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The 78th Session of the General Assembly

Resumed Session of the Sixth Committee

Agenda item 80 'Crimes against humanity'
Cluster III - National measures (Articles 6, 7, 8, 9 and 10)

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

New York, 2 April 2024

Madam 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.

As agreed for the purposes of our substantive discussions, we will tackle the questions falling under Cluster II, namely national measures (articles 6-10).

Draft article 6

Draft article 6 is the establishment of obligations against the State to enact the appropriate criminal legislation which allows for the establishment and exercise of jurisdiction over the alleged offenders, as well as for the provision for appropriate penalties.

The first paragraph establishes three forms of national jurisdiction, based on the principles of territoriality, active personality and passive personality. The third one is, in our view, optional, considering the wordingsed