

**PERMANENT MISSION OF THAILAND
TO THE UNITED NATIONS**

136 EAST 39TH STREET, NEW YORK, NY 10016

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Madam Chair,

1. On behalf of my delegation, I wish to thank Mr. Mahmoud Hmoud, current Chair of the International Law Commission, for his comprehensive report on the work of the seventy-second session of the Commission. We are glad to witness the election of the first chairwoman of the drafting committee in the ILC history, Ms. Patrícia Galvão Teles, and commend her for the work done in special conditions. We would also like to express our appreciation to all members of the Commission, including a newly elected member to fill the vacancy, for their contribution to further the progressive development and codification of international law. We welcome the resumption of ILC work and congratulate the Commission for its successful conclusion of the session in the “new normal” setting.

2. With respect to the designated Cluster I of the ILC Report, Thailand welcomes the adoption of **the Draft Guidelines on the Protection of the Atmosphere** and **the Draft Guide to Provisional Application of Treaties** with their respective commentaries. We express our deep appreciation to the Special Rapporteurs, Mr. Shinya Murase and Mr. Juan Manuel Gómez Robledo, respectively, for their hard work.

CHAPTER IV

PROTECTION OF THE ATMOSPHERE

Madam Chair,

3. Thailand views that the contribution of the ILC in rather technical issues such as the protection of the atmosphere can be useful and can **enrich the discussion in other fora**. The Draft Guidelines on the Protection of the Atmosphere is a good example of in-depth analysis of key principles of international law that apply to often complex and cross-cutting issues, including due diligence, obligation to cooperate and peaceful settlement of disputes, which can address the fragmentation of international law.

CHAPTER V
PROVISIONAL APPLICATION OF TREATIES

Madam Chair,

4. Turning to the topic of **provisional application of treaties**, allow me to highlight the following points:

5. First, Thailand wishes to echo **the rationale of the Draft Guideline 12 and its commentary**. Given the fact that the provisional application of treaties might not be possible at all under the internal law of States,¹ it is essential and proper that the Draft Guide **unambiguously reflects the consensual nature** of the provisional application of treaties.

6. Second, while facilitating the entry into force of treaties, the provisional application should not undermine or delay consent-to-be-bound processes

CHAPTERS I, II, III, X (OTHER DECISIONS)



