

USDEL is authorized to join consensus or vote yes (if a vote is called) on, but not/not co-sponsor Resolution A/C.3/60/L.56.

**“Protection of and assistance to internally displaced persons” EOP:**

The United States welcomes this strong resolution and the actions it calls for from the UN system, governments, and the broader international community to prevent, respond effectively to, and seek resolution of crises of internal displacement across the globe.

The United States wholeheartedly joins others in deploring practices of forced displacement in violation of international law but we have technical concerns about language in preambular paragraph 10 that we believe it is important to note for the record. That paragraph contains an incomplete description of the conduct in relation to deportation, displacement, and transfer of persons that the Rome Statute defines as constituting a war crime or a crime against humanity.

For example, paragraph 10 states that the Rome Statute defines the "deportation or forcible transfer of a population" as a crime against

humanity, but fails to state the further element of this crime, contained in the Rome Statute and recognized in international humanitarian law, that such deportation or transfer be undertaken "without grounds permitted in international law." As another example, in stating that the Rome Statute defines "ordering the displacement of the civilian population" as a war crime, paragraph 10 omits the phrase "unless the security of the civilians involved or imperative military reasons so demand" that is included as a further element of this crime both in the Rome Statute and in international humanitarian law.

Preambular paragraph 10 cannot change, and of course cannot be viewed as changing, the elements necessary for conduct to constitute a crime under the Rome Statute or a violation of applicable international legal standards.

Subject to that understanding, we are pleased to join consensus on this resolution.