



SIXTH COMMITTEE

CHECK AGAINST DELIVERY

Statement by

OV 6 DUDK : H L V V O D ¶ X G L
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ILC Cluster III

Chps:VII (Succession of States in respect of State responsibility) and VIII (General principles of law)

Agenda Item 82

2 November 20
United Nations, New York

Madame Chair,

Starting with **W K H** **General Principles of law** · , **V U D H O** **Z R X O** **Special** **IN H**
Rapporteur for his first two reports, which provided useful information about the
international law.

Regarding the issue of the relationship between different sources of international law, Israel

Concerning the term R W K H U U H O H Y D Q W P D W H U L D O V . S U R S I

Madame Chair,

The inherent problems associated with a single cat

Furthermore, it is worth noting that customary rules do not necessarily apply, particularly true in situations where there is a persistent objector to a treaty or rule. Israel recalls that the persistent objector doctrine is a well-established concept in international law, and is recognized by the Commission itself in the context of its work on the topics of identification of customary international law. D Q P G n p r m p t o r y n o r m s o f g e n e r a l i n t e r n a t i o n a l l a w . () . Draft Article 7(b) could be read to suggest that a general principle may be derived from customary rules, potentially circumventing unacceptable manner the persistent objector rule. This issue raises an important question, which the Commission should examine: whether general principles of international law apply to States that have expressly rejected them.

With regard to the third criterion in Draft Conclusion 7(e), which refers to principles inherent in the basic features and fundamental requirements of the international legal system, the Commission believes that this criterion is extremely vague and subjective, and lacks a basis in State practice accepted in international law. 70.78 Tm O g O G [()] T J E T Q q 0.00000912 O 61-40(/F2 14.05* n T J t) 7 ()

Madame Chairperson,

Turning now to the topic **Succession of States in respect of State Responsibility**

With respect to the final outcome, Israel deems the proposed draft articles as appropriate for serving as a basis of a future convention. In this vein, we respectfully suggest that the form of draft guidelines may be more appropriate in this particular context.

Madame Chair,

As a concluding remark, Israel would like to acknowledge that the choice of the proper form for the ILC to take up is a responsibility shared by both the Commission and States. The Commission believes that it is important that as many States as possible be involved in this matter,

D Q G R Q W K H & R P P L V V L R Q ¶ V Z R U N P R U H J H Q H U D O
Commission and ensure that the outcome will best serve States at the end of the process.

I thank you Madame Chair