





These conclusions are intended to identify the ways in which the existence and content of rules of customary international law are to be determined, with respect to the two constituent elements of

those who are confronted with issues of interpretation of international law. At the same time, we are of the view that, in assessing the existence and content of customary international law, a certain margin of appreciation should be recognized to the interpreter, in light of the multiplicity of expressions of state practice that may be relevant to that effect. **In addition, the reasoning and processes underlying the identification of customary rules and the rules governing such processes are elements that are intrinsically linked to the identification of customary law and will inevitably influence any resort to these conclusions.**

As a result, we agree with the recommendation by the Commission that the General Assembly **could limit itself to** take note in a resolution of the draft conclusions adopted by the Commission, annex the draft conclusions to **such** resolution and ensure their widest dissemination.

Finally, Mr. Chairman,

as regards the aspects relating to

we took

Commission. Italy wishes to congratulate Mr. Marcelo Vazquez-Bermudez for his appointment as Special Rapporteur for the topic and looks forward to discussing his initial report.

The Commission also decided to include in its long-term programme of work the two topics of

that both these topics are of considerable interest for the international community and meet the criteria agreed by the Commission for the selection of new topics. In particular, and as a country traditionally engaged in the fight against impunity for international crimes, Italy believes that the question of universal criminal jurisdiction, while quite complex in light of relevant State practice, would deserve to be considered by the Commission in a reasonable time-frame.

Thank you, Mr. Chairman

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