

STATEMENT BY MR. Tomoyuki Hanami  
REPRESENTATIVE OF JAPAN  
AT THE MEETING OF THE SIXTH COMMITTEE  
ON THE REPORT OF THE INTERNATIONAL LAW COMMISSION Y 1951

wholehearted congratulations on your assumption as the Chairman of the Sixth Committee. This year, our agenda includes several subjects that have been and will be discussed in the Sixth Committee, and there is no doubt that consideration of the Report of the International Law Commission is particularly important. We very much appreciate your prudent and balanced chairmanship, and would like to express our willingness that Japan will fully support you and actively contribute to the discussion regarding the Report of the International Law Commission on the work of its sixty-sixth session.

Taking this opportunity, the delegation of Japan welcomes the attendance of Mr. Kirill Gevorgian as the Chairman of the Commission.

As described in its status, we much appreciate them.

Mr. Chairman,

For the past few years, we have witnessed the emergence of new situations, which changed the political landscape of the international community. Dynamics of this change have caused friction, unrest and confrontation around the world. With that in mind, Japan strongly believes that the Rule of law must be placed as the foremost principle of international community in order to maintain stable international order. I should stress that the rule of law at national and international levels can be achieved through consistent efforts by every stakeholder, including ourselves. In that sense, the role of the International Law Commission has been and will be indispensable precisely because of its object; namely the promotion of the progressive development of international law and its codification. The delegation of Japan would like to reiterate its firm commitment to support the activity of the Commission.

In order to strengthen the rule of law, it is critically important to provide young lawyers and scholars with an opportunity to deepen their understanding of current development of international law. Therefore, the Japanese delegation welcomes the fiftieth anniversary of the International Law Seminar, which has been held concurrently with the session of the Commission in Geneva. Since its inception in 1965, 1,193 participants from 171 countries have participated in the Seminar. Taking this opportunity, the delegation of Japan would like to express its deepest appreciation to the secretariat of the Seminar for its dedicated work.

Mr. Chairman,

In the last session, our delegation pointed out that conventional way of selecting new topics of the Commission should be re-examined so that member states have more time for reflection, and proposed the ILC

The Japanese delegation notes that the Commission considered the



Taking into consideration the aforementioned critical observations manifested by a number of states and thoughtful exchange of views among the members of the Commission, the delegation of Japan cannot but take a cautious position on how to deal with the draft articles on the expulsion of aliens in the General Assembly. Also, I would like to make it clear that we share the concern that some of the draft articles are not based on sufficient state practice but introducing new rules, such as the Articles 19, 26, 27 and 29.

Besides, the delegation of Japan considers it noteworthy that through the discussion on the topic in the Commission, the traditional questions on the mandate of the Commission again came to the fore; the relationship between the codification and the progressive development of international law and, especially, what constitutes the latter. In response to the concerns that some of the draft articles could be introducing a new principle, the Commission, especially the Special Rapporteur, explains that some provisions of the draft articles amounted to the progressive development rather than the codification *stricto sensu*.

The Sixth Committee and the ILC have to work together to find out the answer to the fundamental question on the ideal balance between codification and progressive development. xpulsion of aliens is an interesting topic in this context.

The delegation of Japan hopes that our discussion on this topic promotes common understanding among member states on this matter.

## Protection of persons in the event of disasters

Mr. Chairman,

Now, I would like to turn to the topic of Protection of persons in the event of disasters. The delegation of Japan would like to commend the Special Rapporteur, Mr. Eduardo Valencia-Ospina, for his seventh report and

also congratulates the Special Rapporteur and the Commission on the adoption of the draft articles on the first reading.

In recent years, a growing concern about the human security has become one of the major issues for the world, and in this context, large-scale natural disasters have been increai3aste

