

**PERMANENT MISSION OF THE REPUBLIC OF BULGARIA
TO THE UNITED NATIONS**

79nd Session of the General Assembly

**Agenda item 79: Report of the International Law Commission
on the work of its 75th session**

**Cluster II - Chp: IV (Settlement of disputes to which
international organizations are parties)**

Statement by

Ms. Monika Velkova

Public International Law Department

International Law Directorate

Ministry of Foreign Affairs of the Republic of Bulgaria

New York, October 2024

Check against delivery!

Mr/Mme Chair,

Thank you for giving us the opportunity to address the Sixth Committee on the second cluster of topics contained in the International Law Commission's Report. In our remarks I wish to address Chapter IV – "***Settlement of disputes to which international organizations are parties***".

The Republic of Bulgaria would like to express its appreciation to the Special Rapporteur Mr. August Reinisch for his second report on the topic. We also thank the Secretariat for its work on providing information of important relevance for the future work of the Commission on the topic. We recognize the importance of the ongoing deliberations within the Commission and we welcome the provisional adoption by the ILC at its 75th session of draft guidelines 3-6 on this critical subject.

Bulgaria notes the focus in the second report on the discussion on the term "international disputes". The constantly evolving landscape of international relations and the increasing role of international organizations call for robust and equitable dispute settlement mechanisms.

While Bulgaria supports the current scope of the draft guidelines under Part Two, as contained in draft guideline 3, we believe that further consideration should be given to expanding their scope to address disputes involving private parties and international organizations in Part Three, as currently envisaged in the Commission's report. The increasing interaction between private entities, including corporations, associations and non-governmental organizations, and international organizations creates new challenges for dispute resolution. In this vein, Bulgaria calls upon the ILC and other relevant bodies to explore how these types of disputes can be effectively addressed within the international legal framework.

We welcome the proposal to remove the references to international law as the applicable law, as in practice, such disputes can involve a mix of international, customary and domestic law depending on who are the parties involved in the dispute.

Successful resolution of disputes involving international organizations is essential for the stability and legitimacy of the rules-based international order. In this regard, we also welcome the recommendation for the settlement of disputes in "good faith" and "in the spirit of cooperation"

contained in guideline 4, and in particular the reference to all peaceful means for dispute settlement “appropriate to the circumstances and the nature of the dispute”, which takes into due account that in some situations specific means may be obligatory under certain agreements with respect to the settlement of particular types of disputes to which international organizations are parties.

Regarding draft guidelines 5 and 6 we would be cautious to single out arbitration and judicial settlement at the expense of other means of settlement, such as negotiation, mediation, etc. and we would favour further reflection on the draft guidelines.

In conclusion, Mr/Mme Chair, Bulgaria looks forward to considering the draft guidelines and the commentary in greater detail as the work of the Commission progresses.