

19 May 2008

**Statement of H.E. Mr. Srgjan Kerim,
President of the 62nd Session of the General Assembly,
on the Commemoration of the 60th Anniversary of the International
Law Commission**

Honourable members of the Commission, past and present

Excellencies,

Ladies and gentlemen:

I regret that I cannot join you in Geneva, but I appreciate the opportunity to address you today, from across the Atlantic in New York, to celebrate the sixtieth anniversary session of the International Law Commission.

The Commission is a living testament to the importance that the General Assembly attaches to the “progressive development of international law and its codification”. Its composition, representing the principal legal systems of the world, embodies the desire of the international community to advance a common understanding of international law within a multicultural and regionally representative framework.

The Assembly took a judicious decision, during its second session, to establish the Commission, in order to assist in the implementation of the Assembly’s mandate under paragraph 1 (a) of article 13 of the Charter of the United Nations. In sixty years of painstaking and meticulous efforts, the Commission’s work has served as the basis for the adoption of many multilateral conventions under the auspices of the United Nations. Many of these instruments have influenced and continue to influence how States behave.

The Assembly views the work of the Commission not only through the lens of codification and progressive development, but also the important systemic effects that it has had on the overall architecture of the Charter, in which respect for international law has primacy.

The Commission has contributed to the establishment of a functioning international legal framework - an asset for the international community - in its efforts to bring about international peace and security, stability and prosperity.

Therefore, direct feedback from States on its work continues to be vital. Such information, as well as evidence of State practice greatly assists the Commission in undertaking its comprehensive studies.

The Commission is no less relevant today. Recently, the Commission acknowledged that “the scope of international law has increased dramatically”. A gathering such as this affords us the opportunity to think creatively about the role of the Commission in this century and how it could most effectively advance the strengthening of international system based on clear and effective international norms.

The General Assembly considers this a key priority and the Commission a vital tool in giving concrete substance to this important principle of the United Nations.

Ladies and Gentlemen:

Globalization has increased our mutual interdependence, the complexity and density of relationships between our economies, societies and individuals and the speed at which we need to face changes and interact with each other.

The solutions to the global challenges we face today can no longer be realized within a rigid international system that puts the interests of States above all others.

We need a new kind of internationalism that situates the well-being of the individual and communities at its centre. Principled pragmatism and shared responsibility is necessary to create a more open and inclusive global society where individuals and non-state actors can play an instrumental role in addressing contemporary global challenges from climate change to human rights.

As the progressive development of international human rights, refugee and criminal law has demonstrated, international law is not solely intended to regulate inter State relations. It is pleasing to note that the Commission in its work over the years has elaborated on topics that have strived to improve the status and protection of the individual.

The development of international law for the direct benefit of the individual should be the focus of law-making in the 21st century. This in turn, would accentuate the importance of the role of the State in protecting the individual within the globalised interdependent environment that we all live in.

Ladies and Gentlemen:

The Commission has been a vital body of the General Assembly and for the international community. I am confident that your deliberations during the next two days will serve to further inspire the Commission to continue its important work.

I wish all the members of the Commission a happy anniversary session and once again thank you for your outstanding contribution to international law.

Thank you.