



MALAYSIA

Permanent Mission to the United Nations, New York

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**STATEMENT BY
MR. AZRIL ABD AZIZ
DEPUTY PERMANENT REPRESENTATIVE OF MALAYSIA
TO THE UNITED NATIONS**

**ON AGENDA ITEM 73:
RESPONSIBILITY OF STATES FOR INTERNATIONALLY WRONGFUL ACTS**

**AT THE SIXTH COMMITTEE OF
THE 77TH SESSION OF THE GENERAL ASSEMBLY**

NEW YORK, 13 OCTOBER 2022

Mr. Chair,

Malaysia would like to extend its gratitude to the Secretary-General for the compilation of decisions of international courts, tribunals and other bodies referring to the articles, as well as written comments received from Governments on this topic.

2. My delegation's appreciation also goes to the International Law Commission (ILC) for its continuing contribution to the codification and progressive development of international law, including for the completion of the draft articles on responsibility of States for internationally wrongful acts during its fifty-third session in 2001.

3. This is the eighth time that the draft articles concluded by the ILC are before the Sixth Committee, and my delegation has listened closely to the views by States on the subject as expressed at this and previous sessions. However, Malaysia remains convinced that negotiations on the draft articles to develop a convention need not be initiated at this moment in time

as it may jeopardise the delicate balance built into the articles. A full convention should be pursued only if there are realistic prospects for a wide ratification and acceptance of such a convention. Else, such convention may find non-universal or at least quasi-universal participation that result in negative effect and defeat its purpose of inception.

Mr. Chair,

4. The ILC articles have shown themselves to be useful in their current, non-binding form, as a guide for States, International Courts and Tribunals although it is not codified as of date. Malaysia supports the further compilation of information regarding decisions of international courts, tribunals and other bodies referring to the articles on responsibility of States for internationally wrongful acts.

5. Meanwhile, Malaysia believes that the existing mechanisms against internationally wrongful acts through International Court of Justice, United Nations Security Council resolution and other mechanisms, should be strengthened for the maintenance of international peace and security.

Thank you.