

Mr. Chair,

It is my pleasure to introduce the draft resolution on the report of the International Law Commission on the work of its seventy-third session, as contained in document A/C.6/77/L.16.

The draft resolution contains the necessary technical updates in light of the report of the Commission.

Mr. Chair,

As you indicated, the Bureau has agreed with the recommendation of the coordinator on the topic “peremptory norms of general international law (*jus cogens*)” that the question of the recommendation of the Commission on the draft conclusions adopted under that topic continue to be considered at next year's session of the Sixth Committee, and that such decision be reflected in this year's draft resolution on the report of the International Law Commission on the work of its seventy-third session.

As such, I wish to propose the inclusion of the following operative paragraph, as operative paragraph 2 *bis*, which I will read in English:

"*Decides* that the consideration of chapter IV of the report of the International Law Commission on the work of its seventy-third session, dealing with the topic “Peremptory norms of general international law (*jus cogens*)”, shall be continued at the seventy-eighth session of the General Assembly, during the consideration of the report of the Commission on the work of its seventy-fourth session;"

Mr. Chair,

It is my wish to address a further issue for the consideration of the Sixth Committee. Operative paragraph 4 of the draft resolution as contained in document L.16 draws the

attention of Governments to the importance for the International Law Commission of having their views on the various aspects of the topics by the deadlines specified in Chapter III of the Commission's report.

Chapter III of the Commission's report sets a deadline of 1 December 2022 for information from States, international organizations and others to be sent to the Commission regarding the topic "Subsidiary means for the determination of rules of international law". Taking into account the fact that the draft resolution will be adopted by the General Assembly **after** 1 December 2022, mention to such topic was **not** included in operative paragraph 4 **to avoid confusion**.

However, after the draft resolution was issued earlier this week, I received a request from a delegation to consider revising operative paragraph 4 in order to include mention to the topic "Subsidiary means for the determination of rules of international law", which is also mentioned in Chapter III of the Commission's report, as I just stated.

Mr. Chair,

Exceptionally, and having consulted delegations, for the reasons stated, I wish to propose an oral revision to operative paragraph 4 as contained in L.16 as follows:

- (i) first, the phrase "and by the respective dates specified therein", contained in the chapeau, would be deleted;
- (ii) second, the phrase "Subsidiary means for the determination of rules of international law" would be added as a new subparagraph (c); and
- (iii) third, current subparagraphs (c) and (d) would be renumbered, turning into subparagraphs (d) and (e), respectively.

In view of all of the above, Mr. Chair, I hereby commend the draft resolution as orally revised, for adoption by the Committee without a vote.