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## Statement of Japan

United Nations General Assembly, Sixth Committee, 74th SESSION,  
Report of the International Law Commission on the work of its seventy-first  
session (Agenda item 79), Cluster III

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Thank you, Mr/Madam Chairperson,

I have the honour to speak on behalf of Japan. I would like to comment on the topic of “General Principles of Law”. Japan congratulates the Special Rapporteur Mr. Marcelo Vázquez-Bermúdez for his first report. This topic is highly theoretical. Japan places confidence in the ILC to have thorough deliberations on the questions involved. Japan also hopes that the commentary will make references to State practice and authoritative views of laws.

Japan understands that the output of this topic would take the form of draft conclusions, like the topics of “subsequent agreements and subsequent practice in relation to interpretation of treaties”, “identification of customary international law”, and “peremptory norms of general international law (*Jus cogens*)”. Although the significance of draft conclusions, unlike a draft article of a proposed treaty, is not clear, domestic courts may still refer to them as having normative value. Therefore, both the Member States and the ILC should be aware of the influence that draft conclusions may have in future.

The scope of the topic in Draft Conclusion 1 is not necessarily clear. In particular, the phrase “as a source of international law” needs thorough examination. Japan expects further explanations to be provided in the Draft Conclusion and commentary, including on the definition of “general principles of law”.

I thank you.

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