

**JOINT STATEMENT**  
**78<sup>TH</sup> SESSION**  
**SIXTH COMMITTEE OF THE GENERAL ASSEMBLY**  
**AGENDA ITEM No. 120**

**Revitalization of the Work of the General Assembly**

**New York, November 8, 2023**

Mr. Chair,

In relation to the current agenda item, I have the honor to deliver this statement on behalf of **the delegations of Colombia, El Salvador, Italy, Lebanon, Mexico, Tunisia, XXXX, and my own country, Portugal.**

At the outset, allow me to express our appreciation for the valuable work undertaken under your Chairpersonship, which, together with the efforts of the members of the Bureau, was conducive to us achieving a productive session of this Sixth Committee. We would like to express our appreciation for the valuable support and service provided by the Codification Division of the United Nations Office of Legal Affairs in the organization of our work. Since we understand this will be Mr. Huw Llewellyn and Mr. Trevor Chimimba's last session of the Sixth Committee, we would like to take this opportunity to thank them for their outstanding service and dedication to our Committee over the years, and we wish them well in their respective future endeavors. Our appreciation also extends to Conference services, and to the interpreters, whose role is invaluable in ensuring the diversity of this forum, in guaranteeing our messages are properly delivered and understood.

Mr. Chair,

Our delegations have consistently been expressing their concerns regarding the working methods of the Sixth Committee, which in our view, **have been impacting the ability of the Committee to have more substantive discussions** on the topics that are brought to its attention and which have great importance for a significant number of delegations, as well as on **our ability to have a level of debate that honors and is reflective of the mandate this body** has under the UN Charter.

It is our firm conviction that States continue to **have a central role in the codification and progressive development of international law** and that this body should be the main multilateral forum where such an exercise should take place. Additionally, past and current world events only make us further convinced that the increased complexity of international relations and global phenomena require **more international law**, not less; it requires **more and better discussions** seeking to address old and emerging challenges, not a sustained decline in our ability to make progress on those debates.

Accordingly, our delegations have recognized the need for this Committee to **reflect on its methods of work on a regular basis**. Indeed, despite several achievements over the years, we feel there are **tangible steps we can take** with a view to ensuring more meaningful sessions in the future, where the Sixth Committee can constructively achieve action-oriented outcomes.

In this context, our delegations would like to make the following points:

First, we recall that there is already a mandate set out in General Assembly resolution 77/335 “Revitalization of the work of the General Assembly”, according to which each Main Committee is requested to further discuss its working methods. Similar to the Planning Group established by the ILC to reflect on its programme, procedures and working methods, our delegations believe this issue must be considered seriously by this Committee. Accordingly, **we fully support the appointment of a Focal**

**Point by the Bureau** who can help **consolidate institutional memory on any best practices and lessons learned**, as well as **facilitate further informal exchanges between delegations** on possible improvements to the Committee's working methods.

Second, our delegations remain concerned with the recent inability of our committee to **effectively follow up** on the work of the International Law Commission; *and* to **address fully and meaningfully** the recommendations made by the Commission. We are convinced that, if there is not a significant improvement in the way the Committee engages with the ILC, **we risk undermining the relationship between the GA and the ILC**, thus impairing the role of the General Assembly in terms of progressive development and codification of international law. We should be able to address – in an appropriate, deliberative setting and in a manner separate from a concrete ILC outcome – how the Committee engages with the Commission on **the selection of topics**, on **the format of the outcomes** of the ILC, on **how to improve interaction** between the Commission and the Committee, and **how best to follow up** on the work of the Commission. This could be done during International Law week, before beginning the discussion of Cluster I. As the Commission approaches the 75<sup>th</sup> anniversary of its first session, we believe that discussing seriously how to improve the relationship between the GA and the ILC would be the most relevant way for this Committee to celebrate the Commission's extraordinary legacy and contribution to the codification and progressive development of international law, and on that note we further invite the International Law Commission to continue considering, within its recommendations, the possibility of holding alternative sessions in New York at a regular frequency.

Third, we remain convinced that the **concept and objective of consensus** – as informally introduced as practice of the Committee a few years ago –

was **never intended to undermine the substantive engagement of the Committee** across the topics under discussion. The efficiency, effectiveness and integrity of the Committee and its vital role under the UN Charter may be undermined if delegations misuse consensus as a veto that is brought forth with the purpose of **stalling discussions and blocking progress**, without good faith engagement, leading to excessive utilization of technical rollovers that have paralyzed the Committee across a range of topics on our agenda. To this end, resolutions prepared and adopted by the 6C should **reflect the level of substantive engagement of delegations**, even when positions are divergent, rather than rolling-over existing texts. Although this might be an “easy”, default position to take, this technical rollover approach is one that does not **do justice** to the evolution of discussions over time and that may sometimes constitute an incentive to delegations to avoid substantive engagement altogether.

Fourth, our delegations remain convinced there is a need for **rationalization and enhanced rotation among the coordinators** of our resolutions at regular intervals. Principles of **representation, inclusivity and transparency** are of relevance in this regard.

Fifth and lastly, we believe some concrete measures might be considered to **improve accessibility and efficiency** across the board in our Committee. This includes having a more thorough and systematic discussion over ways to ensure equal standing from all delegations, including **support to small and developing delegations** to enhance their engagement with the Commission. Additionally, recalling the mandate set out in paragraph 36 of resolution 77/335, we note the important role of information and communication technologies in carrying out the work of the United Nations, including the General Assembly, and in this regard we believe this Committee could also discuss **how digital technologies could be leveraged** to create forums for dialogue between the Committee and the

ILC while ensuring full and equal participation of all delegations, and particularly dialogue with the Special Rapporteurs, not only ahead of the debate on the ILC report, but also during the phase of submission of written comments by Governments, when further guidance might be helpful for delegations; this exercise can also include discussing the **possibility of ensuring that informal consultations are held with the text of the resolutions on the screen**, which would not only help keeping track of text-based negotiations, but would also help colleagues who have hearing impairments; it can include debating the **likely need to limit the number of side events** during international law week in order to preserve the primacy and significance of the plenary debate carried out in the Sixth Committee and also to consider **having a reasonable limit in the allotted time for interventions** during the debate on the Report of the ILC; and, Mr. Chair, on a lighter note, our delegations believe that general wellbeing and (quite literally) transparency would improve if the curtains in this room were to be left open a bit more often.

Mr. Chair,

With respect to all the points just mentioned, our delegations look forward to **future steps being taken within this Committee**, including under the leadership of a dedicated Focal Point, with a view to discussing ways in which we can support the revitalization in our working methods. If deemed useful, our delegations are also ready to promote an **intersessional dialogue** on these issues, in consultation with the Focal Point and with the valuable support of the Secretariat of the Sixth Committee, to keep track of the discussions and ideas expressed on this matter.

Finally, Mr. Chair, like last year, we conclude by recalling the **core and essential values** that should guide this Sixth Committee: deliberation, representation, and decision-making which will fulfil the role, authority, effectiveness, and efficiency

of the General Assembly to address the evolving global challenges and **strengthen the rule of law** in international relations.

I thank you for your attention.