

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



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

ON CLUSTER THREE

DELIVERED BY

COUNSELLOR MR. ALAA AL-EDWAN

Jordan considers the criminalization under national law to be a lone component of a State's obligation under the draft articles.

Without criminalization, the perpetrators of crimes against humanity will not be effectively brought to justice. And inter-state cooperation will be limited, especially as regards to requests of extradition. Therefore, we are in full support of Article Six, whose language is consistent with other international instruments dealing with international and transnational crimes.

On the responsibility of commanders and subordinates in paragraphs three and four, we are of the view that they reflect customary international law and the developments

in international criminal jurisprudence. The threshold for the commander's responsibility is balanced; but the six committee may wish to discuss whether the term “had reason to know” is sufficiently clear and whether an objective or subjective test should apply to the knowledge.

On the establishment of national jurisdiction: Jordan welcomes the inclusion of paragraph two of Article Seven as an effective tool to bring the perpetrators of crimes against humanity to justice.

To require a state to either extradite or establish jurisdiction over an alleged offender who is present in its

territory would ensure that such perpetrators will have few avenues for impunities.

The same can be said as regards to article 10 on “aut dedere aut judicare”. It is important to note that the implementation of this obligation should be consistent with that State's other obligations under international law.

Thank you