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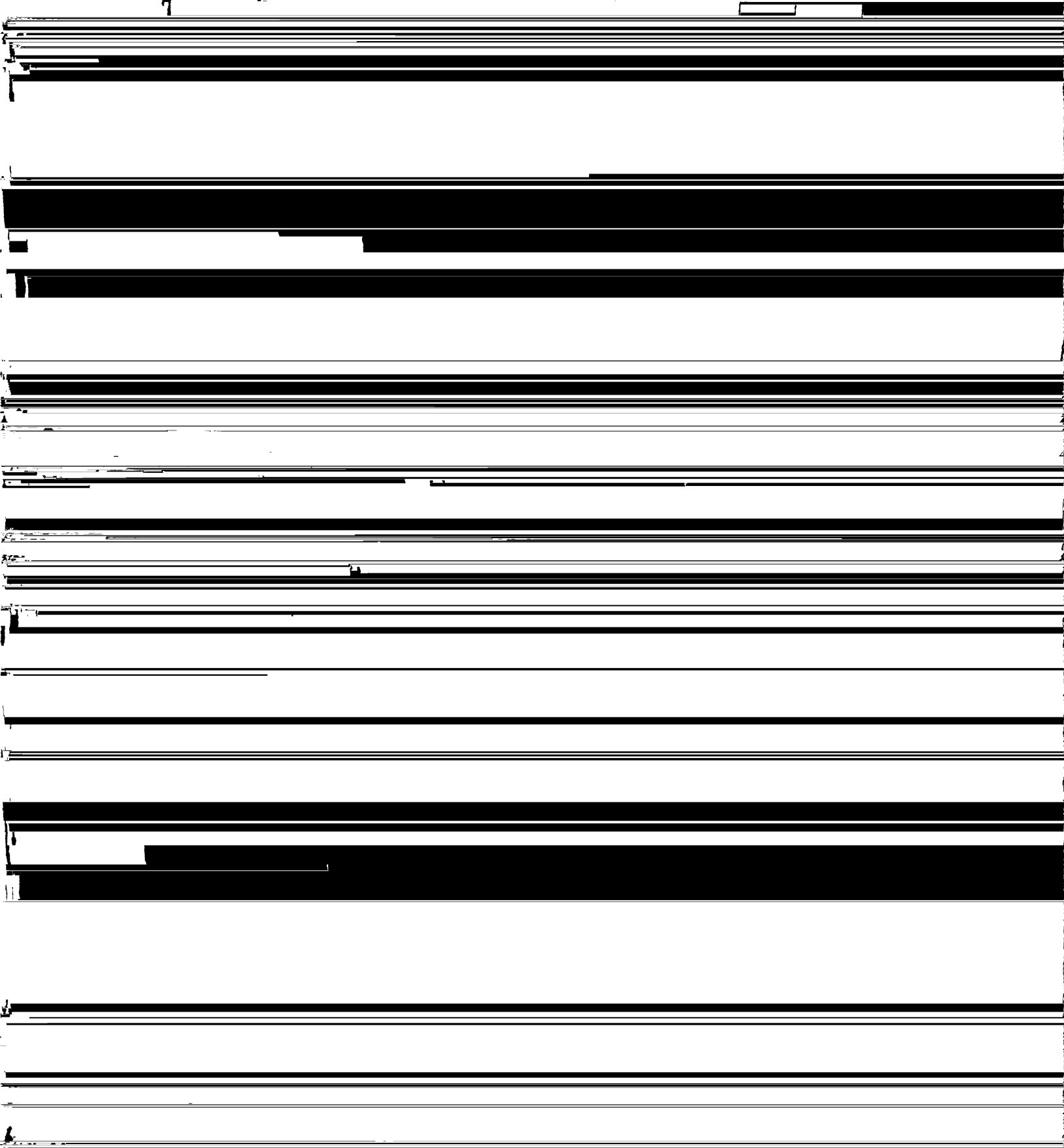
AGENDA ITEM 81

REPORT OF THE INTERNATIONAL LAW COMMISSION

72<sup>nd</sup> Session of the General Assembly, Sixth Committee

Agenda Item 81, Report of the International Law Commission (Cluster I)

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Third, my delegation would like to emphasize the importance of the provision on the principle of non-refoulement in draft article 5 as it is a well-established principle of international law. No individual should be expelled, returned, surrendered or extradited to another State if there are substantial grounds for the individual to be subjected to a crime against humanity.

Fourth, my delegation would like to make some comments on criminal responsibility of individuals in official positions, which is stipulated under draft article 6, paragraph 5 based on article 27 of the Rome Statute. According to

excluding criminal responsibility when an individual commits an offence. The Drafting Committee has dealt with a similar provision this year under draft