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البعثة الدائمة لدولة إريتريا لدى
الأمم المتحدة
نيويورك

PERMANENT MISSION OF THE STATE OF ERITREA TO THE UNITED NATIONS
NEW YORK

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**STATEMENT DELIVERED BY THE DELEGATION OF ERITREA
AT THE SIXTH COMMITTEE OF THE 80th SESSION OF THE UNITED
NATIONS GENERAL ASSEMBLY ON AGENDA ITEM 76: "*Responsibility
of States for internationally wrongful acts*"
10 AND 13 OCTOBER 2025
UNHQ, NEW YORK**

Thank you, Mr./Madam Chair,

1. At the outset, Eritrea would like to thank the Secretary-General for his reports on agenda item Responsibility of States for Internationally wrongful acts, in A/80/156 and A/80/77, as well as the Secretariat for providing a note on the procedural options regarding action taken by the Sixth Committee on the products of the International Law Commission.
2. My delegation aligns itself with the statement delivered by the delegation of Cameroon on behalf of the African Group and I would like to make the following remarks in my national capacity.

Mr./Madam Chair,

3. Eritrea welcomes the decision to include this item on its provisional agenda and to further examine, within the framework of a working group of the Sixth Committee, the question of a convention on the responsibility of States for internationally wrongful acts or other appropriate action. We believe the format of a working group provides the proper space for a technical exchange of views and in-depth legal analysis, which is crucial for this complex topic.

4. My delegation acknowledges the efforts of the International Law Commission in codifying the draft articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA). This work has been instrumental in identifying and articulating international legal norms that would hold states accountable for breaches of international law. We firmly believe that every internationally wrongful act attributable to a State entails its international responsibility. While the draft articles are not legally binding, for the past twenty years, many of their provisions have reflected customary international law and have been extensively cited in the case law of international courts and tribunals.
5. On the other hand, at a time of transformative changes in the global order and the heightened geopolitical tensions, military adventurism, and unilateralism, it is both necessary and prudent to re-examine the draft articles in terms of their scope and definition, in particular those provisions that go beyond established customary international law. We have noted the diverging views shared by numerous delegations during the 77th session of the Sixth Committee. In this regard, Eritrea shares the concerns expressed regarding the definition of valid consent, peremptory norms of international law, serious breaches of obligations under Article 41, and responsibility for breaches of obligations *erga omnes* and *erga omnes partes* under Article 48. We also see a need for further clarity on countermeasures, and measures taken by states.
6. Furthermore, my delegation is of the view that any future instrument on State responsibility should include provisions that address internationally wrongful acts which reflect a reparative framework aimed at dismantling the very economic, political, and epistemic systems built by colonialism that continue to perpetuate injustice. We also emphasize the need to address serious breaches of State responsibility under international law arising from the illegal imposition of Unilateral Coercive Measures.

Mr./Madam Chair,

7. Eritrea stresses that any decision on the future of the articles must be made by consensus based on an inter-governmental process. It is imperative that member States take ownership of the draft articles to ensure their universal recognition and to promote the codification and progressive development of international law.

8. It is in this context, we regret to see the selective approach by certain delegations towards ILC products, which is often motivated by political interests. It is ironic to witness delegations that actively lobby for a conference on one ILC topic, such as Crimes against Humanity, simultaneously impeding the process on another, like the Articles on State Responsibility. The products of the ILC should not be treated with double standards. Eritrea underscores for a constructive approach to addressing these discrepancies by upholding the rule of law and the fundamental principles of the international legal system as enshrined in the Charter of the United Nations.
9. In conclusion, Eritrea remains committed to actively engaging on this important agenda item and encourages continuing constructive discussions, in line with the consensus-based tradition of the Sixth Committee. We look forward to participating in the working group during this 80th session.

Thank you, Mr./Madam Chair.