

DECLARATION OF INTERVENTION OF THE
GOVERNMENT OF ROMANIA

IN THE CASE CONCERNING

*ALLEGATIONS OF GENOCIDE UNDER THE CONVENTION
ON THE PREVENTION AND PUNISHMENT OF THE CRIME
OF GENOCIDE (UKRAINE V. RUSSIAN FEDERATION)*

PURSUANT TO ARTICLE 63 PARAGRAPH 2 OF THE
STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

To the Registrar, International Court of Justice, the undersigned being duly authorized by the Government of Romania,

1. On behalf of the Government of Romania, I have the honour to submit to the Court a Declaration of Intervention pursuant to Article 63, paragraph 2, of the Statute of the Court in the Case concerning *The Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*.
2. Article 82, paragraph 2, of the Rules of the Court provides that a declaration of a State's desire to avail itself of the right of intervention conferred upon it by Article 63 of the Statute shall specify the case and the convention to which it relates and shall contain:
 - (a) particulars of the basis on which the declarant State considers itself a party to the convention;
 - (b) identification of the particular provisions of the convention the construction of which it considers to be in question;
 - (c) a statement of the construction of those provisions for which it contends;
 - (d) a list of documents in support, which documents shall be attached.
3. Those matters are addressed below, following a set of preliminary observations.

PRELIMINARY OBSERVATIONS

4. On 26 February 2022, Ukraine instituted proceedings against the Russian Federation in a dispute concerning the interpretation, application or fulfilment of the Convention on the Prevention and Punishment of the Crime of Genocide (the "Genocide Convention").
5. In its Application instituting proceedings, Ukraine contends that there is a dispute between Ukraine and the Russian Federation within the meaning of Article IX relating to the interpretation, application or fulfilment of the Genocide Convention, emphasizing that "(...) Ukraine and Russia hold opposite views on whether genocide has been committed in Ukraine, and whether Article I of the Convention provides a basis for Russia to use military force against Ukraine to "prevent and to punish" this alleged genocide".¹
6. Further, Ukraine claims that the use of force by the Russian Federation in or against Ukraine since 24 February 2022 on the basis of false claim of genocide and the

¹ Paragraphs 7 and 11 of Ukraine's Application instituting proceedings against Russian Federation in the case *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide*.

recognition that preceded the use of force are incompatible with the Convention, in view of Articles I-III thereof.²

7. On 7 March 2022, the Russian Federation sent a document to the Registrar of the Court setting out its position in respect of the jurisdiction of the Court, claiming that it lacks jurisdiction and asking for the removal of the case from the list.

8. Together with the Application, Ukraine submitted a Request for the indication of provisional measures on the basis of Article 41 of the Statute of the Court. Following this request, on 16 March 2022 the Court issued an Order indicating the following provisional measures:

- (1) *the Russian Federation shall immediately suspend the military operation that it commenced on 24 February 2022 in the territory of Ukraine;*
- (2) *the Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and person which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in points (1) above; and*
- (3) *both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.*

9. On 30 March 2022, as contemplated by Article 63, paragraph 1, of the Statute of the Court, the Registrar duly notified Romania as a party to the Genocide Convention that, by Ukraine's application, the Genocide Convention

*is invoked both as a basis for the Court's jurisdiction and the substantive basis of [Ukraine's] claims on the merits. In particular the Applicant seeks to found the Court's jurisdiction on the compromissory clause contained in Article IX of the Genocide Convention, asks the Court to declare that it has not committed a genocide as defined in Articles II and III of the Convention, and raises questions concerning the scope of the duty to prevent and punish genocide under Article I of the Convention. It therefore appears that the construction of [the Genocide Convention] will be in question in this case.*³

BASIS ON WHICH ROMANIA IS A PARTY TO THE CONVENTION

10. Romania acceded to the Convention on 2 November 1950, by depositing the instrument of accession in accordance with Article XI, paragraph 4, of the Convention.

² Idem., paragraphs 26-29.

³ Letter of the Registrar of the Court of 30 March 2022 (Annex 1).

