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General remarks

At the outset, I would like to extend this delegation's congratulations to you for assuming the chairmanship over our Committee and assure you of our continued cooperation and support.

At the same time, I would like to express our appreciation to the Chair of the International Law Commission for the comprehensive programme of work of the ILC session and to all members of the ILC for their continued efforts in ensuring a good programme of work on topics on the agenda of the Commission relevant for the progressive development and codification of international law.

The ILC has made good progress on the topics on its current agenda, concluding its work on *norms of general international law (jus cogens)* and *Protection of the environment in relation to armed conflicts* and significantly advancing consideration of other topics, among which *immunity of State officials from foreign criminal jurisdiction* which remains (and even became) of high practical significance. The consideration of the second issue paper under the *Sea-level rise in relation to international law* marks equally important progress on a ra

We commend as well the effort of the Special Rapporteur and of the Commission in ensuring consistency with the provisions of the *Vienna Convention on the Law of Treaties* as well as with the previous work of the Commission, ample references being made to draft *Articles on State Responsibility for Internationally Wrongful Acts*.

On the substance of the draft Conclusions, the Romanian delegation remains reserved especially on the following aspects:

- the identification of general principles of law as sources for peremptory norms of general international law (draft Conclusion 5);
- the inclusion of the procedural rule in Conclusion 21 which, in spite of the assurances in the commentaries that it does not create a basis for the ICJ jurisdiction, is formulated in a way that does not avoid such assumption; moreover, as the Commission itself recognized in the commentaries, the dispute resolution provisions do not operate as a matter of customary law;

While we have not opposed the inclusion of the indicative list of *ius cogens* *TVe not opposed*

