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Report of the ILC:
Reservations to Treaties

Statement by

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Mr. Chairman,

First of all, the delegation of the Czech Republic wishes to express its appreciation to the Commission and namely to the Special Rapporteur Professor Alain Pellet, for the results achieved over many years of work on a topic so challenging in terms of theoretical knowledge and so significant in terms of practical implications.

The Guide to Practice together with commentaries is a corpus of enormous magnitude and practical importance and should help States to assess relevant aspects of formulating reservations, interpretative declarations and reactions to them, as well as to evaluate the legal effects of these actions. The Czech Republic welcomes that the Special Rapporteur and the Commission based its work on thorough research and approached the subject with clear logic, and academic rigour, as well as with common, practical sense. The Guide to Practice thus comprehensively elucidates intricate aspects of one of the most neuralgic areas of the law of treaties. Appreciation should be addressed to most of the guidelines and the elaborated and concrete arguments set in the commentaries.

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we welcome the recommendation of the Commission that the mechanism could at the same time function as an advisory body for the States which would seek help with formulating the reservation. There is no doubt that the States do benefit from this concept and, therefore, we would welcome if this recommendation was elaborated in more detail as far as the functioning of this body is concerned, provided that there are no financial implications for Member States.

Thank you, Mr. Chairman.