SCOPE OF ROMANIA'S INTERVENTION

11. Romania considers that the Genocide Convention is an instrument of utmost importance in the global effort to prevent and punish genocide, the prohibition against genocide being a *jus cogens* norm. In the face of the facts, the issues of interpretation that this case raises are of great relevance, the rights and obligations it enshrines having an *erga omnes* value, as determined by the Court itself.⁴
12. Following this assessment, Romania has taken the decision to intervene as a non-party in this case, on the basis of Article 63, paragraph 2, of the Statute.
13. Consistent with the interpretation given by the Court, according to which
*(...) intervention under Art. 63 of the Statute is limited to submitting observations on the construction of the convention in question and does not allow the intervenor, which does not become a party to the proceedings, to deal with any other aspect of the case before the Court; and whereas such intervention cannot affect the equality of the Parties to the dispute.*⁵

the scope of Romania's intervention is limited to issues pertaining to the construction of the Convention arising in the context of the present case. For this purpose, an interpretation of the relevant Articles of the Genocide Convention in line with customary rules of interpretation as reflected in Article 31 of the *Vienna Convention on the Law of Treaties* will be provided.

14. In the Order on Provisional Measures, the Court, after assessing the positions of the Parties, determined that:
*[t]he statements made by the State organs and senior officials of the Parties indicate a divergence of views as to whether certain acts allegedly committed by Ukraine in the Luhansk and Donetsk regions amount to genocide in violation of its obligations under the Genocide Convention, as well as whether the use of force by the Russian Federation for the stated purpose of preventing and punishing alleged genocide is a measure that can be taken in fulfilment of the obligation to prevent and punish genocide contained in Article I of the Convention (...).*⁶
15. Therefore, the situation under scrutiny requires a proper interpretation of the scope of the following obligations under the Genocide Convention:

⁴ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Bosnia and Herzegovina v. Serbia and Montenegro), Preliminary Objections, Judgment, I.C.J. Reports 1996, paragraph 31.

⁵ *Whaling in the Antarctic (Australia vs. Japan)*, Declaration of intervention of New Zealand, Order of 6 February 2013, I.C.J. Reports 2013, paragraph 18.

⁶ Order of the I.C.J. of 16 March 2022, paragraph 45.

- a) The obligation under Article IX of the Convention to submit to the Court *disputes relating to the interpretation, application or fulfilment of the Convention*.
 - b) The obligation under Article I of the Convention *to prevent and punish the crime of genocide*, which entails also the interpretation of Articles II, III and VIII of the Convention.
16. By filing this declaration of intervention, Romania does not seek to become a party to the proceedings and accepts that the construction of the Genocide Convention as given by the judgment of the Court will be equally binding upon it.
17. Finally, Romania points out that its intervention is filed in due time, in observance of Article 82 of the Rules of the Court.

STATEMENT OF THE CONSTRUCTION OF THE PROVISIONS OF THE GENOCIDE CONVENTION FOR WHICH ROMANIA CONTENTS

General observations

18. One of the fundamental principles of international law as included in the *UN Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations*⁷ and in the *Helsinki Final Act (1975)*, but also in the *Vienna Convention on the Law of Treaties*⁸ (1969) is the *pacta sunt servanda* principle which requires, *inter alia*, every State "to fulfil in good faith its obligations under international agreements valid under the generally recognized principles and rules of international law"⁹ and in conformity with the UN Charter.
19. According to the general rules of treaty interpretation as codified in the *Vienna Convention on the Law of Treaties* (1969),
*a treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.*¹⁰
20. Therefore, a State has the duty to perform in good faith the international obligations it has under the treaties to which it is a party and, for the purposes of performance, the duty to

⁷ UN General Assembly, *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations*, 24 October 1970, A/RES/2625(XXV), available at: <https://www.refworld.org/docid/3dda1f104.html> [accessed 3 August 2022].

⁸ Article 26.

⁹ *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations*.

¹⁰ Article 31, paragraph 1.

interpret those treaties in good faith in line with their object and purpose. The duty to perform a treaty in good faith implies that a State must abstain from actions that would frustrate the object and purpose of the treaty or would prevent their realization.¹¹

21. The object and purpose of the Genocide Convention is to condemn and prevent genocide – “an odious scourge”¹² – including through international cooperation. The Court has considered extensively the object of the mentioned Convention in its *Advisory Opinion on Reservations to the Genocide Convention* acknowledging that

*[t]he Convention was manifestly adopted for a purely humanitarian and civilizing purpose. It is indeed difficult to imagine a convention that might have this dual character to a greater degree, since its object on the one hand is to safeguard the very existence of certain human groups and on the other to confirm and endorse the most elementary principles of morality. In such a convention the contracting States do not have any interests of their own; they merely have, one and all, a common interest, namely, the accomplishment of those high purposes which are the raison d'être of the convention. Consequently, in a convention of this type one cannot speak of individual advantages or disadvantages to States, or of the maintenance of a perfect contractual balance between rights and duties. The high ideals which inspired the Convention provide, by virtue of the common will of the parties, the foundation and measure of all its provisions.*¹³

22. As further underpinned in this Advisory Opinion, the principles underlying the convention represent customary international law, while the prohibition on the commission of genocide is recognized as a peremptory norm.¹⁴ However, in the accomplishment of the high purposes which define the object of the Convention, the Contracting States must act in good faith and in compliance with the UN Charter and other principles and rules of international law.

