

Statement by

Dr. V.D. Sharma

Joint Secretary (Legal and Treaties)

Ministry of External Affairs (y) [TJET] 1 0 0 1 81.93.8 Tm[) [TJE

lte0 1[Ca(nE)0a)-3terA87sl

Mr. Chairman,

As I am speaking first time in the Sixth Committee during the current session, I take this opportunity to congratulate you on your election as the Chairperson of this important Committee. Also I congratulate other Members of the Bureau of the Sixth Committee on their election.

Mr. Chairman,

India joins others in thanking Mr. Georg Nolte, Chairman of the Sixty-ninth session of International Law Commission, for the comprehensive introduction of the Report and for guiding the work of the Commission at this

International Criminal Court, available to deal with the subject matter of this topic including the measures relating thereto which are suggested in the draft articles, the necessity of Commission's work on this topic is still not clear. In our view, any work on this topic could lead to duplicating the efforts already undertaken in the existing regimes.

Mr. Chairman,

Turning to the topic "Provisional application of treaties", we appreciate the efforts of the Special Rapporteur, Juan Manuel Gómez Robledo, put in the study of this topic that has resulted in the submission of four reports. At the current session, the Commission provisionally adopted the draft guidelines 1 to 11 produced by the Special Rapporteur. The Commission also adopted the commentaries to the draft guidelines at the current session.

The Commission also had before it a memorandum, prepared by the Secretariat, reviewing State practice in respect of treaties (bilateral and multilateral), deposited or registered in the last 20 years with the Secretary-General, that provide for provisional application, including treaty actions related thereto. It will be taken up for consideration at its next session by the Commission.

Mr. Chairman,

We are of the view that a nation's political, social and legal system has greater role in the field of provisional application of a treaty, including the manner of expressing consent to a treaty. India being a dualistic State, treaties do not automatically form part of the domestic law. Their provisions become applicable only as a result of their acceptance by internal procedures.

Mr. Chairman,

We heard

Mr. Chairman,

We are happy to note that the ILC would commemorate its 70th anniversary in New York in May 2018. The New York session would provide the opportunity to enhance interaction of ILC Members with the Sixth