



PERMANENT MISSION OF ROMANIA
TO THE UNITED NATIONS

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The 78th Session of the General Assembly

Resumed Session of the Sixth Committee

Agenda item 80 “Crimes against humanity”

The recommendation of the International Law Commission

Statement delivered by Ms. Alis Lungu, Legal Adviser

Permanent Mission of Romania to the United Nations

New York, 4 April 2024

Mister Chair,

Romania fully aligns with the statement delivered on behalf of the European Union and its Member States and would like to add the following remarks in its national capacity.

The International Law Commission (ILC) has completed its work on the topic „Crimes against humanity” in 2019 and has provided us with a clear recommendation: to elaborate a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles on the prevention and punishment of crimes against humanity.

The time that has elapsed since the ILC made its recommendation has not altered its relevance or urgency. A global convention dedicated to the prevention and punishment of crimes against humanity still represents a key missing piece in the current international law framework.

Romania continues to strongly support the development of the ILC draft articles into an international treaty with universal vocation and we believe the articles are a great starting point for negotiations.

We are convinced of the need to adopt a coherent approach in relation to all atrocity crimes to ensure that no fragmentation occurs. In addition, a dedicated international legal instrument would provide a legal framework to encourage national-level prosecutions and would constitute a strong basis for inter-state cooperation.

The ILC has been very clear since the outset on what it intends to do with this project. The Commission has identified a gap in the international law framework and set out to fill it, in accordance with its mandate to promote the progressive development of international law and its codification. The reactions that the ILC received from Governments at the time were very positive.

Delegations have had time to engage with the ILC in its deliberations since 2014 and in turn the Commission has sought to deliver a widely accepted product and has achieved that goal.

The current process moved the deliberations forward because it ensured robust participation from UN delegations and has created a unique positive momentum. It is now up to us to make good use of these valuable exchanges and deliver on our mandate by making a decision to go forward into the negotiation phase.

Thank you!