical proposition, this recognition simply adds realism to the discourse.[29]

To affirm the 'unity of humankind' is not to deny cultural differences; the richness and diversity of cultures is a thing to be cherished, not erased. Rather, the 'unity of mankind' refers to shared mutual responsibilities, without which cultural difference dissolves into antagonism and helplessness in the face of global problems.

4. 'Unites the Members of the Society of Nations'

We have seen (i) how 'humankind' is a collective of all human beings, not just a community of nation-states or an abstract normative quality of 'humanity' or 'human dignity'; (ii) how treaties have gradually come to speak not only of 'humanity', but of common heritage, province, inter-

Preamble, see *supra* note 12); 'the benefit of present and future generations of humankind' (UN Framework Convention on Climate Change, 9 May 1992, Article 3(1) ('UNFCCC') (https://www.legal-tools.org/doc/ack8zb/)); and, closely related, 'the crucial importance to humankind' (Cartagena Protocol on Biosafety, 29 January 2000, Preamble (https://www.legal-tools.org/doc/1xo0pt/)).

14 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, 18 May 1977, Preamble (https://www.legal-tools.org/doc/4c7c3d/) (see also "adversely affect natural ecosystems and humankind" in the UNFCCC, Preamble, see *supra* note 13).

15 See UNFCCC, Preamble, *supra* note 13; Convention on Biological Diversity, 5 June 1992, Preamble (https://www.legal-tools.org/doc/oqo8f4/); and Paris Agreement, 12 December 2015, Preamble (https://www.legal-tools.org/doc/034kqx/).

16 See Mahā Upaniṣad, VI.71–72 (translated by A.G. Krishna Warrier). It was adopted as the motto of India's G20 presidency in 2023.

17 Cicero (Marcus Tullius, 106–43 BC) argues that a pirate is "not included in the number of lawful enemies, but is the common enemy of all" [or "of everyone"] (*De Officiis* [*On Duties*], 44 BC, Book III, para. 107 (Loeb edition)). '*Hostis*' can also be abused in othering.

18 *Ibid*., Book I, para. 53.

19 Alberico Gentili (1552–1608), *De Iure Belli Libri Tres* [*Three Books on the Law of War*], 1598, translated by John C. Rolfe, Clarendon Press, Oxford, 1933, Book I, Chapter IV, p. 22: "Pirates are the common enemies of all mankind". The concept still underpins universal criminal jurisdiction.

20 Cicero, Book III, para. 32, see *supra* note 17.

21 As per *supra* note 10.

22 See UN Charter, *supra* note 2; see also the Universal Declaration of Human Rights, 10 December 1948 (https://www.legal-tools.org/doc/de5d83/) ("the peoples of the United Nations" in para. 5 and "Member States" in para. 6).

23 See Antônio Augusto Cançado Trindade, *International Law for Humankind: Towards a New Jus Gentium*, 3rd ed., Brill Nijhoff, Leiden, 2020, pp. 281, 287.

24 International Court of Justice ('ICJ'), *Jurisdictional Immunities of the State (Germany v. Italy; Greece intervening)*, Dissenting Opinion of Judge Cançado Trindade, 3 February 2012, ICJ Reports 2012, para. 179 (https://www.legal-tools.org/doc/0ef206/).

25 David Luban, "Responsibility to Humanity and Threats to Peace: An Essay on Sovereignty", in *Berkeley Journal of International Law*, 2020, vol. 38, pp. 201, 212 ff.

26 See Morten Bergsmo, Emiliano J. Buis and Song Tianying, "Protected Interests in International Criminal Law", in *id*. (eds.), *Philosophical Foundations of International Criminal Law: Legally-Protected Interests*, Torkel Opsahl Academic EPublisher, Brussels, 2022, pp. 50–51 (https://www.toaep.org/ps-pdf/36-bergsmo-buis-song/).

27 Anne-Marie Slaughter, "America must be serious about cross-border challenges", in *Financial Times*, 20 October 2022.

28 See Bruno Simma, "Preface", in Gentian Zyberi (ed.), *Protecting Community Interests Through International Law*, Intersentia, Antwerp, 2021, p. 1 ("the evolution of international law from the State-centred system […] towards one that is more focused on, and accounts better for, the interests of peoples or humanity as a whole").

29 See Georg Nolte, "The International Law Commission and Community Interests", in Eyal Benvenisti and Georg Nolte (eds.), *Community Interests Across International Law*, Oxford University Press, 2018, p. 101 ("community interests have never only been those of humanity as a whole", but also state self-interest).

est, concern and utility of – and dangers to – 'humankind'; and (iii) how 'international peace and security' and its siblings 'international co-operation' and 'friendly relations among nations' may be the most widely-recognized collective values protected by international law.

