



The Permanent Mission of the Hashemite Kingdom of Jordan
to the United Nations
New York

The Hashemite Kingdom of Jordan

Statement

Before the Resumed session of

the Sixth Committee on

Crimes Against Humanity cluster 5

delivered by NADINE BISHARAT

Mr. Chair,

Jordan wishes to intervene under this cluster on a single issue, which is non-refoulement under Article 5.

We are of the view that this obligation and the language used in the article do not reflect customary international law. Furthermore, the provision is not necessary as return would be regulated by the relevant rules of International Refugees Law. The article puts a significant burden on the State in whose territory the persons subject to the draft article are present.

While nonrefoulement

Therefore we propose to redraft paragraph 1 of this article to be as follows

being subjected to CAH would not be unlawful under the article. These are situations where the danger of crimes against humanity being perpetrated is only confined to certain parts of the state but not all its territories especially in situations of non international armed conflict. Thus host State should not be stopped from returning an individual to those parts of the State where such danger does not exist. The existing language of paragraph 1 of Article (5) leads to an

whether or not he / she facing the threat of CAH
and whether or not they are actually refugees.

Thank you.