



**PERMANENT MISSION OF THE REPUBLIC OF
SIERRA LEONE TO THE UNITED NATIONS**

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STATEMENT

by

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to the Sixth Committee of the United Nations General Assembly

“Responsibility of States for Internationally Wrongful Acts”
Agenda Item 75

Seventy-Fourth Session

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[Please Check Against Delivery]

**Chair,
Distinguished delegates,**

The delegation of Sierra Leone welcomes the opportunity to share our perspective on the agenda item, given its importance and need for practical measures to be taken in order to reach consensus on the question of future adoption of the articles on State Responsibility as a convention.

My delegation notes with appreciation the reports of the Secretary-General A/74/83 which is a “*compilation of [publicly available] decisions of international courts, tribunals and other bodies*”; and A/74/156 reflecting “*comments and information received from Governments*”. We commend Member States that responded to the request made by the Secretary-General for comments and observations; and also commend the Secretary-General for the compilation of decisions, which without commenting on the merits, is telling of the reliance being placed on the State responsibility articles. We note the frequency, geographical coverage, and the multilateral nature of the courts, tribunals and other bodies that invoked the articles for the reporting period.

Sierra Leone continues to express the view that the text of the State responsibility articles represents a compromise, not perfect, but rather balanced and authoritative. Previously, we had taken a precautionary approach on the question of convening a diplomatic conference with the view of concluding a convention. Given the length of time that has passed, the crystallization of the articles, and its influence in international law jurisprudence, we see value in taking concrete practical steps to resolve the question of future adoption of the articles as a convention.

Chair,

States still have the primary role in norm setting at the international level. The mandate of the International Law Commission (ILC) derived from article 13 (1) (a) of the Charter of the United Nations in 1947, and today, remains to “*initiate studies and make recommendations for the purpose of [...] encouraging the progressive development of international law and its codification*”.]. At the heart of the progressive development and codification of international law is the fundamental role of States as recipients of the recommendations of the ILC. Having taken note of the articles on State responsibility, the General Assembly should now concretely pursue the other ambit of the recommendation by the ILC. It is our view that States should have a more frequent opportunity to discuss the “question of adoption”, as the present triennially debate cycle seems to strangle effective dialogue,

hampering the prospect of reaching consensus any time soon. Frequent debates may, for example, lead to some form of agreement on a package for negotiations, with due identification of aspects where States agree, and allowing States to find a balance on points of disagreement. The Sixth Committee may well commence discussions on this approach and others in an annual debate format.

Chair,

Sierra Leone notes the acknowledgment of the General Assembly in resolution A/71/133 of *“the possibility of requesting, at its seventy-fourth session, the Secretary-General to provide the General Assembly with information on all procedural options regarding possible action on the basis of the articles, without prejudice to the question of whether such possible action is appropriate”*. Our delegation urges for consensus to be reached this session on making the request to enrich our debate.

In conclusion, Sierra Leone expresses support for the mandate given to the Secretary-General to continue the compilation of decisions of international courts, tribunal and other bodies, and information on the practice of States on the Articles. Notwithstanding where a State may find itself on the “question of future adoption”, the usefulness of the information contain in the reports cannot be discounted.

I thank you for your kind attention.