



MONGOLIA

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**STATEMENT BY H.E SUKHBOLD SUKHEE,
AMBASSADOR, PERMANENT REPRESENTATIVE OF MONGOLIA**

Agenda Item 78

“Report of the International Law Commission on the work of its 68th Session”

Chapter IV, V, X and XI

Mr. Chairman,

At the outset, my delegation wishes to thank Mr. Pedro Comissário Afonso, Chairman of the International Law Commission, for his comprehensive report on the work of the 68th session of the Commission.

Our delegation aslo wish to thank the following Special Rapporteurs, namely, Mr. Eduardo Valencia Ospina on “Protection of persons in the event of disasters”, Sir Michael Wood on “Identification of customary international law”, Ms. Marie G. Jacobsson on “Protection of the Environment in relation to armed conflict” and Mr. Roman A. Kolodkin and the present Special Rapporteur Ms. Concepción Escobar Hernandez on “Immunity of State officials from foreign criminal jurisdiction”.

Mr. Chairman,

We appreciate all the efforts and dedication of the relevant working groups in preparing draft conclusions and articles as well as exploring the possibilities of concluding conventions on subjects, which have not yet been regulated by international law.

My delegation acknowledges that the recommendations of the International Law Commission have had a notable impact on the legal affairs of the Member states with successful application of draft articles in practice by national and international courts on numerous important issues.

Mr. Chairman,

In my statement, I will briefly address the topics of "Identification of customary international law", and "Immunity of State officials from foreign criminal jurisdiction".

In regards to the Chapter V, "Identification of customary international law", My Delegation commends the hard work done by the International Law Commission, Special Rapporteur, Sir Michael Wood, for the draft conclusions on identification of customary international law.

We believe that the draft articles will further contribute to the application of Customary international law as an important source of public international law.

Mr. Chairman,

Our delegation is expressing our appreciation for the lucid and balanced approach taken by the former Special Rapporteurs Mr. Roman A. Kolodkin and the present Special Rapporteur Ms. Concepción Escobar Hernandez in dealing with limitations and exceptions on the elaboration of the "Immunity of State officials from foreign criminal jurisdiction".

The question of limitations and exceptions, was legally complex and raised issues that were politically sensitive and important for States which require a careful approach in further elaboration of the topic. The report had also taken a broader perspective than merely considering international crimes. It also offered an analysis of certain other crimes, such as corruption, which is of great importance for the international community.

We hope that the issue of Succession of States with respect to State responsibility will be covered by the International Law Commission in the nearest future. We are certain that this topic will certainly fulfill the gaps that remain after the completion of the codification of succession of States in respect of treaties and in respect of State property, archives and debts, also in respect of nationality and state responsibility.

I thank you, Mr. Chairman.