

**77 th SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
SIXTH COMMITTEE AGENDA ITEM 77**

**“REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS
SEVENTYTHIRD SESSION”**

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Mr President

At the outset, let me commend the work of the International Law Commission since its establishment by the General Assembly, in 1947, for successfully discharging the mandate of the Assembly, under Article 13(1) (a) of the Charter of the United Nations to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification.

My delegation also thank the outgoing members of the International Law Commission, whose term ends this year and also welcome the new membership for the 2023-2027 quinquennium. My delegation assures full support to the ILC for effectively discharging its mandate.

Peremptory Norms of General International Law

We take note that the International Law Commission has adopted 23 draft conclusions and annex on identification and legal consequences of peremptory norms of general international law (Jus cogens) together with commentaries.

We thank the Special Rapporteur in particular and the Commission in general for the work on this very relevant topic.

We take note that norms in purely domestic forum, and norms of a purely bilateral or regional character are excluded from the scope of the topic.

Since peremptory norms of general international law (jus cogens) are hierarchically superior to other norms of international law, the standard used to identify them must be clear and unambiguous. We are hopeful that the draft conclusions and the commentaries would be helpful to identify norms of jus cogens and to apply the consequences of such norms.

Annexure to Draft Conclusion 23 provides for a non exhaustive and illustrative list of preemptory norms. Some of the norms in the list are not well defined in international law, and the interpretation of their applicability differs from state to state; the norms themselves as well as the desirability of including such a list should also therefore be subject to further discussion.

Mr President

Regarding Other Decisions and Conclusions of the Commission,

We welcome the decision of the Commission to include the topic "Settlement of International Disputes to which International Organizations are Parties" in its programme of work and congratulate Mr. August Reinisch for assuming the position as Special Rapporteur in the regard.

The decision of the Commission to include the topic "Prevention and Repression of Piracy and Armed Robbery at Sea" in its programme of work, is a welcome initiative. In this regard we congratulate Mr. Yacouba Cisse on being appointed as Special Rapporteur on the topic.

We believe that future work on this topic will contribute to addressing the challenges that affect the safety and security of international navigation. As a launchpad for future work on this topic, the recognition of international legal framework through the UN Convention on the Law of the Sea, would be very relevant in the context of traditional and non-traditional security challenges in the maritime domain, including piracy and armed robbery at sea.

We further welcome the decision of the Commission to include the topic "Subsidiary means for the determination of rules of International Law", in its programme of work. We congratulate Mr. Charles Chenor Jalloh on his appointment as Special Rapporteur on this topic.

We look forward to a meaningful exchange of views and information on the newly added topics as also to the reports of the respective Special Rapporteurs on such topics of work.

I Thank You **Mr President**