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STATEMENT OF THE CHAIR OF THE INTERNATIONAL LAW COMMISSION,

MR. PAVEL ŠTURMA

28 October 2019

Mr. Chair,

I wish to thank you most sincerely for your generous and kind sentiments addressed to the International Law Commission, which on this occasion I have the honour to represent as its chair at its seventy-first session. Please accept warm felicitations to you all, and the best wishes, from the Commission for successful deliberations on the occasion of the current session of the Sixth Committee. Our two bodies share a common goal and our cooperation in the progressive development of international law and its codification has stood the test of time. The Sixth Committee was instrumental in the elaboration of the Statute of the Commission and has since been an indispensable overseer of its work. The Commission looks to the Committee for comments and policy guidance on its work which it has valued over the years. During the coming days, my many colleagues who are here and I would be more than happy to have useful interactions with you.

Mr. Chair,

The seventy-first session of the Commission took place against the backdrop of a highly successful seventieth session which witnessed a variety of events in the advancement of international law organized here in New York and Geneva. The substantial report contained in document *A/74/10* bears testimony to the continued seriousness and assiduousness with which the Commission discharges its responsibilities. When the first chair of the Commission, Mr. Manley O. Hudson addressed the Sixth Committee at Lake Success on 11 October 1949 the report of the Commission was introduced in one single intervention. The current practice of making several interventions is a creature of later invention. It was introduced in the late 80s with a view to providing effective guidance for the Commission in its work. In recent years, the Commission has heard comments about the length of the Chair's interventions. I therefore propose this year to make one single intervention, without seeking to jeopardise the ability of the Sixth Committee to provide useful and helpful guidance to the Commission, as the debate will continue to take place in clusters. Accordingly, the present statement covers the entirety of the Commission at its seventy-first session.

Mr. Chair,

As summarised in **Chapter II**, the Commission made further substantial advance in its work programme during its session. First, the Commission concluded the second reading of the topic “Crimes against humanity”. It adopted a full set of draft articles and commentaries thereto. Second, the Commission concluded the first reading on two other topics. These are “**Peremptory norms of general international law (*jus cogens*)**”, and “**Protection of the environment in relation to armed conflicts**”. It adopted a full set of draft conclusions and a full set of draft principles, respectively, to the two topics together with commentaries. Third, it continued its consideration of two other topics, namely “**Succession of States in respect of State responsibility**” and “**Immunity of State officials from foreign criminal jurisdiction**”, and began work on the topic, “**General principles of law**”, included in the programme of work of the Commission, last year and the topic “**Sea-level rise in relation to international law**”, included in its work programme this year. Moreover, the Commission has included two new topics in its long-term programme of work. These topics concern: “**Reparation to individuals for gross violations of international human rights law and serious violations of international humanitarian law**” and “**Prevention and repression of piracy and armed robbery at sea**”. The syllabuses of the two topics appear as **annexes B and C** of the report.

Mr. Chair,

Permit me, if I may, to an overview of the work accomplished by the Commission. I will start with the topic “**Crimes against humanity**”. This is addressed in **chapter IV** of the report.

As just mentioned, the Commission adopted, on second reading, the entire set of draft articles on prevention and punishment of crimes against humanity. It comprises a draft preamble, 15 draft articles and a draft annex, together with commentaries thereto. In conformity with article 23 of its statute, the Commission has **recommended the draft articles on prevention and punishment of crimes against humanity to the General Assembly for the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles**. For the Commission, this is a culmination of five years of work under the guidance and outstanding and tireless efforts of Special Rapporteur Sean Murphy. In its work at the current session, the Commission proceeded on the basis of the fourth report of the Special Rapporteur (A/CN.4/725 and Add.1), as well as comments and observations received from Governments, international organizations and others (A/CN.4/726, Add.1 and Add.2) on the first reading text

adopted two years ago. The fourth report addressed the comments and observations made by Governments, international organizations and others on the draft articles and commentaries adopted on first reading and made recommendations for each draft article.