Article IX

23. The case has been brought before the Court on the basis of Article IX of the Genocide Convention which includes a compromissory clause, with the following content:

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in

¹¹ See the Yearbook of the International Law Commission, 1996, Vol II, paragraph 4 and *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)*, Judgment, I.C.J. Reports 1997, p. 7 paragraph 142.

¹² Preamble of the Genocide Convention.

¹³ *Reservations to the Convention on Genocide*, Advisory Opinion: I.C. J. Reports 19-51, p. 15, at p. 23.

¹⁴ *Id.*

Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

24. On the basis of this Article, the Contracting States which have not formulated reservations have consented to settle through the International Court of Justice all disputes between themselves concerning “*the interpretation, application or fulfillment*” of the Genocide Convention.
25. The notion of “dispute” has been extensively analyzed in the jurisprudence of the Court, being established that it implies “*a disagreement on a point of law or fact, a conflict of legal views or of interests*”¹⁵ between the Parties, provided that it is “*shown that the claim of one party is positively opposed by the other*”.¹⁶ The Court further determined that “*in case the respondent has failed to reply to the applicant’s claims, it may be inferred from this silence, in certain circumstances, that it rejects those claims and that, therefore, a dispute exists*”.¹⁷
26. Furthermore, in making a determination on the existence of a dispute and in isolating the real issue in the case and identifying the object of the claim,¹⁸ the Court refers to the date on which the application was submitted to the Court, but also to the conduct of the Parties subsequent to the application, paying special attention to the author of the statement or document, their intended or actual addressee and their content.¹⁹
27. In order for the Court to have jurisdiction over a dispute on the basis of Article IX, the dispute must concern an issue of interpretation, application or fulfillment of the Convention. Therefore, there must be a link between the dispute and the subject matter of the Convention.
28. However such a link would exist even if the Court is not necessarily called to determine the actual commission of acts of genocide, but *the non-existence* of such acts.
29. Indeed, the interpretation of the compromissory clause indicates that the jurisdiction of the Court is incidental over the question *whether genocidal acts have occurred or not*.²⁰ On this basis, the jurisdiction of the Court cannot be rejected on the simple argument that

¹⁵ *Mavrommatis Palestine Concessions*, Judgment No. 2, 1924, P.C.I.J., Series A, No. 2, p. 11.

¹⁶ *South West Africa (Ethiopia v. South Africa; Liberia v. South Africa)*, Preliminary Objections, Judgment of 21 December 1962, I.C.J. Reports 1962, p. 319, at p. 328.

¹⁷ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, Judgment of 22 July 2022, p. 27, paragraph 71.

¹⁸ *Nuclear Tests (New Zealand v. France)*, Judgment, I.C.J. Reports 1974, p. 466, paragraph 30.

¹⁹ Id. p. 25, paragraph 64 and the jurisprudence cited therein.

²⁰ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, Order of 23 January 2020, I.C.J. Reports 2020, p. 14, paragraph 30.

it is founded on the request from the applicant to determine that it *has not* committed genocidal acts and that it fulfilled the obligations under the Convention in good faith. An interpretation to the contrary would deprive the Contracting Parties of the possibility to peacefully settle the disputes through the prescribed mechanism in cases when there are conflicting legal arguments concerning what is the acceptable conduct in the good faith fulfillment of the obligations under the Convention, in view of its object and purpose.

30. Moreover, the language of this clause indicates that *any party* to the dispute may submit the case to the Court for the purposes of its settlement. This formulation implies that the jurisdiction of the Court could not be negated on the argument that the Court has been called to find that the applicant has not breached the provisions of the Convention contrary to the allegations of the respondent.

