

CZECH REPUBLIC

~~Permanent Mission of the Czech Republic to the United Nations~~

Check Against Delivery

Mr. Chairman,

Since this is the first time I take the floor under this agenda item, I would like to assure you of our full support and cooperation.

The Czech Republic will now address topics included in this year's report of the International

In all stages of Commission's work on the topic, the Czech Republic availed itself

in particular in its written comments on the draft conclusions resulting from the first reading.
We therefore do not consider it necessary to comment on individual conclusions at this

occasion.

Nevertheless, we have one remark concerning the selection of Commission's topics in general: the experience from the work on this and some other topics on current program of Commission's work, such as the protection of the environment during armed conflicts, should, in our view, prompt a deeper reflection, both in the Commission and in the Sixth Committee, on the advantages and disadvantages of topics not intended for further progressive development and codification of international law. We notice growing tendency

of the so called „non-localized“ particular customary law, involving States that do not have some regional relationship, is rather theoretical and debatable concept, which requires further analysis. Further, we would like to reiterate our reservation, already expressed in our written

comments, to draft conclusion 10 paragraph 3 concerning the failure to react as evidence of *opinio iuris*. In our opinion, this draft conclusion *does not* adequately reflect the practice of States, namely different types of the „failure to react“ by individual States and different

Mr. Chairman,

Now I would like to briefly comment on the decisions of the Commission contained in **Chapter XIII** of its report. Firstly, the Czech Republic welcomes the decision to include