The draft articles before you follow the pattern of existing criminal law enforcement instruments affecting the horizontal relationship between States. While some aspects of the draft articles may reflect customary international law, the central objective has been to provide provisions that would be both effective and likely to be acceptable to States, based on provisions often used in widely adhered-to treaties addressing crimes, as a basis for a possible future convention. The basic structure provides general provisions (**draft preamble; draft articles 1-3**); deal with prevention (**draft articles 4 and 5**); measures to be taken at the national level (**draft articles 6-12**); international cooperation (**draft articles 13 and 14, and the draft annex**), including extradition and mutual legal assistance and settlement of disputes (**draft article 15**). Thus, the draft articles apply to the prevention and punishment of crimes against humanity. To that end, they provide a definition of such crimes, drawing upon closely on the definition contained in the Rome Statute of the International Criminal Court bearing in mind developments in the law. It also contains general obligations, including the obligation of prevention and the *non-refoulement* principle. It also requires criminalization of crimes against humanity as set out in the draft articles under domestic law, and the imposition of penalties commensurate with the gravity of the offences, as well as the non-application of any statute of limitations. It also provides for the establishment of jurisdiction on a variety of mandatory and discretionary bases. Moreover, as is common in instruments of this nature that deal with interdiction of criminality, international cooperation plays a crucial role. In addition to extradition, grounded on the obligation to extradite and prosecute (*aut dedere aut judicare*) and mutual assistance, the importance of investigations, the centrality victims in the scheme, witnesses and others, fair treatment to the alleged offender are highlighted.

The draft articles seek to fill *lacunae* in international law. Unlike the crime of genocide and war crimes, there is no global convention dedicated to preventing and punishing crimes against humanity and promoting inter-State cooperation in that regard.

Should the General Assembly take up the Commission on its recommendation, the international community will have taken a giant leap in ameliorating this gap. As stated in the

proposed preamble, the prohibition of crimes against humanity is a peremptory norm of general international law (*jus cogens*). Crimes against humanity are among the most serious crimes of concern to the international community as a whole. The obligation rests on the international community to ensure that they must be prevented and punished in conformity with international law. An end to impunity is realizable when the international community acts together.

Mr. Chair,

With respect to the topic “**Peremptory norms of general international law (*jus cogens*)**”, which is addressed in **chapter V** of the report, the Assembly has before it a set of 23 draft conclusions and a draft annex, adopted on first reading, together with commentaries thereto. The Commission decided, in accordance with articles 16 to 21 of its statute, to transmit the draft conclusions, through the Secretary-General, to Governments for comments and observations, with the request that such comments and observations be submitted to the Secretary-General by **1 December 2020**. Since 2015, the Commission, with the outstanding contribution and tireless efforts of Special Rapporteur Dire Tladi, has been elaborating the content of these draft conclusions. This is the first time that the Sixth Committee sees them in their entirety. It will be recalled that last year, the Commission presented to the Assembly draft conclusions on the identification of customary international law. The current project follows similar approaches.

The Commission had before it at the current session, the fourth report of the Special Rapporteur (A/CN.4/727), which discussed the question of the existence of regional *jus cogens* and the inclusion of an illustrative list, based on norms previously recognized by the Commission as possessing a peremptory character.

The basic structure of the draft conclusions provides introductory provisions (**draft conclusion 1-3**); address the identification of peremptory norms of general international law (*jus cogens*) (**draft conclusions 4-9**); their legal consequences (**draft conclusions 10-21**); and other provisions of a general nature (**draft conclusions 22 and 23**), and provide for an annex. In short, the conclusions concern the identification of *jus cogens* norms and their legal consequences. To that end, they provide a definition of such norms (and an annex of examples of such norms); the criteria for their identification; their bases, customary international law being the most common, but also found in treaty provisions and general principles of law; the various elements and evidence for

