

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

**74th Session of the United Nations General Assembly
Sixth Committee**

Item 79

**Report of the International Law Commission on the
work of its seventy-first session, Cluster I**

Statement by

Mrs. Dimana Dramova, Phd

New York, 31 October 2019

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Mr. Chairman,

The Republic of Bulgaria expresses its continuous appreciation and support for the work of the International Law Commission and all its members. We also extend our gratitude to the Chair of the Commission, Mr. Pavel Šturma for its comprehensive Report.

We commend the work of the Special Rapporteur Mr. Sean Murphy and the adoption on second reading of the draft articles on prevention and punishment of crimes against humanity by the International Law Commission. In that regard we strongly support the International Law Commission's proposal for the elaboration of a convention by the UN General Assembly or by an intergovernmental conference on the basis of the completed draft articles as we give preference to the second option. In that respect we align ourselves with the Statement previously made on behalf of the EU and its Member States.

The Republic of Bulgaria reiterates its commitment to the fight against impunity and to the strengthening of the international legal framework for prevention, prosecution and punishment of international crimes. We appreciate the efforts to remain consistent with the existing legal framework by incorporating the Rome Statute definitions of the crimes and by drawing inspiration from other multilateral and bilateral treaties, particularly as regards mutual legal assistance. The Republic of Bulgaria notes that the adoption of a comprehensive treaty on crimes against humanity is a significant step that can help filling a gap in international criminal law.

We acknowledge that the draft articles make no compromise with upholding human rights standards as no justice can be served without taking into account the rights of the accused. Through extensive mutual legal assistance provisions and the obligation to either prosecute or extradite, all stakeholders should rest assured that there will be no safe haven for perpetrators of the most serious crimes of international concern.

As part of the Initiative on a multilateral treaty for mutual legal assistance and extradition of the most serious crimes we believe that the two projects remain complement to each other and with their relevant differences could bring added value to the international legal framework.

Mr. Chairman,

On a further note, the Republic of Bulgaria welcomes the constructive approach undertaken by the Special Rapporteur Mr. Dire D. Tladi in the conclusions on peremptory norms of general international law (jus cogens) and the search for striking balance between State practice and theory.

The International Law Commission should be consistent with its previous practice and phrasing – in particular, as regards the responsibility of States for internationally wrongful acts. The draft conclusions make a clear distinction between jus cogens as an accepted doctrine in international law, the rules of customary international law and obligations created by unilateral acts and clarifies the conflict resolution between them.

On the illustrative listing of jus cogens norms my delegation shares some concerns of the need of more detailed analysis of the character of the norms. We welcome the approach of the Commission to clarify the theoretical controversy on the concept of regional jus cogens norms.

In addition, we express our appreciation to the organizers of the International Law Seminar.

In conclusion, we wish to express the support of my country for the future work and guidance of the International Law Commission.

Thank you, Mr. Chairman