



PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS

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STATEMENT

BY

**HIS EXCELLENCY
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PERMANENT REPRESENTATIVE OF NIGERIA TO THE UNITED
NATIONS**

ON BEHALF OF THE AFRICAN GROUP

ON

**“REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE
WORK OF ITS SEVENTY-THIRD SESSION”
(AGENDA ITEM 77)**

AT

**AT THE 77TH SESSION OF THE UNITED NATIONS GENERAL
ASSEMBLY**

NEW YORK, 25 OCTOBER 2022

Chair,

My delegation has the honour to deliver this statement on the agenda item: “Report of the International Law Commission on the work of its seventy-third session” on behalf of the African Group.

2. I take this opportunity to welcome Members of the Commission and Legal Advisers from capitals to this year’s International Law Week in New York. Given the improvements in addressing the Corona virus disease (COVID-19) pandemic, we appreciate the opportunity for optimal extensive engagement between the Sixth Committee and Members of the Commission, following a very rich tradition to actualize the symbiosis between the ILC and Member States in the Sixth Committee.

3. At the outset, let me thank the Chair of the Commission of the 73rd session, **Professor Dire Tladi** for conducting the work of the Commission, as well as for introducing the report on the work of the Commission contained in document **A/77/10**.

4. We congratulate the Commission on the progress made on several items as detailed in the report. We appreciate the

efforts of the Codification Division of the Office of the Legal Affairs, acting in the capacity as the Secretariat of the Sixth Committee and the Commission, for the extended briefing in September to the Sixth Committee, covering among other things, the report of the Commission on the work of its 73rd session. We appreciate the opportunity to interact with the special rapporteurs after the Secretariat led briefing and express our support for their continuation.

5. At the end of this quinquennium, we use this opportunity to thank the members of the Commission for their devoted service to the codification and progressive development of international law. For members serving their final term we extend our very best wishes, as we congratulate our returning and newly elected members for the next quinquennium. The African Group is pleased to note the quality of the elected members of the Commission, and we celebrate the election of the first African female member.

Chair,

6. The African Group attaches great value and importance to the mandate of the International Law Commission in

assisting the General Assembly in initiating studies and making recommendations for the purpose of promoting the “progressive development of international law and its codification” as set out in the Commission’s 1947 Statute, derived from article 13 (1) (a) of the United Nations Charter. In noting the particular steps being taken by the Commission to taken into account diversity of legal traditions, geographic and linguistic consideration in its work this session, we continue to reiterate that the process of progressive development and codification of international law must always be inclusive and all-embracing in the consideration of law texts, State practice, precedents and doctrines as required by the ILC Statute. We continue to suggest for the International Law Commission to develop cooperative relationships with regional international law commissions, such as the African Union Commission on International Law.

7. Efforts must be redoubled in order to draw inspiration from the main principal legal systems reflective of our contemporary world, including African customary law. Our increasing engagement with the work of the Commission is to ensure these important aspects are duly realised. Our Group is committed to multilateralism and the rules-based

international legal system founded on the Charter of the United Nations, and we value the effective contribution of the Commission in maintaining this multilateral system, taking into account the views of all Member States. We further stress the importance for inscribed topics to bring an added value and be of interest and relevance to the international community as a whole.

Chair,

8. This year's report indicates that the Commission was engaged in a productive hybrid-session. Respective delegations of the Group will comment on the specific substantive issues stemming from the report of the Commission.

9. Last session, in noting that the Commission has concluded a number of topics on the Commission's current agenda, the African Group recalled its statement on the issue of equitable geographical representation in the work of the Commission and note that only one African member was serving as a special rapporteur, and another as co-chair of a study group. We called on the Commission, when deciding to add new topics, to consider a balanced approach to topics

in terms of practical interest of Member States as well as in the selection of special rapporteurs as this could help to enhance the legitimacy of the Commission's work.

10. In the above regard, the African Group notes the decision of the Commission to include the topic entitled "Prevention and repression of piracy and armed robbery at sea" and appoint Mr. Yacouba Cissé as Special Rapporteur as well as the topic entitled "Subsidiary means for the determination of rules of international law" and appoint Mr. Charles Jalloh as Special Rapporteur.

11. In closing, **Chair**, the African Group wishes to thank the Commission and the Secretariat for their tireless work, particularly in ensuring the meetings of the Commission were held using the hybrid format and the plenaries webcasted, thereby increasing accessibility to the work of the Commission. The African Group assures the Commission of its unwavering support.

I thank you.