their acceptance and recognition, as well as subsidiary means for their determination. As concerns the legal consequences, the draft conclusions address a number of aspects. First, they consider matters concerning treaties conflicting with *jus cogens* norms, including inter temporal questions; questions of separability; consequences of invalidity and termination; and the effect of reservations. Second, the conclusions address situations where rules of customary international law conflict with *jus cogens* norms. Third, the draft conclusions consider aspects of conflict as they may relate to obligations created by unilateral acts or by resolutions, decisions and other acts of international organization. Fourth, the draft conclusions consider the relationship between *jus cogens* norms and obligations *erga omnes*. Any State is entitled to invoke the responsibility of another State for a breach of a norm of *jus cogens*, in accordance with the rules on the responsibility of States for internationally wrongful acts. No circumstance precluding wrongfulness under State responsibility may be invoked with regard to any act of a State that is not in conformity with an obligation arising from a norm of *jus cogens*. Moreover, States shall cooperate to bring to an end through lawful means any serious breach by a State of an obligation arising under a norm of *jus cogens*. Fifth, the draft conclusions deal with questions of interpretation and application to assure consistency with peremptory norms of general international law (*jus cogens*). The draft conclusions also address matters concerning procedural requirements for the invocation of the invalidity of rules of international law, including treaties and reliance thereon by reason of being in conflict with norms of *jus cogens*. The annex to the draft conclusions is a restatement of those that the Commission has previously referred to as being peremptory norms of general international law (*jus cogens*).

Jus cogens norms are accorded importance in the conduct of international relations and potentially have far-reaching implications. The draft conclusions seek to provide a toolbox for a process that leads to a systematic identification of such norms and their legal consequences, in accordance with a generally accepted methodology. It bears stressing that the draft conclusions are aimed at providing guidance to all those who may be called upon to determine the existence of peremptory norms of general international law (*jus cogens*) and their legal consequences.

I will now turn to the second topic on which the Commission completed a first reading, namely the “**Protection of the environment in relation to armed conflicts**”. The Commission adopted a set of 28 draft principles, together with commentaries thereto, which are considered in

chapter VI of the report. In accordance with articles 16 to 21 of its statute, the Commission decided to transmit the draft principles, through the Secretary-General, to Governments, international organizations, including from the United Nations and its Environment Programme, and others, including the International Committee of the Red Cross and the Environmental Law Institute, for comments and observations, with the request that such comments and observations be submitted to the Secretary-General by **1 December 2020**. The work of the Commission on this topic began in 2013 and thanks to the outstanding contribution and tireless efforts of special rapporteurs Marie Jacobsson and Marja Lehto, the Commission has completed the current stage of consideration of the topic.

This year, the Commission had before it the second report of Special Rapporteur Marja Lehto (A/CN.4/728). It addressed questions related to the protection of the environment in non-international armed conflicts, and matters related to responsibility and liability for environmental damage.

It was in 2009 that a report by the United Nations Environment Programme, offering an inventory and analysis of international law in protecting the environment during armed conflict recommended that the Commission, “examine the existing international law for protecting the environment during armed conflict and recommend how it can be clarified, codified and expanded”. This was in part a reflection of a growing concern by the international community about the protection of the environment in relation to armed conflict, including the widespread, long-term, and severe damage that armed conflict may cause to the environment due to the use of nuclear weapons, weapons of mass destruction, as well as conventional means and methods of warfare. There was also recognition that environmental effects that occur both during and after an armed conflict have the potential to pose a serious threat to the livelihoods and even the existence of individuals and communities.

Needless to mention that prior developments in this area have included treaty provisions under the 1977 Additional Protocol I to the Geneva Conventions of 1949 relating to the Protection of Victims of International Armed Conflicts; treaty provisions under the Rome Statute of the International Criminal Court as well as certain principles under the 1992 Rio Declaration on Environment and Development; and the International Committee of the Red Cross (ICRC)

Guidelines for Military Manuals and Instructions on the Protection of the Environment in Times of Armed Conflict.

