

(Agenda Item 02) Cluster 1

Cluster I, Chns. I, II, III, IV (Crimes again

Mr. Chairman,

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In continuation of my delegation's previous remarks, I would like to make the following comments in this regard:

Article 1 of the Statute of the International Criminal Court, as currently drafted, is too broad and



instruments and established mechanisms and principles of the

norms of international law. We also remain cautious on its diverse consequences on the notion of jus cogens and urge the Commission to revisit its approach in this regard.

With regard to the Article 22, we are of the view that elaboration of a “without prejudice” clause, is not in line with the scope of the topic and we request its deletion.

~~Lastly on the draft conclusion 23 on the introduction of a non-exhaustive list of ius cogens~~

consideration. Notwithstanding the reservations raised by a number of states against developing a list of jus cogens norms, it is hardly to be convinced by the necessity of having such list. From the methodological point of view, this list may substantially change the process-oriented nature of this

also note that there is a direct link between this topic and Articles on responsibility of states for wrongful acts and in the absence of any result on the articles on state responsibility, it would be difficult to reach consensus on this issue. Moreover, this topic does not enjoy sufficient state practice and could