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\$JHQGD LWHP
WVHVVLRRQ UHVXPHG

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UHIRXOHPHQW' FODXVH LQ WKLV QDWXUH MWK Q HGFUHDVWD
DUWLFOHV

DDFFXTJXPHWHLRQV SXW IIRJLZDLDLGD EWRWKHWK
OLJKWDP ELJXLWLHV DQG TXHDSUWLIRFOHFUIHO WZG LEFKULGIGLW DR
WKDW WKHUH LV D QHHG IRU D FRQWLQXHG GLVFXVVLRRQ R
:LWK UHJDUG WRUWSKWE RQNHLOHWVKIDUHV WKH RSLQLRQ WKD
UHIRXOHPHQW DQG WKH XVLWPHDIHWKH IRUPXODWLRQRXQGWKH
OHDG WR D PLVXQGHUVWDQGLQJ WKDW WKH SURYLVLRRQV D
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VXIILFDHQ WQWPKOH WUP WWH HGS MW S BOBJUD%SKFDXK/HUH ZRXOG
VWLOO EH DQ LQFRQVLVWHQ FU NZLW KFRWQPK W WVKFDZ WUXDKW N QGH
\$UWLFOH LV OLPLWHG VZK HLOHWHU WKE WWH HIRP/BNWUBWHI QGHU F
GHOLYHU\ RI D SHUVRQ WR DQ LQVLHU EDVLRQEDW WRD WWWW K K
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2Q WKH RWKHU KDQG DV IRU SDUDJUDSK 7•UNL\H VKDU
GHOHJDWLBQK LQJODFN RI FODULW\ DV WR KRZ XWRWQH WLU
JURXQGV IRU EHOLHYLQJ WKDW KH RU VKH ZRXOG EH LQ G
KXPDQLDQG WSKUDWV LQJFDQ EH RSHQ WR DEXVH DQG SROLV
DVVLVWDQFH SURFHGXUHV

As known, despite their interactions, international criminal law, international human rights law and international humanitarian law clearly differ in their scope. On the other hand, the draft articles focus on the crimes against humanity. Therefore, according to Türkiye, determining whether there is a non-refoulement obligation of the competent authorities of a given state should take into account the State concerned for a consistent pattern of acts listed in draft Article 7; instead of a consistent pattern of gross, flagrant or mass violations of human rights or of serious violations of international humanitarian law beyond the scope of the draft in question.

The terms "human rights violations" or "violations of humanitarian law" are broader than the term "crimes against humanity". Therefore, reference to a consistent pattern of gross, flagrant or mass violations of human rights or of serious violations of international humanitarian law goes beyond the scope of the draft in question.

The delegation considers that further clarification is required to preclude potential misuses.

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2GGUDIW \$UWLFOH 7•UNL\H ZRXOG QG QDNW FSRU P DUNDSK VKRU
7•UNERHQ FZLWKK H WIKH ZV LV LPSRUWDQ WKH VSRU RYSLMURHUM R W RI
\$UWLFOH DUH IXOO\ FRQVLVWHQW ZLWK WKH SURYLVLRL
&RQVXODU 5HODWLRQV ZKLFK LQ JHQHUDO UHJXODWHV FR
VHQGLQJ VWDWH

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7XUQLQJ WR 'UD\ WNS\ WND WIKOH WIKH ZO DDJ LILG DSDUFDQ Q G ISKD WLQJ
WKDW WKLV REOLJDWLRQ ZRXOG DSSO\ ZLWK UHVSHFW WR
WKH WHUULWLRQD WKHQ\ HMLXW R D BUCB\ WLRQ\ H UHTXLUHV 6WDV
SURPSW DQG LPSDUWLDO LQYHVWLJDWLRQV ZLWK UHVSHFW
FRPPLWW\ W G MQUG\ W G D E W LRCH FRPPHQWDULHV 'WIKH WSHFOHWLFR
DQG D I W W \$ LFOH LV QRWHG

\$V IRU WKH TXHVWLRQ 7•RQ WIKH H UUL JKR\ LWR\ W W XDWK D Q Q UH
UHLW WIK D W H V DPELJXR XV ZKHWKHU W W KH ULJKW WR WUXV
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\$JDLOQ UHVSQRVH WR WKH UHOHYDQW TXHVWLRQ SXW E\ İŞ

:LWK UHVSHFW W B NSU HDH W B S K UDO UHIHUHQFH WR WKH ³UL
SDUDJUDSK DV WKH ULJK VWDRW E W W LWXWLRQ PD\ YDU\
:LWK UHJDUG WR W P R O O S E W D Y L E Q V L R Q P \ G H O H J D W L R Q V
KHOG GXULQJ WKH S U H V Y I L R X W V L H W W I S R Q L D Q L R Q I R U W K H W L P
)LQDOO\ LQ UHVS R Q V H W R W I K H L C H O H D Y D R U W T Z H I V W L S R Q R W
SDUDJUDSK DOORZLQJ GHURJDW & & Q 5 E D V H G R Q \$ U W L F O H