From the onset, the Commission decided to approach the topic bearing in mind three **temporal** phases, namely before, during, and after armed conflicts. The 28 draft principles before you are accordingly follow that structure, even though there is no strict dividing line between the different phases. The draft draft principles are divided into five parts. The “Introduction” contains draft principles on the scope and purpose of the draft principles. The draft principles seek to clarify the rules and principles of particular relevance, directly relevant, and/or applicable in relation to the environment and armed conflicts. The purpose is not to modify the law of armed conflict but rather to enhance the protection of the environment in relation to armed conflict, including through preventive measures for minimizing damage to the environment during armed conflict and through remedial measures”.

Part Two concerns guidance on the protection of the environment *before* an armed conflict but also contains draft principles of a more general nature that are of relevance in relation to more than one temporal phase. Particular attention may be drawn to a number of principles adopted at this session. **Draft principle 5** on the **protection of the environment of indigenous peoples** speaks to the concern that armed conflict may have the effect of increasing existing vulnerabilities or creating new types of environmental harm on the territories inhabited by indigenous peoples, thereby affecting the survival and well-being of the peoples connected to it. **Draft principle 8** on **human displacement** addresses the inadvertent environmental effects of conflict-related human displacement and considers the interconnectedness of providing relief for those displaced by armed conflict and of reducing the impact of displacement on the environment. **Draft principle 9** considers the crucial aspect of **State responsibility** for damage caused to the environment in relation to armed conflicts. It reproduces certain language from the articles on responsibility of States for internationally wrongful acts. **Draft principle 10** on **corporate due diligence** addresses what are essentially preventive measures and provides that States should take appropriate legislative and other measures to ensure that corporations operating in or from their territories exercise due diligence with respect to the protection of the environment. **Draft principle 11** on **corporate liability** addresses closely related issues concerning the possibility of holding corporations and other business enterprises operating in or from the territories of States liable for

harm caused by them to the environment, including in relation to human health, in an area of armed conflict or in a post-armed conflict situation.

Part Three concerns the protection of the environment *during* armed conflict. **Draft principle 12** is inspired by the Martens Clause that originally appeared in the preamble to the 1899 Hague Convention (II) with Respect to the Laws and Customs of War on Land referring to “the laws of humanity, and the requirements of the public conscience.” The draft principle similarly provides that even in cases not covered by international agreements, the environment remains under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience. **Draft principle 18** restates the prohibition of pillage of natural resources, while **draft principle 19** on environmental modification techniques draws on the 1976 Convention on the Prohibition of Military or Any Hostile Use of Environmental Modification Techniques.

Part Four relates to the specific situation of the protection of the environment with respect to occupation. This categorization is not intended to deviate from the temporal approach but offers a practical solution reflecting the great variety of circumstances that may be peculiar to situations of occupation. **Draft principle 20 on general obligations of an Occupying Power** sets forth the general obligation of an Occupying Power to respect and protect the environment of the occupied territory and to take environmental considerations into account in the administration of such territory. It is based on article 43 of the 1907 Hague Regulations, which concerns military authority and public order and safety. **Draft principle 21 on sustainable use of natural resources**, is based on article 55 of the 1907 Hague Regulations, which provides that “[t]he occupying State shall be regarded only as administrator and usufructuary” of certain properties. **Draft principle 22 on due diligence** draws on the international environmental law obligation not to cause significant harm to the environment of other States and provides how it may apply in the context of occupation.

Part Five is relative to the protection of the environment *after* an armed conflict. **Draft principle 26 on relief and assistance**, relates to measures to repair and compensate environmental damage caused during armed conflict in situations where the source of environmental damage is unidentified or reparation is not available, for instance where there are multiple State and non-State actors involved.

