



PERMANENT MISSION OF ROMANIA
TO THE UNITED NATIONS

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The 77th Session of the General Assembly

Resumed Session of the Sixth Committee

Agenda item 78 ‘Crimes against humanity’

Cluster I - Introductory provisions (preamble and Article 1)

Statement delivered by Ms. Alis Lungu, Legal Adviser
Permanent Mission of Romania to the United Nations

New York, 10 April 2023

MadamChar,

Romania fully aligns wit

In our view, it is important to recall the peremptory character of the prohibition of crimes against humanity, as well as the duty of every State to exercise its domestic criminal jurisdiction in respect to crimes against humanity.

We equally welcome the reference to the relevant article of the Rome Statute of the International Criminal Court, as we have consistently supported a coherent approach with regard to the definition of these crimes.

Draft Article 1

The first draft article is straightforward. It outlines the scope of the draft articles by clarifying that they cover both the prevention and the punishment of crimes against humanity.

The formulation of this draft article, as well as the ILC commentaries further indicate the limited material scope of the draft articles, in the sense that they do not address other serious international crimes, such as genocide, war crimes or the crime of aggression.

Although the scope of the draft articles can be deduced both from the title of the draft preamble, we do not see this provision as superfluous. To the contrary, its clarity and brevity could potentially add to the overall acceptability of a future agreement.

We have already heard interesting reflections on the introductory provisions and we look forward to the informal discussions that will follow.

I thank you!