



Thank you Mr. Chairman,

The Government of Israel would like to express its sincere appreciation to the International Law Commission and the Special Rapporteur, Mr. Sean Murphy, for their valuable work related to the codification of "**Crimes against Humanity**".

Israel welcomed this process from the outset since it has consistently been committed to international criminal justice and to the prevention and punishment of international crimes, including crimes against humanity. Israel was one of the first nations to join the Convention on the Prevention and Punishment of the Crime of Genocide and to adopt domestic legislation to that effect.

Furthermore, following a recommendation made by a Public Commission of Inquiry in February

2013 established by the Israeli government, Israel is considering the adoption of domestic legislation that would explicitly address the prohibition of crimes against humanity, in accordance with customary international law. The proposed bill is currently being drafted based

stresses the importance of remaining in line with customary international law when codifying these crimes and their definitions. Creating a treaty which will allow for flexibility in States' implementation is conducive to this goal as well. Accordingly, the approach reflected in the

report of the Special Representative (see para. 202 to his report) with respect to following general

Mr. Chairman,

Now we would like to address the topic of "Provisional Application of Treaties" Israel

commends the Special Rapporteur, Mr. Juan Manuel Gómez-Robledo, and the International Law Commission on their valuable work on the Draft Guidelines

As we have stated in the past Israel's practice does not generally permit the provisional

application of treaties. However, there are exceptional circumstances in which it may be allowed

other Member States about their practice regarding similar situations. In addition, we would very much like to hear whether other fields have been identified by Member States as requiring unique procedures similar to those that have been introduced by Israel

Mr. Chairman,

Regarding the Draft Guidelines provisionally adopted by the Drafting Committee, Israel supports the development of these Guidelines and commends the efforts of the Drafting Committee on this matter. However we are concerned with the wording of Draft Guideline 4, titled "Form of Agreement". It seems that the text may be interpreted as allowing other States or entities to initiate the provisional application of a treaty, which may include obligations, without the

consent of the relevant States. We would emphasize the importance of clarifying that a treaty may be provisionally applied only subject to the consent of all States which are affected by such provisional application.

Thank you, Mr. Chairman.