31. One other aspect that would fall under the *ratione materiae* jurisdiction of the Court concerns the dispute over the interpretation of the scope of the duty to *prevent and punish* the acts of genocide as envisaged in Article I of the Convention and more specifically whether the use of force contrary to international law would be an acceptable conduct for that purpose.

32. It can also be that a dispute falls within the scope of more than one treaty, in which case the dispute can be entertained if it falls in at least the ambit of one treaty in relation to which jurisdiction *ratione materiae* can be established.²¹

Article I (with reference to Articles II, III and VIII)

33. On the basis of Article I, the Contracting Parties undertake the obligation to *prevent and punish* the crime of genocide, whether committed in times of peace or of war.

34. Article I includes two different types of obligations: *the obligation to prevent* and *the obligation to punish*.

35. The obligation to prevent implies a *duty of conduct* (and not of result) of the Contracting Parties to use "all means reasonably available to them, so as to prevent genocide so far as possible".²² This in turn implies that on the basis of Article I a Contracting State cannot act beyond the limits permitted by international law.²³

²¹ See for instance the *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 70 at p. 120 (paragraph 113).

²² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, I.C.J. Reports 2007, p. 43, at p. 221 (paragraph 430).

²³ *Id.*

36. Article I places on the Contracting States a positive obligation of *due diligence* which must be performed in good faith, consistent with the object and purpose of the Convention, that is with the aim of preventing genocide.

37. As acknowledged by the Court,

*[a] State's obligation to prevent, and the corresponding duty to act, arise at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed. From that moment onwards, if the State has available to it means likely to have a deterrent effect on those suspected of preparing genocide, or reasonably suspected of harbouring specific intent (dolus specialis), it is under a duty to make such use of these means as the circumstances permit.*²⁴

38. The duty of a Contracting State to act to prevent genocide arises only when there is a proper determination that, in the face of the facts, there is a serious risk of *genocide*, as defined in Articles II and III of the Convention. Therefore, the determination of the risk of, or occurrence of genocide cannot be of an arbitrary nature or subjective, but rather the criteria specified in the Convention must be satisfied on the facts.

39. The Court addressed the issue of the standard of proof in the context of the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide Case*, emphasizing that it

*(...) has long recognized that claims against a State involving charges of exceptional gravity must be proved by evidence that is fully conclusive (cf. Corfu Channel (United Kingdom v. Albania), Judgment, I.C.J. Reports 1949, p. 17). The Court requires that it be fully convinced that allegations made in the proceedings, that the crime of genocide or the other acts enumerated in Article III have been committed, have been clearly established. The same standard applies to the proof of attribution for such acts.*²⁵

40. Therefore, when defending its actions on the basis of Article I, a Contracting State must be able to prove the risk of, or the commission of the genocide, within the meaning of Articles II and III of the Convention at the standard of proof established by the Court, on the basis of evidence that is fully conclusive. One good practice to that end is reliance on "reports from official or independent bodies, giving accounts of relevant events",²⁶ which includes reports produced under UN auspices.

²⁴ Id.

²⁵ Id., paragraph 209.

²⁶ Id., paragraph 227.

41. Thus, the correct construction of Article I implies that a Contracting State can only act in performance of the duty to prevent genocide only after having determined in a clear way, on the basis of sufficient and fully conclusive evidence, from reliable and independent sources, that genocide, within the meaning of Articles II and III of the Convention, is or is about to occur.
42. Once such a determination is made, the duty of the Contracting States to act to prevent genocide arises, as an obligation of means. Such actions must be limited to what is permitted under international law and cannot themselves constitute violations of the Convention.
43. Thus, the correct construction of Article I implies that in the performance of the obligation to prevent genocide a Contracting State cannot act beyond the limits of international law, meaning that, as a matter of fact, it cannot use force in violation of Article 2, paragraph 4, of the UN Charter or take such actions as to deprive a Contracting State of sovereign rights over its territory (in part or in full).
44. Article VIII of the Convention comes as a concretization of the established purpose of the Convention to “liberate mankind” of genocide through international cooperation and collective action rather than through unilateral enforcement. Under Article VIII, any Contracting Party acting in fulfilment of its duty to prevent genocide may call upon UN to act, in conformity with UN Charter, to prevent or suppress genocide.
45. In what concerns the *obligation to punish* in Article I of the Convention, this obligation is limited to punitive measures of a criminal law character directed against individuals, as confirmed by Articles IV-VI of the Convention. It implies the obligation of Contracting States to criminalize genocide in the national legislation and create conditions for the domestic criminal justice system to punish genocide by individual perpetrators. Such an obligation could be fulfilled also by recourse to an international criminal tribunal/mechanisms in place which would have jurisdiction over the crime of genocide as defined in Articles II and III of the Convention.

