

Check against delivery

The UN @ 75: International Law and the Future We Want
International Law Day

Statement of the Chair of the Sixth Committee
H.E. Mr. Milenko E. Skoknic Tapia

Distinguished guests
Ladies and gentlemen,

It is my pleasure to welcome you all today in my capacity as Chairperson of the Sixth Committee of the seventy-fifth session of the General Assembly to this auspicious International Law Day Event, *The United Nations at 75: International Law and the Future We Want*.

We meet today virtually to observe the longstanding tradition of the Sixth Committee to hold in the end of October at the beginning of its debate on the report of the International Law Commission an “International Law Week”.

Under normal circumstances, International Law Week brings together the legal advisers of the world’s foreign ministries, the members of the International Law Commission, judges of international courts and tribunals, as well as interested scholars and practitioners of international law for both formal and informal discussions of the most pressing questions of international law and of the legal aspects of the work of the United Nations. These exchanges are at the core of the work of both the Sixth Committee and the International Law Commission to fulfil the mandate set forth Article 13, paragraph 1, sub-paragraph a, of the Charter of the United Nations: to encourage the progressive development of international law and its codification.

This year, of course, circumstances occasioned by to the COVID-19 pandemic have precluded a week of in-person meetings. The seventy-second session of the International Law Commission was postponed to next year, and the Sixth Committee has no report on the item this year. But the spirit of International Law Week goes on, and for this one day, we are joined by a panel of distinguished speakers, including the Presidents of both the General Assembly and the International Court of Justice, the United Nations High Commissioner for Human Rights and the United Nations Legal Counsel, the Chair-designate of the International Law Commission next year, as well as two prominent scholars of international law to continue the long tradition of dialogue in and on the margins of the Sixth Committee. This event is also being streamed on UN Web TV, allowing legal advisers and practitioners across the globe to join us in the ever-expanding college of international law.

While the world community and the United Nations confront the pandemic, for the United Nations, this year is a year like no other in more ways than one. We also meet today to mark the 75th anniversary of the entry into force of the Charter of the United Nations, itself not only a momentous political achievement but also an important milestone in the development and universalization of international law. A triumph for humanity emerging from a World War of despicable proportions. As we all know well, it has been under the auspices of the United Nations that many of the most prominent developments in international law of the past seventy-five years have occurred.

In marking this anniversary, I recall the remarks of the Secretary-General, given to the General Assembly in January, on his priorities for 2020. Then, which now seems rather long ago, he challenged the United Nations to use its 75th anniversary year as an opportunity to listen. He wanted, and I quote, “to provide as many people as possible the chance to have a conversation with the United Nations.”

This call spurred a movement. A global survey coordinated by the Office on the Commemoration of the UN’s 75th Anniversary drew over 1 million respondents from all UN Member States and Observer States. The outcomes include a top ten list of key findings. While these understandably highlighted the importance of responding to the COVID-19 pandemic, the participants also had longer-term priorities in mind. These included sustainable development, the fight against climate change and ensuring respect for human rights and ending conflicts. That these issues in particular are priorities should come to us as no surprise. They have long been at the heart of the work of the United Nations. We are all bound together, one planet and one common humanity, with shared interests, living in peace and harmony.

These issues are themselves not new to the Sixth Committee. Since its very beginning, the Sixth Committee has devoted its attention to the legal aspects of such important issues of international concern. Two examples come to mind.

First, the work of the Sixth Committee has long included the consideration of legal measures to ensure the prevention and punishment of the worst of human rights abuses. One need only look to resolution 96 (I) of the General Assembly on “The Crime of Genocide”, adopted as its first session on report of the Sixth Committee. In it, the General Assembly affirmed that genocide is a crime under international law and to request the Economic and Social Council to begin work on what is now the Convention on the Prevention and Punishment of the Crime of Genocide. Two years later, at its third session in 1948, the Sixth Committee considered the draft prepared by the Economic and Social Council, and the Convention was adopted unanimously. At the same meeting, the General Assembly adopted a resolution inviting the International Law Commission to take up questions of international crimes and international criminal jurisdiction, culminating many years later in the adoption of the Rome Statute of the International Criminal Court.

This year, similar questions are once again on the agenda of the Sixth Committee, as it considers the agenda item, “Crimes against humanity”, based on the work of the

International Law Commission. In the report of the Commission's work in its 71st session last year, the Commission recommended its draft articles on prevention and punishment of crimes against humanity to the General Assembly and, in particular, recommended the elaboration of a convention on their basis. Once again, the Sixth Committee is working to determine whether further legal measures are necessary to prevent some of the worst of human rights abuses.

