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## Statement of Japan

United Nations General Assembly, Sixth Committee, 76<sup>th</sup> SESSION,  
Report of the International Law Commission on the work of its seventy-second session  
(Agenda item 82), Cluster I

Statement by KAWASE Taro, Counsellor, Legal Advisor, Permanent Mission of Japan

New York, 25 October - 3 November 2021

Thank you, Madam Chair,

At the outset, on behalf of the delegation of Japan, I would like to extend our sincere congratulations on your assumption of the Chair of the Sixth Committee.

Japan also appreciates the leadership of the President of the International Law Commission this year, Mr. Hmoud, as well as the contributions of all the Special Rapporteurs and the members of the Commission.

Before going into detailed comments, Japan would like to highlight three general observations on the work of the Commission.

The International Law Commission managed to hold the 72<sup>nd</sup> session using hybrid meetings amid the COVID-19 pandemic. Japan has high regard for the work of the Commission which successfully concluded the topics of “Protection of the atmosphere” and “Provisional application of treaties”.

Some Member States expressed their concerns regarding the Commission’s heavy workload in the previous Sixth Committee sessions. In this regard, Japan expects that the Commission will thoroughly study the topics currently under consideration and avoid making premature decisions to adopt new topics to its programme of work.

The cooperation between the Commission and the Sixth Committee is important. Japan welcomes the commencement of the Commission’s consideration of “Sea-level rise in relation to international law,” in response to the expectations of many Member States. Japan hopes the Commission will continue to select topics and proceed to discussions, fully taking into account the views of the membership.

### Protection of the atmosphere

Madam Chair,

Japan pays tribute to Mr. MURASE Shinya, who has served as Special Rapporteur from the first report through to the successful conclusion of the second reading on the topic “Protection of the atmosphere”.

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Japan welcomes that the Commission adopted the draft preamble and guidelines, together with the commentaries on the subject, which acknowledge the essential importance of the atmosphere for sustaining life on Earth, human health and welfare, and aquatic and terrestrial ecosystems and consider atmospheric pollution and atmospheric degradation as a common concern of humankind.

Japan notes that the Commission included the topic “Protection of the atmosphere” in its programme of work subject to the “2013 understanding”, which served as a condition and a guiding principle for its consideration of the topic. Japan appreciates that the Commission had an extensive discussion on the “2013 understanding” throughout its consideration of this topic, including in the second reading. Going forward, taking into consideration the discussions held, Japan hopes that the Commission will carefully consider if it is appropriate to set a strict condition on a topic when the Commission decides to include that topic in its programme of work.

Finally, Japan supports the Commission’s recommendation to ensure the widest possible dissemination of the draft preamble and guidelines on the protection of the atmosphere and to commend the draft preamble and guidelines, together with the commentaries, to the attention of States, international organizations and all who may be called upon to deal with the subject.

I thank you.

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