Mr. Chair,

I now turn to the topic “**Succession of States in respect of State responsibility**”, addressed in **chapter VII** of the report. The has been on this topic since 2017 and I am honoured to be the Special Rapporteur of the Commission on the topic. The orientation of the topic is to cover the effects of a succession of States on State responsibility. The aim is to clarify the interaction and fill possible gaps between the law of succession of States and the law of responsibility for internationally wrongful acts, while bearing in mind the importance of maintaining consistency with the previous work of the Commission on various aspects of the two areas, including the 1978 Vienna Convention on Succession of States in respect of Treaties; the 1983 Vienna Convention on Succession of States in respect of State Property, Archives and Debts; the 1999 Articles on nationality of natural persons in relation to the succession of States (annexed to General Assembly resolution 55/153 of 12 December 2000); and 2001 Articles on Responsibility of States for Internationally Wrongful Acts (annexed to General Assembly resolution 56/83 of 12 December 2001).

The Commission had before it this year, the third report of the Special Rapporteur (A/CN.4/731), which addressed certain general considerations, questions of reparation for injury resulting from internationally wrongful acts committed against the predecessor State as well as its nationals, and technical proposals in relation to the scheme of the draft articles. This compliments prior reports which have addressed general rules, obligations arising from the commission of an internationally wrongful act by a predecessor State, and rights or claims by the injured State. The Commission also had before it the memorandum by the Secretariat providing information on treaties which may be of relevance to the Commission’s work on the topic (A/CN.4/730).

Among the accomplishments of the Commission on the topic this year are the following: After the debate in plenary, the Commission decided to refer draft articles 2, paragraph (f), X, Y, 12, 13, 14 and 15, and the titles of Part Two and Part Three, as contained in the third report to the Drafting Committee. The debate of the Commission on the report is contained in **paragraphs 75 to 116 of the report**. Moreover, the Commission provisionally adopted draft articles 1, 2 and 5, with commentaries thereto, which appear in **paragraphs 117 and 118 of the report**. It ought to be highlighted that the draft articles are intended to apply in the absence of any different solution

agreed upon by the States concerned. This only reflects the residual nature of the draft articles. They give priority to agreements between States, considering in particular that State practice on the subject is “diverse, context-specific and sensitive”. The Commission also took note of the interim report of the Chair of the Drafting Committee on draft articles 7, 8 and 9 provisionally adopted by the Committee, which was presented to the Commission for information only.

It is anticipated that in the future work, the Special Rapporteur will address forms of responsibility (e.g. restitution, compensation and guarantees of non-repetition) in the context of succession of States, as well as address procedural issues, including problems arising in situations where there are several successor States and the issue of shared responsibility.

State practice is crucial in the consideration of this topic as with other. It will be recalled that last year, the Commission sought to be provided by States with information on their practice relevant to the succession of States in respect of State responsibility. The Commission indicated in particular the importance of receiving examples of: (a) treaties, including relevant multilateral and bilateral agreements; (b) domestic law relevant to the topic, including legislation implementing multilateral or bilateral agreements; and (c) decisions of domestic, regional and subregional courts and tribunals addressing issues involving the succession of States in respect of State responsibility.

Such information is still relevant and the Commission would welcome such and any additional information, preferably by **31 December 2019**.

Mr. Chair,

I now refer to the topic “**Immunity of State officials from foreign criminal jurisdiction**”, addressed in chapter VIII. This topic has been on the Commission’s agenda since 2008. The Commission had before it this year, the sixth (A/CN.4/722) and the seventh (A/CN.4/729) reports of the Special Rapporteur, Concepción Escobar Hernández, which are devoted to addressing procedural aspects of immunity from foreign criminal jurisdiction. This is the concluding component according to the workplan proposed for the topic, the Commission having already addressed matters of scope, as well as immunity *ratione personae* and immunity *ratione materiae*. To date, the Commission has adopted 7 draft articles, contained in three parts.

