



**PERMANENT MISSION OF THE REPUBLIC OF
SIERRA LEONE TO THE UNITED NATIONS**
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STATEMENT ON BEHALF OF THE AFRICAN GROUP

By

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At the 78th Session of the United Nations General Assembly
On Agenda Item 79:

**“Report of the International Law Commission on the
work of its seventy-fourth session”**

New York, 23rd October 2023

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Chair,

1. 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- fourth 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. We appreciate the opportunity for the optimal extensive engagement between the Sixth Committee representatives and Members of the Commission, following what has crystalized as 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 historic Co-Chairs of the Commission of its 74th session, **Professor Nilüfer Oral and Professor Patrícia Galvão Teles** for conducting the work of the Commission in the historic session, as well as for introducing the report on the work of the Commission contained in document **A/78/10**.

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 74th session. We appreciate the opportunity to interact with the special rapporteurs and co-Chairs of the Study Group on Sea-level Rise at the Secretariat led briefing and express our support for their continuation. The African Group also thanks the African members of the Commission, **Professors Yacouba Cisse, Professor Charles Chernor Jalloh Professor Phoebe Okowa, and Professor Louis Savadogo**, for taking time to brief the group on the progress of the work of the Commission this session.

5. At the start of this quinquennium, we use this opportunity to once more thank the members of the Commission for their devoted service to the codification and progressive development of international law. We note that the first-time members are in a slight majority to the incumbent returning members, a rarity in the Commission we believe, but one that offers opportunities for fresh thinking and new dynamism to the work of the Commission. As Africa welcomes its first female member of the

Commission, we are also pleased to see the election of the first female and co-chairs of the Commission.

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 (AUCIL). We therefore welcome the exchange of views between the ILC and AUCIL this

session, the first since 2019. We hope this cooperation will continue.

7. Further, the ILC must redoubled efforts to draw inspiration from the main principal legal systems reflective of our contemporary world, including African sources and principles in its work. Our increasing engagement with the work of the Commission is to ensure these important aspects are duly realised. The African Group is hopeful that the work on the subsidiary means for the determination of rules of international law will sufficiently reflect our call. 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 session in this new quinquennium. Respective

delegations of the Group will comment on the specific substantive issues stemming from the report of the Commission.

9. In the previous session in the last quinquennium, 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. We are therefore pleased to note the progress that has been made in this regard. We believe the next step is to ensure the necessary resources are made available to the appointed Special Rapporteurs to ensure they lead the work of the Commission on their important topics.

10. In closing, Chair, the African Group wishes to thank the Commission and the Secretariat for their tireless work, particularly in ensuring the plenary meetings of the Commission were webcasted, thereby increasing accessibility to the work of

the Commission. The African Group assures the Commission of its unwavering support.

11. I thank you.