

**Statement on behalf of the European Union and its Member States
by Ms. Simona Popan, Counsellor, Delegation of the European Union to the United
Nations**

at the Resumed Sixth Committee Session

"Crimes against humanity"

pain on civilian populations. There is, therefore, an important normative gap in international treaty law that should be filled.

A convention will undoubtedly strengthen prevention and punishment at national level. It will also promote inter-state cooperation in the investigation and punishment of perpetrators of crimes against humanity.

unpunished. This is underscored by the fact that prohibition of crimes against humanity is a peremptory norm of international law, as clarified by the ILC in its work on *jus cogens*, and by the preamble.

It is the duty of every State to exercise its domestic criminal jurisdiction over those responsible for international crimes, including crimes against humanity. This is a reflection of the well-established principle that protection of population lies primarily with each individual State.

The definition contained in Article 7 of the Rome Statute¹⁴ is a model for the definition retained in these draft articles. However, being a State Party to the Rome Statute is not a pre-condition for adhering to a convention on crimes against humanity.

[Article 1 Scope]

Mr./Madam Chair,

We would like to take this occasion to honor the legacy of Ben Ferencz, the last living Nuremberg prosecutor, who died last Friday. He was a tireless fighter against impunity for atrocity crimes and spent his life trying to get a more humane world.

I thank you.