However, the obligations not to attack other states, but to co-operate and maintain friendly relations with them, do not adequately address common challenges of humankind, such as climate change affecting current and future generations,[30] vulnerability in the face of pandemic threats, growing fear of nuclear war, systemic risks associated with advanced artificial intelligence, and inefficient multilateral governance. These ills are fed by what sometimes appears as paralysis in inter-state diplomacy, with a chorus of national governments insisting that they are there to serve the national interest first – too often at the expense of humankind as a whole. Basic concord among nation-states is an interest, a concern, and of value to, all humankind. It was recognized already in 1899 that it is a "solidarity which unites the members of the society of […] nations".[31]

Further affirmation by international law of this collective value of concord or 'unity of humankind' reinforces – or strengthens the glue of – the closely-related values of 'international peace and security', 'co-operation' and 'friendly relations' among nations. Beyond cessation of hostilities and peace agreements, trade, and people-to-people relations, a higher level of trust or good faith among humankind's competing nations will facilitate more effective solving of severe environmental threats and other common problems through collective decision-making, action and mindedness. It places thinking, acting and having a disposition for all humankind at the forefront. Increased concord or unity among nations reduces the chances of war and enables more effective co-operation. These ideas are given particular focus in the collective efforts to repress core international crimes.

5. Affirmation of 'Unity of Humankind' in International Criminal Law

International criminal law has, since its inception, been inseparable from notions of 'humanity'. Notably, crimes against humanity constitute a core category of international crimes. It is against this background that Bergsmo, Buis and Song have described the value of 'unity of humankind' as an "overarching preambular value" of the Statute of the International Criminal Court ('ICC') as a matter of law.[32] They explain how it is contained in the first paragraph of the Preamble of the Statute,[33] citing the Triffterer and Ambos commentary: "references to 'common bonds' and 'shared heritage' – which resonate in different cultures around the world – recognize that humankind is essentially one" as a species, despite all divides and contention, and that the "enforcement of ICL through an international jurisdiction has the potential to contribute to the further unification of humankind by bringing peace through justice".[34]

While the preamble to a treaty "does not and should not have direct operative force", it "has effect as indicating the general purposes and spirit of the treaty, in the light of which the interpretation to be given to particular provisions may be considered"[35] – so "a preamble does have legal force and effect from the interpretative standpoint".[36] The general rule of treaty interpretation provides that the ordinary meaning of a term is determined in light of the object and purpose of the treaty,[37] thereby enabling judges to include "a reference to the purpose of the treaty" in their decisions.[38] "Especially with a treaty of a constitutional character", says *Oppenheim*, "it will often be appropriate to lay particular emphasis on the object and purpose of the treaty when interpreting its provisions".[39] We also note that the legal doctrine of effectiveness is "relative to the object and purpose of the treaty".[40]

Against this background, there is in our view already sufficient basis to justify increased references to 'unity of humankind' in the *obiter dicta* of judges,[41] statements by members of the UN International Law Commission,[42] international civil servants,[43] high officials of state, diplomats, authors and civil society actors. It should be a relevant factor in the "decision-making processes"[44] of ICC States Parties, for example, when they are acting in the context of the UN Security Council. It is among the interests that should 'influence' States Parties,[45] for whom the concern for 'unity of humankind' becomes integral to their sovereignty and state consent when accepting the ICC Statute.[46]

Such day-to-day practices of affirmation should grow. But the seriousness of present global challenges[47] also creates an expectation of further affirmation of the value of 'unity of humankind' in future declarations or treaties. The ongoing process to develop a crimes against

30 Inter-American Court of Human Rights, *Climate Emergency and Human Rights*, Advisory Opinion, AO-32/25, 29 May 2025, para. 311 (describes humankind as "a legal and moral community that endures over time") (https://www.legal-tools.org/doc/1ke15gx8/).

31 Convention (I) for the Pacific Settlement of International Disputes, 29 July 1899 (https://www.legal-tools.org/doc/b1e51f/).

32 See Bergsmo, Buis and Song, 2022, pp. 43–44, *supra* note 26.

33 It provides that States Parties are "[c]onscious that all peoples are united by common bonds, their cultures pieced together in a shared heritage, and concerned that this delicate mosaic may be shattered at any time", see ICC Statute, Preamble, *supra* note 7.

34 Kai Ambos, Morten Bergsmo and Otto Triffterer, "Preamble", in Kai Ambos (ed.), *Rome Statute of the International Criminal Court: Article-by-Article Commentary*, 4th ed., Beck/Hart/Nomos, Munich, 2022, p. 7.