It is worthwhile to recall that debate on the sixth report, was uncompleted from last year and the report itself offered an analysis of three components of procedural aspects related to the concept of jurisdiction, namely: (a) timing; (b) kinds of acts affected; and (c) the determination of immunity. The seventh report completes an examination of these aspects and delves further into questions concerning invocation of immunity and waiver of immunity. It also examines aspects concerning procedural safeguards related to the State of the forum and the State of the official, considers the procedural rights and safeguards of the official. Overall, nine draft articles, that is draft articles 8 to 16, were proposed and the debate on these matters is reflected in **paragraphs 122 to 201 of the report**. Following the debate in plenary, the Commission decided to refer the draft articles 8 to 16 to the Drafting Committee, taking into account the debate and proposals made in plenary. The Drafting Committee was unable to complete its work and will be continued next year. The Commission nevertheless received and took note of the interim report of the Chair of the Drafting Committee on draft article 8 *ante*, which was presented to the Commission for information only. Draft article 8 *ante* seeks to make certain that the procedural provisions and safeguards to form Part Four of the draft articles would be applicable in relation to any criminal proceeding against a foreign State official, current or former, that concerns any of the draft articles contained in Part Two and Part Three of the draft articles, including to the determination of whether immunity applies or does not apply under any of the draft articles.

The work of the Commission on this topic has reached a critical stage requiring information on what States actually do when confronted with a criminal matter concerning a foreign State official. Accordingly, Commission would welcome any information preferably by **31 December 2019** from States on manuals, guidelines, protocols or operational instructions addressed to State officials and bodies that are competent to take any decision that may affect foreign officials and their immunity from criminal jurisdiction in the territory of the forum State.

Mr. Chair,

The Commission this year commenced the substantive consideration of the topic “**General principles of law**”. This is reflected in **chapter IX**. The Commission had before it the first report of the Special Rapporteur (A/CN.4/732), which addressed the scope of the topic; the main issues to be addressed in the course of the work of the Commission; as well as the previous work of the

Commission related to general principles of law thereby providing an overview of the development of general principles of law over time, and an initial assessment of certain basic aspects of the topic and future work on the topic. The debate of the Commission on the subject is contained in **paragraphs 203 to 262 of the report.**

Following the debate in plenary, the Commission decided to refer draft conclusions 1 to 3, as contained in the report of the Special Rapporteur, to the Drafting Committee. The Commission subsequently took note of the interim report of the Chair of the Drafting Committee on draft conclusion 1 provisionally adopted by the Committee, which was presented to the Commission for information only.

To assist the Commission in the further consideration of the topic it requests States to provide information on their practice relating to general principles of law, in the sense of Article 38, paragraph 1 (c), of the Statute of the International Court of Justice. This should include information as set out in: (a) decisions of national courts, legislation and any other relevant practice at the domestic level; (b) pleadings before international courts and tribunals; (c) statements made in international organizations, international conferences and other forums; and (d) treaty practice. Such information should be made available preferably by **31 December 2019.**

Mr. Chair,

The topic **“Sea-level rise in relation to international law”**, covered in **chapter X**, is the newest on the Commission’s programme of work. It has been included only at the current session. It therefore not surprising that the focus was on procedural aspects and the way forward. The Commission established a Study Group, to be co-chaired, on a rotating basis, by Mr. Bogdan Aurescu, Mr. Yacouba Cissé, Ms. Patrícia Galvão Teles, Ms. Nilüfer Oral and Mr. Juan José Ruda Santolaria. The Study Group agreed on its membership, methods and programme of work, based on the three subtopics identified in the syllabus, namely law of the sea, statehood and human rights.

In order to further advance its work, the Commission would welcome any information that States, international organizations and the International Red Cross and Red Crescent Movement could provide on their practice and other relevant information concerning sea-level rise in relation

to international law.

