



74th Session of the General Assembly

Sixth Committee

New York, 5 November 2019

Chairperson,

Allow me to turn now to the topic

and to express my delegation's appreciation to Special Rapporteur Pavel Šturma for his third report and to the Secretariat for its memorandum on this topic. The third report focussed on the issue of state succession occurring on the side of a state injured by internationally wrongful acts and offered a number of draft articles under the title "Reparation for injury resulting from internationally wrongful acts committed against the predecessor State".

The Austrian delegation notes with regret that these suggested draft articles were not discussed in the drafting committee and only received general comments by the members of the Commission in the plenary session. We also note that the Special Rapporteur again pursues the course of automatic succession in cases where the predecessor state does not continue to exist.

My delegation has read with interest the summary of the ILC's debate on draft articles 12, 13 and 14 proposed by the Special Rapporteur and notes their ambiguity resulting from the

Finally, as regards draft article 15 as proposed by the Special Rapporteur, my delegation believes that diplomatic protection should not form part of these articles, since the ILC, also in its previous work, had considered the topics of state responsibility and diplomatic protection separately.

Chairperson,

Permit me now to address the topic "The Austrian delegation commends Special Rapporteur Marcelo Vázquez-Bermúdez for his first report that addresses the scope of the topic and the main issues to be dealt with by the Commission. We welcome the way the Special Rapporteur has set the scene for a thorough discussion of the topic. However, contrary to the view expressed by the Special Rapporteur, we believe that a non-exhaustive list of general principles of law would be a valuable contribution to the ILC's work. In the following, we would like to comment on draft conclusion 1 as provisionally adopted by the drafting committee as well as on some further issues presented by the Special Rapporteur.

As to draft conclusion 1 on the scope of the draft conclusions, Austria is well aware of the difficulties concerning