35 Gerald Fitzmaurice, *The Law and Procedure of the International Court of Justice*, Volume 1, Grotius Publications, Cambridge, 1986, p. 51.

36 *Ibid*., p. 66, referring also to ICJ, *Asylum (Colombia v. Peru)*, Judgment, 20 November 1950, ICJ Reports 1950, p. 282 (https://www.legal-tools.org/doc/cb94fc/).

37 Vienna Convention on the Law of Treaties, 23 May 1969, Article 31(1) (https://www.legal-tools.org/doc/6bfcd4/).

38 Samantha Besson, "Community Interests in the Identification of International Law: With a Special Emphasis on Treaty Interpretation and Customary Law Identification", in Benvenisti and Nolte (eds.), 2018, p. 63, see *supra* note 29.

39 Robert Jennings and Arthur Watts (eds.), *Oppenheim's International Law*, Volume I: Peace, Parts 2 to 4, 9th ed., Longman, Harlow, 1992, p. 1273 (attributing to States Parties "the more general intention to secure the object and purpose of the treaty as effectively as possible in the light of circumstances as they develop over time").

40 *Ibid*., p. 1281.

41 "[I]nternational adjudicators are institutionally inclined and relatively well positioned to promote community interests, and therefore to act as trustees of humanity", see Eyal Benvenisti, "Community Interests in International Adjudication", in Benvenisti and Nolte (eds.), 2018, p. 71, *supra* note 29 ("Being in such a privileged position to develop and stabilize global expectations imposes a heavy moral responsibility upon international adjudicators"; "international courts are inherently attuned to take community interests into account and promote community interests where states fail" (*id*., p. 72)). See also Christina Voigt, "Delineating the Common Interest in International Law", in Wolfgang Benedek *et al*. (eds.), *The Common Interest in International Law*, Intersentia, Antwerp, 2014, p. 25 ("Judges and arbitrators can – under certain circumstances – better defend long-term, common and global interests against the short-sighted sovereign interests often pursued by states in treaty negotiations").

42 Nolte recognizes that the Commission, "[s]ince its inception, […] has articulated community interests and formulated corresponding primary community obligations", "doing so in a way which reassures states that the traditional inter-state paradigm remains untouched", see Nolte, 2018, pp. 110, 116, *supra* note 29.

43 See Jan Klabbers, "What Role for International Organizations in the Promotion of Community Interests? Reflections on the Ideology of Functionalism", in Benvenisti and Nolte (eds.), 2018, pp. 89, 92–94, *supra* note 29 (international organizations help "to shape the perception that something is, or is not, a community interest" as they "benefit from the circumstance that they are the *agorae* of the global community"; they "can contribute to the community interest in that they help to formulate how the community interest should be understood").

44 Eyal Benvenisti and Georg Nolte, "Introduction", in Benvenisti and Nolte (eds.), 2018, p. 7, see *supra* note 29.

45 Wolfrum mentions how community interests can 'govern' or 'influence' the management of issues, see Rüdiger Wolfrum, "Identifying Community Interests in International Law", in Benvenisti and Nolte (eds.), 2018, p. 19, *supra* note 29.

46 We are therefore not dealing with "top-down identification" of a new community interest without basis in existing treaty law, with its associated "risks of inequality, parochialism, and hegemony" mentioned by Samantha Besson (see her "Community Interests in International Law: Whose Interests Are They and How Should We Best Identify Them?", in Benvenisti and Nolte (eds.), 2018, p. 48, *supra* note 29).

47 One of these challenges was described by the International Court of Justice as "an existential problem of planetary proportions that imperils all forms of life and the very health of our planet", see its *Obligations of States in Respect of Climate Change*, Advisory Opinion, 23 July 2025, para. 456 (https://www.legal-tools.org/doc/ie9pn284/).

humanity convention offers one such opportunity.[48]

6. The Draft Convention on Crimes Against Humanity

The preamble of the draft convention recognizes in its second paragraph "that crimes against humanity threaten the peace, security and well-being of the world".[49] The words "threaten the peace, security and well-being of the world" mirror the third preambular paragraph of the 1998 Statute of the International Criminal Court. It "echoes the purposes set forth in Article 1 of the Charter of the United Nations, and stresses the link between the pursuit of criminal justice and the maintenance of peace and security", in the words of the International Law Commission.[50]

While keeping the language of the draft paragraph as it stands, five words could be added at its end: "the peace, security and well-being of the world *and the unity of humankind*" (addition in italics). This would preserve the term "the world" which encompasses, beyond humankind, harm to the natural environment more broadly. It preserves the formula of "well-being" of the world, which emphasizes "not only the narrow security of people, but the distribution of basic conditions for their well-being, especially minimum guarantees for the existence of human life".[51] And it retains the foundational UN values of "peace" and "security".[52]

