

80th Session of the General Assembly of the United Nations

Item 76: Responsibility of States for internationally wrongful acts

**STATEMENT BY THE PERMANENT MISSION OF COLOMBIA TO THE UNITED NATIONS
ON BEHALF OF
THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES, CELAC**

New York, 10 October 2025

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Mr. Chair / Madame Chair,

I have the honor to speak on behalf of the 33 Member States of the Community of Latin-American and Caribbean States, CELAC.

CELAC takes note of and thanks the Secretary General for his reports related to the subject matter of today's debate: the responsibility of States for internationally wrongful acts, contained in documents A/80/156 - Report of the Secretary-General containing comments and information received from Governments; A/80/77 - Report of the Secretary-General: Compilation of decisions of international courts, tribunals and other bodies, and A/80/76 - Procedural options regarding action taken on products of the International Law Commission.

The responsibility of States for internationally wrongful acts has been a lengthily and deeply analyzed subject. It should be recalled that the International Law Commission, through several rapporteurs, worked hard during almost 50 years in order to develop the draft articles. Similarly, it has been 24 years since the draft articles have been under consideration of this General Assembly. The reason of such exhaustive reflection is clear: the responsibility of States is a cross-cutting matter, and the effectiveness of the whole of International Law relies mostly on its existence. In the context that surrounds us today, the need for this conversation is all the more evident.

Since the adoption of the aforementioned draft articles by this General Assembly in 2001, its future has been the object of in-depth debate. CELAC is of the view that the question of the adoption of a convention based on these articles should be thoroughly considered. We are convinced that the working group established on the issue within the Sixth Committee is the right path to follow in order to move towards a possible international convention on the basis of the ILC's draft articles.

On the other hand, CELAC States are of the view that codifying the articles in a binding instrument could bring clarity and legal certainty to the subject, addressing existing gaps in international law.

Furthermore, this would have a positive impact on the development of the whole of international law as it has been the case in other fields such as treaty law.

CELAC notes and welcomes that the draft provisions have been widely used as reference by international and domestic courts and tribunals, and that some of the draft articles have been considered as reflecting customary international law. Furthermore, we cannot deny the existing link between the responsibility of States and other priority subjects, such as diplomatic protection.

The development of State responsibility, and the eventual adoption of a treaty in the matter, will undoubtedly have a positive impact on them. CELAC members are conscious of the different arguments and circumstances that may obstruct consensus in the heart of this General Assembly, but we are sure that excessive prudence does not have to impede a widely accepted agreement in a diplomatic conference.

The Community of Latin-American and Caribbean States stands ready to contribute to this debate and to achieve a resolution on the matter by consensus, and call on other delegations to join these efforts.

Thank you very much.