DOCUMENTS IN SUPPORT OF THE DECLARATION

46. The following is a list of the documents in support of this Declaration, which documents are attached hereto:
 - (a) Circular Letter from the Registrar of the International Court of Justice to the States parties to the Genocide Convention (30 March 2022);

(b) Instrument of accession by Romania to the Genocide Convention.

CONCLUSION

47. On the basis of the information set out above, Romania avails itself of the right conferred upon it by Article 63, paragraph 2, of the Statute to intervene as a non-party in the proceedings brought by Ukraine against the Russian Federation in this case. Romania reserves the right to supplement or amend this Declaration, and any associated Written Observations submitted with respect to it, as it considers necessary in response to any developments in the proceedings.
48. The Government of Romania has appointed the undersigned, Dr. Bogdan Aurescu, Minister of Foreign Affairs, member of the UN International Law Commission, Professor of International Law, Law School, University of Bucharest, as Agent for the purposes of this Declaration. The Registrar of the Court may channel all communication at the following address:

Embassy of Romania
Catsheuvel 55
2517 KA The Hague
Kingdom of the Netherlands

Respectfully,


Bogdan Aurescu
Agent of the Government of Romania



156413

30 March 2022

Excellency,

I have the honour to refer to my letter (No. 156253) dated 2 March 2022 informing your Government that, on 26 February 2022, Ukraine filed in the Registry of the Court an Application instituting proceedings against the Republic of the Russian Federation in the case concerning Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation). A copy of the Application was appended to that letter. The text of the Application is also available on the website of the Court (www.icj-cij.org).

Article 63, paragraph 1, of the Statute of the Court provides that:

[w]henever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar shall notify all such States forthwith”.

Further, under Article 43, paragraph 1, of the Rules of Court:

“Whenever the construction of a convention to which States other than those concerned in the case are parties may be in question within the meaning of Article 63, paragraph 1, of the Statute, the Court shall consider what directions shall be given to the Registrar in the matter.”

On the instructions of the Court, given in accordance with the said provision of the Rules of Court, I have the honour to notify your Government of the following.

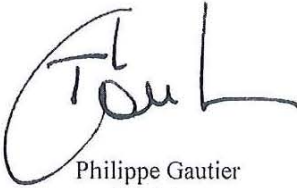
In the above-mentioned Application, the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (hereinafter the “Genocide Convention”) is invoked both as a basis of the Court’s jurisdiction and as a substantive basis of the Applicant’s claims on the merits. In particular, the Applicant seeks to found the Court’s jurisdiction on the compromissory clause contained in Article IX of the Genocide Convention, asks the Court to declare that it has not committed a genocide as defined in Articles II and III of the Convention, and raises questions concerning the scope of the duty to prevent and punish genocide under Article I of the Convention. It therefore appears that the construction of this instrument will be in question in the case.

J.

[Letter to the States parties to the Genocide Convention
(except Ukraine and the Russian Federation)]

Your country is included in the list of parties to the Genocide Convention. The present letter should accordingly be regarded as the notification contemplated by Article 63, paragraph 1, of the Statute. I would add that this notification in no way prejudices any question of the possible application of Article 63, paragraph 2, of the Statute, which the Court may later be called upon to determine in this case.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Philippe Gautier', with a large, stylized initial 'P' and 'G'.

Philippe Gautier
Registrar

MONSIEUR LE SECRETAIRE GENERAL,

J'ai l'honneur de porter à votre connaissance que je suis chargé par mon Gouvernement de signer les protocoles suivants:

1. Protocole en date du 4 mai 1949, amendant l'Arrangement relatif à la répression de la circulation des publications obscènes, conclu à Paris, le 4 mai 1910.

2. Protocole du 12 novembre 1947, amendant la Convention pour la répression de la traite des femmes et des enfants, conclue à Genève, le 11 octobre 1933.

3. Protocole du 12 novembre 1947, amendant la Convention pour la répression de la circulation et du trafic des publications obscènes, conclue à Genève, le 12 septembre 1923.

Je suis aussi chargé de déposer l'acte d'adhésion de la République Populaire Roumaine à la Convention de génocide, approuvée par l'Assemblée Générale de l'Organisation des Nations Unies, le 9 décembre 1948, avec réserves en ce qui concerne les articles 9 et 12.

