

Japan believes that it is important to give appropriate consideration to the circumstances of each country in order to accommodate a greater number of countries.

- In this regard, in the ILC discussion on Article 6, the opinion was expressed that there is no customary international law that obliges States to penalize crimes, so the text should be written in an advisory way.
- In addition, the text of paragraph 2 of the article 16 of the UNCAC, to which 189 States and regions are Parties, States that each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, may be helpful.
- It is also possible that a government might wish to clarify that it is sufficient to ensure the criminalization of acts that fall under the laws of each country, rather than requiring that each crime be newly defined as an independent crime in the laws of the State.

humanity, or criminalized under domestic criminal law in

some cases, they should be included in the measures referred to here, provided that they are punished by extradition to the ICC

- Additionally, Japan sees the meaning of "under its Criminal law" as being not limited to the Penal Code, but rather criminal law with a broad range of penal provisions.

6, there are examples of multifaceted wording, and Japan believes that it is necessary to consider whether or not these are acceptable. We would like to hear from any other countries that have specific ideas on possible actions.

- With respect to paragraph 3 of the article 6, requires a cause and effect relationship between one's own acts or omissions in order to impose criminal liability. Therefore, Japan believes that "as a result of" should be added before "did not take all necessary and reasonable measures" to clarify the requirement of a cause and effect relationship.
- Furthermore, "where appropriate" should be added after "to punish the persons responsible" in order to allow for appropriate measures according to the

circumstances of each country.

- However, we would like to add that it may be acceptable in ~~the~~ ^{some} cases.