In 2020, the Study Group is expected to focus on the subject of sea-level rise in relation to the law of the sea. In this connection, the Commission would appreciate receiving, **by 31 December 2019**, examples from States of their practice that may be relevant (even if indirectly) to sea-level rise or other changes in circumstances of a similar nature. Such practice could, for example, relate to baselines and where applicable archipelagic baselines, closing lines, low-tide elevations, islands, artificial islands, land reclamation and other coastal fortification measures, limits of maritime zones, delimitation of maritime boundaries, and any other issues relevant to the subject.

Relevant materials could include: (a) bilateral or multilateral treaties, in particular maritime boundary delimitation treaties; (b) national legislation or regulations, in particular any provisions related to the effects of sea-level rise on baselines and/or more generally on maritime zones; (c) declarations, statements or other communications in relation to treaties or State practice; (d) jurisprudence of national or international courts or tribunals and outcomes of other relevant processes for the settlement of disputes related to the law of the sea; (e) any observations in relation to sea-level rise in the context of the obligation of States parties under the United Nations Convention on the Law of the Sea to deposit charts and/or lists of geographical coordinates of points; and (f) any other relevant information, for example, statements made at international forums, as well as legal opinions, and studies.

In 2021, the Study Group will address questions concerning statehood and the protection of persons affected by sea-level rise, as outlined in the syllabus of the topic. Accordingly, it would further welcome receiving in due course any information related to both aspects.

Mr. Chair,

It will be recalled that the Commission last year completed the first reading on the topic **“Provisional application of treaties”**. Moreover, the Commission took note of the recommendation of the Drafting Committee that a reference be made in the commentaries to the possibility of including, during the second reading, a set of draft model clauses, based on a revised proposal to be made by the Special Rapporteur, taking into account the comments and suggestions

made during both the plenary debate and in the Drafting Committee. To this end, the Special Rapporteur on the topic, Juan Manuel Gómez Robledo, convened informal consultations to consider the draft model clauses, the summary of which is reflected in **paragraphs 274 to 284 of the Report**. The proposed draft model clauses appear as **annex A of the report**. Comments from Governments and international organizations in advance of the commencement of the second reading of the draft Guide to Provisional Application of Treaties next year would greatly facilitate the Commission's work. Written comments on the first reading texts are to be submitted to the Secretary-General by **15 December 2019**.

I also wish to recall at this juncture that the Commission completed the first reading of the topic "**Protection of the atmosphere**" last year. Comments from Governments and international organizations on both topics are to be submitted to the Secretary-General by **15 December 2019**.

Mr. Chair,

Allow me now to make some concluding remarks.

In its report, the Commission once more commented on its current role in promoting the rule of law and reiterated its commitment to the rule of law in all of its activities in accordance with the request contained in General Assembly resolution 73/207 of 20 December 2018. Moreover, the Commission continues to benefit from the visit of the President of the International Court of Justice as well as its cooperation with other bodies engaged in similar endeavours as the Commission. The holding of the International Law Seminar remains close to the heart of Commission members. The fifty-fifth session of the Seminar was successfully convened at the Palais des Nations to coincide with the beginning of the Commission's second segment. As a former alumnus of the Seminar myself, it was pleasing to see the taking place of the first Conference of the International Law Seminar Alumni Network.

The Commission decided that its seventy-second session would be held in **Geneva from 27 April to 5 June and from 6 July to 7 August 2020**.

I cannot conclude this statement today without acknowledging the invaluable assistance of the Codification Division of the Office of Legal Affairs for the substantive servicing of the Commission. The Secretariat continues to be an integral part of the working methods of the

Commission. The Commission is most appreciative of the Secretariat for its memorandum on information on treaties which may be of relevance to the future work of the Commission on the topic "Succession of States in respect of State responsibility" (A/CN.4/730). It has further been requested to prepare a memorandum surveying the case law of inter-State arbitral tribunals and international criminal courts and tribunals of a universal character, as well as treaties, which would be particularly relevant for its future work on the topic "General principles of law".

This concludes my presentation of the report and I thank you very much for your kind attention.