There is an alternative formulation for those who may consider the values of 'peace' and 'security' more applicable to humankind than to "the world" or the natural environment more broadly (which the current wording "peace, security and well-being of the world" implies). The UN Charter speaks of "international peace and security".[53] 'Peace and security of humankind' would seem to correspond more closely to the wording of the Charter than 'peace and security of the world'. Indeed, the International Law Commission describes crimes against humanity as "egregious attacks on humankind itself"[54] – the new convention may also protect the conditions of coexistence among human groups. An alternative formulation for actors with such concerns may therefore be "the peace, security and unity of humankind, and well-being of the world". It preserves all elements of the existing second preambular paragraph of the draft convention, while including the value of 'unity of humankind' and clarifying that 'peace' and 'security' are values of humankind, not of animals or other non-human aspects of nature (which remain covered by "well-being of the world").

7. A Normative Horizon in Sobering Times

Our times make us realistic about the short-term impact of such a reference to 'unity of humankind' in the preamble of the crimes against humanity convention. International (criminal) law is only one arena among several where humankind's or the planetary interest can be furthered.[55] But more than 106 years have now passed since the League Covenant recognized the basic value of 'international peace and security'. And more than 125 years have passed since Hague Convention I recognized "the solidarity[56] which unites the members of the society of […] nations".[57] The idea of unity of nations is, in other words, far from new.[58]

The value of 'unity of humankind' offers a normative horizon that takes us beyond cessation of hostilities or mere absence of war, international trade and co-operation, and friendly people-to-people relations, to a deeper sense of belonging, trust or good faith among humankind's competing nations. It widens the basis for decision-making and action as it speaks to the growing needs of people everywhere for security, stability and prosperity. Reference to and increased international law affirmation of this value will encourage those who seek to think and act for humankind as a whole, as a step on the path of "constructing humanity".[59]

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ISBN: *978-82-8348-300-0.*
TOAEP-PURL: *https://www.toaep.org/pbs-pdf/200-uohk/.*
LTD-PURL: *https://www.legal-tools.org/doc/skfqcb65/.*
Date of publication: *15 October 2026.*

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[48] See Preparatory Committee for the United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity, Summary of the Proceedings of the Preparatory Committee [First Session], New York, 19–30 January 2026, UN Doc. A/AC.300/2026/1, 2 February 2026 (https://www.legal-tools.org/doc/iqqn435h/).

[49] See International Law Commission, Draft articles on Prevention and Punishment of Crimes Against Humanity, with commentaries, UN Doc. A/74/10, 5 August 2019 (https://www.legal-tools.org/doc/98iys3/).

[50] *Ibid*., p. 24.

[51] Ambos, Bergsmo and Triffterer, 2022, p. 9, see *supra* note 34.

[52] These "two values are well known and expressly recognized by the UN Charter. They appear there more than twenty times and have featured prominently in the different ILC Draft Codes of Crimes (formerly: Offences) against the Peace and Security of Mankind", see *ibid*. (footnote omitted).

[53] See, for example, UN Charter, Article 1(1), *supra* note 2: "The Purposes of the United Nations are: (1) To maintain international peace and security […]".

[54] International Law Commission, p. 24, see *supra* note 49: When acts "that deeply shock the conscience of humanity […], because of their gravity, constitute egregious attacks on humankind itself, they are referred to as crimes against humanity".

[55] The second edition of *Philosophical Foundations of International Criminal Law: Legally-Protected Interests* (*supra* note 26) will include reflections on affective categories that underpin or motivate an enhanced socio-political condition of 'unity of humankind', such as 'solidarity', '*caritas*' and belief in the 'oneness of mankind'.

[56] See Chapter 4 in the anthology: Ioanna N. Anastasopoulou, "Legal Goods in International Criminal Law", in Bergsmo, Buis and Song (eds.), 2022, pp. 117–138, *supra* note 26 (https://www.legal-tools.org/doc/0s9njp/).

[57] See *supra* note 31.

[58] As Fénelon wrote more than 300 years ago: "A people is no less a member of the human race [*du genre humain*], which is society as a whole [*la société générale*], than a family is a member of a particular nation. Each individual owes incomparably more to the human race, which is the great fatherland [*la grande patrie*], than to the particular country into which he was born", see François Fénelon, *Dialogues des morts*, also cited in Paul Hazard, *The Crisis of the European Mind: 1680–1715*, translated by J. Lewis May, New York Review Books, 2013, pp. 282–283 (square brackets added).

[59] See David Luban, *Powers of Judgment: Hannah Arendt's Moral and Legal Philosophy*, Cambridge University Press, 2026, p. 262.

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