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UNITED STATES MISSION TO THE UNITED NATIONS

Statement by the United States
72nd General Assembly Sixth Committee
Agenda Item 82: Expulsion of Aliens
Mark A Simonoff, Minister Counsellor
October 12, 2017

On the subject of “Expulsion of aliens,” we thank the Commission and the Special Rapporteur, Mr. Maurice Kamto, for their efforts. The Commission completed its review and adopted on second reading and produced in final form 31 revised draft articles and commentary on this issue, and has recommended to the General Assembly consideration, at a later stage, of the elaboration of a convention based on the draft articles. We continue to question the wisdom and utility of seeking to augment in this manner well-settled rules of law that exist in broadly ratified human rights and refugee conventions, which already provide the legal basis for achieving the key objectives of these draft articles. Furthermore, we believe that key aspects of the draft articles risk generating confusion with respect to existing rules of law by combining in the same provision elements from existing rules with elements that reflect proposals for progressive development of the law. Accordingly, we do not believe that it is appropriate to pursue elaboration of a convention based on the draft articles.