Je vous prie, Monsieur le Secrétaire Général, de bien vouloir fixer la date à laquelle je pourrais accomplir ma mission.

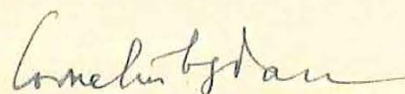
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MONSIEUR TRYGVE LIE,

SECRETAIRE GENERAL DE L'ORGANISATION DES NATIONS UNIES.

Je joins à toutes fins utiles, les copies des pleins pouvoirs qui viennent de m'être envoyés.

Je vous prie, Monsieur le Secrétaire Général, d'agréer l'expression de mes sentiments les plus distingués.



CORNELIU BOGDAN

Directeur au Ministère des Affaires Extérieures de la République Populaire Roumaine,

Observateur du Gouvernement de la République Populaire Roumaine près la cinquième Assemblée Générale de l'Organisation des Nations Unies.

D E C L A R A T I O N

En procédant au dépôt de l'instrument d'adhésion de la République Populaire Roumaine à la Convention pour la prévention et la répression du crime de génocide, je déclare que le Gouvernement de la République Populaire Roumaine fait les réserves suivantes aux articles II et III de cette Convention:

En ce qui concerne l'article II: La République Populaire Roumaine considère comme non obligatoires pour elle les dispositions de l'article II qui stipule que les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention seront soumis à l'examen de la Cour Internationale de Justice à la requête de toute partie au différend, et déclare qu'en ce qui concerne la compétence de la Cour en matière de différends relatifs à l'interprétation, l'application et l'exécution de la Convention, la République Populaire Roumaine restera dans la future, comme elle l'a fait jusqu'à présent, sur la position, que, dans chaque cas particulier, l'accord de toutes les parties au différend est nécessaire pour que tel ou tel différend puisse être transmis à la Cour Internationale de Justice aux fins de solution.

En ce qui concerne l'article III: La République Populaire Roumaine déclare qu'elle n'est pas d'accord avec l'article III de la Convention et estime que toutes les stipulations de la Convention doivent s'appliquer aux territoires non autonomes, y compris les territoires sous tutelle.

Corneliu G. Ionescu

Le Présidium de la Grande Assemblée Nationale de la République Populaire Roumaine donne pleins pouvoirs à Monsieur CORNELIU BOGDAN, Directeur au Ministère des Affaires Extérieures de la République Populaire Roumaine, de procéder au dépôt de l'instrument d'adhésion à la Convention pour la prévention et la répression du crime de génocide approuvée par l'Assemblée Générale de l'Organisation des Nations Unies, le 9 décembre 1948.-

Fait à Bucarest le 16 octobre 1950.



LE PRESIDENT DU PRESIDIUM DE LA GRANDE
ASSEMBLEE NATIONALE DE LA REPUBLIQUE
POPULAIRE ROUMAINE

C. I. Bogdan

LE SECRETAIRE DU PRESIDIUM DE LA GRANDE
ASSEMBLEE NATIONALE DE LA REPUBLIQUE
POPULAIRE ROUMAINE

M. Flin

MINISTRE DES AFFAIRES ETRANGERES
DE LA REPUBLIQUE POPULAIRE ROUMAINE

Ana Pauk

PREZIDIUL
MAREI ADUNARI NATIONALE
A
REPUBLICII POPULARE ROMANE

înştiinţează că:

Prezidiul Marei Adunări Naționale a Republicii Populare Române declară că prevederile acestei Convenții, cu rezervele arătate, vor fi îndeplinite.

Pentru încredințare, Președintele Prezidiului Marei Adunări Naționale a Republicii Populare Române a semnat prezentul act de aderare investit cu sigiliul Statului.

București în a unsprezecea zi a lunii Octombrie anul una mie nouă sute cinci zeci.

PREȘEDINTELE PREZIDIULUI MAREI ADUNĂRI NAȚIONALE

A

REPUBLICII POPULARE ROMÂNE

C. I. Gheorghiu

SECRETARUL PREZIDIULUI MAREI ADUNĂRI NAȚIONALE

A

REPUBLICII POPULARE ROMÂNE

M. Ionescu

MINISTRUL AFACERILOR EXTERNE

AL

REPUBLICII POPULARE ROMÂNE

A. P. Ciurcu

