



# IRELAND

Statement by

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**Sixth Committee  
United Nations General Assembly 72<sup>nd</sup> Session**

**Agenda Item 81:**

The Report of the International Law Commission on the Work of its  
69<sup>th</sup> Session

PART 1 – Ch I (Introduction), Ch II (Summary of the work of the Commission at its sixty-eighth session), Ch III (Specific issues on which comments would be of particular interest to the Commission), Ch IV (Crimes Against Humanity), Ch V (Provisional Application of Treaties) and Chap XI (Other decisions and conclusions of the Commission)

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*Check against delivery*

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Mr. Chair,

1. At the outset, as this is our first time taking the floor, Ireland wishes to congratulate the Chair and Bureau on your election, and to assure you of our support for your work. The Irish delegation thanks the Commission for the report of its Sixty-Ninth Session and commends the considerable progress made this year. We also thank the Chair of the Commission, the Special Rapporteurs and other member of the Commission for their presence here in New York, as well as the Office of the Legal Adviser for its support of the Commission's work.
2. Today, I will comment on the topics of "Crimes against Humanity" and the "Provisional application of Treaties". Finally, I will make some brief comments on "Other decisions and conclusions of the Commission".

*Crimes against Humanity*

3. Ireland wishes to congratulate the Commission and the Special Rapporteur, Mr Sean D. Murphy, on the successful conclusion of its first reading of the draft articles on crimes against humanity and the commentaries thereto. We would like to commend the significant contribution of Mr Murphy to this topic which has seen the provisional adoption of a full set of draft Articles in three years.
4. Ireland notes that a preparatory conference took place in the Netherlands last week on a Multilateral Treaty for Mutual Legal Assistance and Extradition for Domestic Prosecution of the most serious international crimes. As my delegation said in its statement delivered at the Seventy-First Session last year, it is important that the Commission continues to communicate with the Convening States of this initiative as they progress work on this proposed new instrument, to guard against any potential fragmentation in this area of law.
5. Ireland looks forward to considering these draft Articles in depth and providing comments and observations to the Secretary General by 1 December 2018 at the request of the Commission.

Mr Chair,

*Provisional application of Treaties*

6. Ireland aligns itself with the statement delivered by the European Union on the topic “Provisional Application of Treaties” and would also like to express our gratitude to the Commission and the Special Rapporteur, Mr Juan Manuel Gomez Robledo for his work on this topic.
7. In addition, Ireland notes with appreciation the Secretariat’s Memorandum analysing state practice in respect of treaties which provide for provisional application deposited or registered with the Secretary General in the last 20 years.

Mr Chair,

*Other decisions and conclusions of the Commission*

8. Turning to other decisions of the Commission during its 69<sup>th</sup> Session, Ireland takes note of the decision to recommend the inclusion of the topics “General principles of law” and “Evidence before international courts and tribunals” in its long-term programme of work. We wish to thank Mr Marcelo Vazquez-Bermudez and Mr Aniruddha Rajput for their useful papers addressing these proposed topics. Both of these topics are of interest to my delegation, but we note the need to ensure that the Commission has sufficient time to fully consider each topic it works on and in turn to provide adequate time for deliberation by the Sixth Committee.
9. Finally, we welcome the Commission’s recommendation to hold a number of commemorative events in New York and Geneva during its seventieth session, including two half-day events in New York on 21 May 2018 and a one and a half-day conference on 5 and 6 July 2018. Ireland supports the proposed theme for these events “70 years of the International Law Commission – Drawing a balance for the future” and is of the view that the seventieth anniversary of the Commission provides a unique opportunity to contemplate its role in the future development of international law through an exchange between States and members of the Commission on possible future topics.