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Report of the International Law Commission on the work of its sixty-ninth session

Statement by
Mr. Danail Chakarov
Head of "International Law and Law of the EU" Directorate
Ministry of Foreign Affairs

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Mr. Chairman,

I would like to thank the chairman of the Commission, Mr. Georg Nolte, for his helpful and detailed introduction of the Commission's report on the work carried out in its sixty-ninth session. The Republic of Bulgaria would like to express its appreciation for the comprehensive work accomplished by the Special Rapporteurs of the ILC and their enormous efforts carried out in the previous months. It is our opinion that this year's Report is a well structured, balanced and will surely bring a push forward to the activities of the international law community.

In today's statement I would like to make some brief comments on some of the topics under Cluster I of our discussion that the ILC covers in this year's Report.

Mr. Chairman,

On the topic of "Crimes against humanity", we would like to congratulate the Special Rapporteur, Prof. Sean Murphy, and the Drafting Committee of the ILC for their excellent work addressing a number of situations around the world involving both state and non-state actors and concerning systematic attacks on the civilian population. We are very pleased in particular with the special focus given on victims and other affected persons. Their concerns and search for retribution are the main drivers for the creation and reform of systems worldwide.

On the other hand, every State should take the necessary measures to criminalize the crimes against humanity in its internal legislation and the incorporation of this obligation in a multilateral treaty is an important step forward in dealing with those atrocities and towards ending impunity worldwide. We welcome the non-exhaustive list of offences that should be acknowledged as crimes against humanity by all States. It is our understanding that this would clear any misconceptions and misinterpretations as to their constituent elements and would tackle the issue of the need of a unified approach in defining with those transgressions.

It is our understanding that the presented draft articles on crimes against humanity are well structured, they prescribe needed remedies and fills in the gaps in the current state of the international criminal system. We invite all countries to consider this topic in more detail, taking into account that it has been in the long–term program of the UN for quite some time now.

Mr. Chairman,

With regard to the topic of "Provisional application of treaties" we would like to express our satisfaction with the presented draft guidelines. In our opinion, they consolidate the dispersed contemporary state practice and conform to the relevant provisions of the Vienna Convention on the Law of Treaties and the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organization. Additional clarification of this topic is needed due to the specific nature of the said provisions, which virtually come into force before the rest of the treaty itself. There is considerable misunderstanding on the subject among practitioners which would mean that the current and future work of the Commission is especially relevant.
We hope that the Commission will continue its work on this issue and will also consider the memorandum, prepared by the Secretariat that reviews relevant state practice. We encourage the ILC to elaborate further on this topic and hope that States can draw inspiration from the final guidelines in their daily work.

Mr. Chairman,
In conclusion, we would like to express our support for the future work of the International Law Commission.

I thank you.