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Thank you Madam Chair,

Cluster 4 contains numerous issues relating to the topics of extradition and the provision of mutual legal assistance. The former of which has been the subject of countless bilateral and multilateral treaties and is also governed by customary international law developed over a long period of time. Israel takes the view that the treatment of these topics already has vast practice in international law and we should be careful in attempting to reinvent the wheel. It is of utmost importance that the balance which has been created between States is respected and upheld.

With regard to the issue of exception to extradition based on “political offences”, it seems that the current phrasing of the article is a bit restrictive. Since any future convention on this issue could not predict every scenario in the world, the scope of such a prohibition should be somewhat narrowed to allow for some discretion by the host state. Otherwise, we face a dangerous loophole that allows any state to circumvent due process of extradition simply by claiming that a person has committed crimes against humanity. We therefore contend that some discretion should be left to the host state, in line with current extradition law and practice. Such discretion should also apply to requests for mutual legal assistance.

Israel reiterates the value of safeguards in this cluster as a crucial inclusion which could ensure that the draft articles garner the wide acceptance of states while still remaining an effective tool for the punishment and prevention of crimes against humanity.

Thank you, Chair