



*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 the definition of crimes against humanity and general obligations (Articles 2, 3 and 4).

**Draft article 2**

Romania welcomes the approach of the Commission not to deparng und deparng und deparng undo7rr1 103.

We welcome the clarification provided in paragraph 2, according to which crimes against humanity are offences under international law, irrespective of being committed in an armed conflict or during peacetime. The qualification of a crime as “*crime against humanity*” should indeed not be conditional upon the existence of an armed conflict, since the conduct constituting that type of crime does occur in times of peace as well.

We also support the inclusion of a clause stating that no exceptional circumstances whatsoever may be invoked as a justification of crimes against humanity.

#### **Draft article 4**

Draft Article 4 is an important pillar of the text, as it builds upon the obligation to prevent the commission of crimes against humanity.

The preventive objective could be attained in two ways: internally, through specific measures (effective legislative, administrative, judicial or other appropriate preventive measures in any territory under a State’s jurisdiction