

Resumption of the seventyseventh session of the Sixth Committee, exchange of substantive views on draft articles on prevention and punishment of crimes against humanity, Cluster V (safeguard).

12 April 2023

Malta Statement delivered by Ms Augustina Sima, Senior Policy Advisor for Legal Affairs

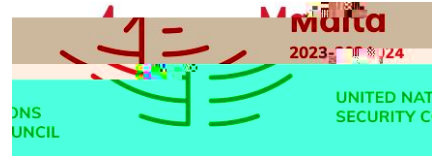
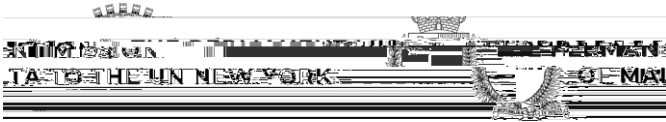
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I thank you Mister Chair,

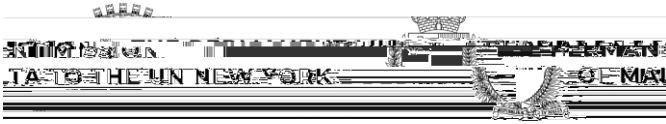
We have carefully studied draft articles under Cluster V as well as their commentaries, adopted by the International Law Commission at its seventy first session. We would like therefore, to share our following observations:

With reference to draft article 5, the principle of non-refoulement forms an essential protection under international human rights, refugee, humanitarian and customary law. Generally, it prohibits States from





Human Rights, and the Charter of Fundamental Rights of the European Union. As an inherent element of the prohibition of torture and other forms of ill-treatment, the principle of non-refoulement is characterised by its absolute nature without any exception. Therefore, we strongly support the decision of including



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