Second, the management of shared spaces and resources has long been an aspect of the United Nations' work to promote the progressive development and codification of international law. The International Law Commission began its work in 1949 by conducting a general survey of international law to identify topics susceptible to codification. While, consistent with the state of the law at the time, international environmental law did not appear on this list, areas relating to the use and management of shared resources did. One example of this is the topic "Régime of the high seas", which related to the law applicable to a space outside the sovereignty of any State. At the heart of this work was the question how States and their nationals should peacefully co-exist in this shared space. As times evolved, so would the law. The International Law Commission's work on this topic in the 1950s was an important step towards the eventual elaboration of the UN Convention on the Law of the Sea, which now does include an entire part on protection of the marine environment. The work of the International Law Commission and the Sixth Committee on further aspects of the law of international spaces would have a more explicit environmental focus.

Further work of the International Law Commission the law of international spaces would take environmental and conservation aspects into more explicit account. This includes the work on non-navigational uses of international watercourses, which culminated in the General Assembly's adoption of an international convention in 1997, and the work on transboundary aquifers, which resulted in the elaboration of draft articles of which the General Assembly took note in 2008.

The legal aspects of the protection and management of international spaces and resources continue to draw the attention of the International Law Commission and the Sixth Committee. For example, the current programme of work of the International Law Commission includes such topics as "Protection of the atmosphere", "Sea-level rise in relation to international law" and "Protection of the environment in relation to armed conflict". It is evident from these topics, that, when considering pressing issues, the need for environmental protection, sustainable development and measures to address the climate crisis remains at the front of our minds.

All this all is to say that the work of the United Nations, and in particular the Sixth Committee, to encourage the progressive development and codification of international law has long been oriented towards creating the legal conditions to achieve a future we want. Based on the programme of work of the Committee, we can only anticipate that this will remain so. We have no choice. International law is the bedrock of relations among States and their peoples.

We have a rich programme today. Our distinguished panellists will speak to the multifaceted dimensions of the United Nations' role in promoting international law and securing the future we want.

We begin with a video recording of

His Excellency Mr. Volkan Bozkır, President of the General Assembly, who has to attend to another event as we gather here.

...

I thank the President of the General Assembly for the important message.

At this moment, it gives me great honour to give the floor to ...

His Excellency Judge Abdulqawi A. Yusuf, President of the International Court of Justice

...

Her Excellency Ms Michelle Bachelet Jeria, the United United Nations High Commissioner for Human Rights

...

Professor. Laurence Boisson de Chazournes, Professor of International Law, University of Geneva

...

Professor Patrícia Galvão Teles, Professor of International Law, Autonomous University of Lisbon

His Excellency Ambassador Mahmoud D. Hmoud , Chair-designate for the seventy-second session of the International Law Commission

...

His Excellency, Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

...

The Legal Counsel was the last speaker for this morning. We still have some minutes before we conclude. I invite the comments and observations from our participants.

As a reminder, to request the floor in Interpretify, please ask for a permission to speak by clicking the green hand icon to raise your hand. In the moment when you raise a hand, your request will be visible to the moderating team. The speakers' list is available above the event chat. You can also write in the event chat if you want to ask for the floor. When it is your turn to speak, the floor will be given to you and allow your streaming. You will receive the message on your screen: "Chairperson allowed your streaming". Please select the video option to stream both, audio and video. Please note that if you are not sure about your WIFI connectivity use only the audio option. It is strongly encouraged to use headphones, in order to avoid audio feedback.

Please Use the red Disconnect button on the right to stop your streaming. This will not disconnect you from the meeting

....

We now come to the end of our programme and this event. It has been an important day for our work in the Sixth Committee. It has confirmed the importance of international law in the future we want. There are many challenges that lie ahead. If there is anything to be learned from the current pandemic, it is that international cooperation is a crucial aspect of our future. It is more important than ever. Time and time again we have risen to meet up the challenges that have confronted humanity. This time requires no less resolve. As the preamble of the Charter of this Organization reminds us: We the peoples of the United Nations. We have to listen and respond to the concerns of our constituents and translate their determination into action. It is to them that international law leads us as we seek to have a just and fairer society that caters to all humanity and its planet.

I declare this event closed.