



Resumed session - Crimes against humanity (Cluster 5)

Statement of Italy

Delivered by Mr Enrico Milano

Thank you Madam Chair / Mr Chair,

My delegation aligns itself with the statement delivered by the distinguished representative of the European Union and would like to reiterate a few brief remarks in a national capacity concerning the provisions under Cluster 5

Italy supports the inclusion of draft Article 5 as drafted by the International Law Commission. The principle of non-refoulement with regard to risk of crimes against humanity is reflective of a general principle of international human rights law, which is found in the relevant provisions of the Fourth Geneva Convention of the 1951 Convention relating to the Status of Refugees, the 1984 UN Convention against Torture and of the 2006 International Convention on Enforced Disappearance.

Italy also finds of great importance draft Article 11, since the provision expressly recognizes the right to a fair treatment and to fair trial of the accused in accordance with constitutional guarantees and international human rights standards. Regardless of the gravity of the offences, States are under an obligation to fully respect those

