

# Algeria



# الجزائر

Permanent Mission of Algeria

بعثة الجزائر الدائمة

to the United Nations

لدى الأمم المتحدة

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## 71<sup>th</sup> Session of the United Nations General Assembly

**Statement by**

**Mr. Mehdi REMAOUN**

**First Secretary**

**to**

**The Sixth Committee on “Responsibility of States for internationally  
wrongful acts”**

**[Agenda item 74]**

Trusteeship Council Chamber, 7<sup>th</sup> October 2016

My delegation takes note of the reports of the Secretary-General on this item, entitled "Responsibility of States for internationally wrongful acts", contained in documents A/71/79 and A/71/80.

My delegation aligns itself with the statement made by South Africa on behalf of the African Group.

**Distinguished delegates,**

Algeria believes that responsibility of States is one of the fundamental principles of international law. It arises from the principles of the United Nations Charter, such as the States sovereign equality and peaceful settlement of disputes. It emanates also from the general principle of *bona fide*, legal concept particularly relevant in matters of equity.

States responsibility implies that if a State commits an internationally wrongful act against another State, it will be legally responsible for reparation.

In the draft articles, Chapter II of the Second Part, relating to Reparation for Injury, represents one of the most important parts of the draft in terms of enhancement of the rule of law and access to justice at the international level. May I emphasize that one of the sub-topics addressed during this year deliberations under the Rule of Law agenda item, concerns measures to facilitate access to justice for all. Delegations showed many enthusiasms about this focus, we hope that it will be translated under this particular agenda item.

In this connection, we believe that the provisions of the draft articles on States responsibility underlie an effective interstate justice in International Law.

**Distinguished delegates,**

When we know that the subject of States responsibility has been the most difficult work of codification of the International Law Commission (ILC), and bearing in mind that it took almost half a century to finalize its draft articles, we can only be deeply grateful to the ILC for the remarkable work realized.

It is undeniably an achievement of great value, and the draft articles have been carefully elaborated.

As a matter of fact, many States interacted with the ILC during the drafting process, we can then be sure that the result of this work reflects a collective will and a common understanding.

**Distinguished delegates,**

Given the growing use and the increasing acceptance of the draft articles by international courts, tribunals, other bodies and also State practice, as illustrates both reports we have before us, we can be convinced that the conditions of maturity are now met to convene a diplomatic conference in order to adopt an international convention on Responsibility of States for internationally wrongful acts.

Accordingly, Algeria fully supports the idea of developing a multilateral instrument of universal scope.

**Distinguished delegates,**

We understand that some delegations still have some doubts on the necessity to translate the draft articles into a legally binding instrument, however we would like to see some flexibility while avoiding to prejudge the course and the outcome of negotiations' under a diplomatic conference.

In conclusion, we believe that the working group on this item will be a great opportunity to discuss the possibility of holding a diplomatic conference to develop a new convention.

My delegation stands ready to engage constructively in this exercise.

**I thank you.**