



***Check against delivery***

**STATEMENT  
ON BEHALF OF THE AFRICAN GROUP  
BY**

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**FIRST SECRETARY  
OF THE  
PERMANENT MISSION OF THE GAMBIA  
TO THE UNITED NATIONS**

**BEFORE THE SIXTH COMMITTEE  
73<sup>RD</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY**

**UNDER AGENDA ITEM 82  
“REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS  
SEVENTIETH SESSION”**

**NEW YORK, 22<sup>ND</sup> OCTOBER 2018**

**Mr. Chair,**

My delegation has the honour to deliver this few remarks on behalf of the African Group and to welcome the Commission to yet another week of International Law, in New York.

The African group would like to express profound gratitude to the Commission for its report contained in document **A/73/10**. We appreciate the structure of the report as outlined to enable delegations to easily navigate their way through. We appreciate reading the report in the order of: information concerning the organization of the session, the progress of work and the future work of the Commission on the topics given substantive consideration during the session, the texts of draft articles and commentaries adopted by the Commission during the session, any procedural recommendations of the Commission calling for a decision on the part of the General Assembly as well as other decisions, and conclusions of the Commission.

**Mr. Chair,**

The Group remains optimistic and convinced that there is room for improvement in presenting the report in a more appealing and user-friendly way for better understanding and appreciation of all delegations. We hope and believe that the new era of the seventieth session of the Commission should be marked going forward with new ways of doing things at the Commission. An example of which should commence by simplifying the report, and adding a bit more information in the chapter dedicated to the summary of the Commission's reports without necessarily expanding the length of the reports inordinately.

Speaking of the new era of the Commission, the African Group is happy to be apart of the active and dedicated delegations that welcome the Commission to New York annually. As such, we would like to propose that the Commission and the Secretariat consider moving the International Law Week to the Months of February or March or thereabout, to attract active participators over spectators. The African Group values the work of the Commission and believes that it requires more active attention accorded. Given the density of the ILC reports, sufficient and dedicated time is needed to stimulate active participation.

**Mr. Chair,**

The African Group attaches great value and importance to the three clusters and the topics contained therein. We are of the view that the exemplary work of Special Rapporteurs: Mr. George Nolte of Germany, Michael Wood of UK, Shinya Murase of Japan, Juan Manuel Gomez-Robledo of Mexico, Dire Tladi of South Africa, Pavel Sturma of Czech Republic, Ms. Marja Lehto of Finland and Ms. Concepcion Escobar Hernandez of Spain, must be commended profoundly for their outstanding work and commitment to the Commission.

For this honour and respect, we believe that delegations must be availed with the right opportunity to actively engage the reports of the individual rapporteurs. We are also grateful for the exemplary work of the Drafting Committee, under the excellent chairmanship of Mr. Charles Jalloh of Sierra Leone, for its tremendous contributions that helped contribute to the Commission's successful completion of two-second readings and two first readings during its historic seventieth session

**Mr. Chair,**

The African Group congratulates the Commission on the commemoration of its 70<sup>th</sup> anniversary which was celebrated in its usual fashion of intellectual events, held in New York and in Geneva respectively, under the Theme ‘70 years of the International Law Commission-Drawing a balance for the future’. It is worthy to note that 70 years in the work of the Commission marks a milestone in the significant work of the Commission, as it strives to fulfil its mandate under the 1947 statute to assist States and the General Assembly in the promotion of the progressive development and codification of international law.

We, therefore, encourage the Commission to continue to hold similar events held in the celebration of its 70 years anniversary, in other parts of the world as of right, in accordance with Article 12 of its Statute. We support the continued exercise of this kind, in particular in New York, aimed at bringing the Sixth committee and the Commission closer.

**Mr. Chair,**

We take note of the Commission’s decision to include the topic “General Principle of Law” in its programme of work and we congratulate Mr. Marcelo Vazquez-Bermudez of Eduardo on his appointment as Special Rapporteur. We hope that after taking this decision, the Commission now have the opportunity to effectively complete its work on sources of international law as required by Article 38 of the statute of the International Court of Justice (ICJ) in light of its extensive prior work on the law of treaties and completion in 2018 of its work on the identification of customary international law.

**Mr. Chair,**

The African Group takes note of the new topics included in the long-term programme of the Commission i.e. Universal criminal jurisdiction and Sea-level rise in relation to international law. As stated in the African Group statement on agenda item 87 of this session of the Sixth Committee, the Group continue to take note of the Commission’s decision in this regard and reiterate that the Sixth Committee be seized of the stated item and related issues.

In light of the clear threats posed by sea-level rise to islands and other coastal areas within our Group as well as to the livelihoods of our people, and in recognition that the international community has not addressed the legal implications of sea-level rise in a comprehensive manner, we welcome the International Law Commission's decision to place the topic of 'Sea-level rise in relation to international law' on its long-term programme of work, and we call on the Commission to move the topic to its current programme of work so it can examine the topic with urgency. We look forward to interacting with the Commission on this important topic.

In closing, **Mr. Chair**, the African Group wishes to thank the Commission, its members and the entire staff for their tireless work. We assure all commissioners of our unflinching support. Welcome to New York, once again.

**I thank you.**