



Malaysia

Permanent Mission to the United Nations

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**STATEMENT BY
WAN AIMA NADZIHAN WAN SULAIMAN, REPRESENTATIVE OF MALAYSIA**

**ON AGENDA ITEM 78 ENTITLED
REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS
SIXTY-SIXTH SESSION
(PART I)**

**AT THE SIXTH COMMITTEE OF THE SIXTY-EIGHTH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 28 OCTOBER 2014**

CHAPTER IV: EXPULSION OF ALIENS

Mr. Chairman,

On the topic of Expulsion of Aliens, at the outset, Malaysia wishes to extend its deep appreciation to the Special Rapporteur on the topic, Professor Maurice Kamto for his outstanding work in the elaboration of the draft articles in relation to the topic.

2. Malaysia notes that the Commission ad

grant of consent by the affected State on any provision of external assistance which is in line with the international law principle of the sovereignty of States.

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16. Hence, Malaysia is of the view that the affected State shall have overall direction, control, coordination and supervision of assistance within its territory.

Mr. Chairman,

17. In relation to Draft Article 14 bis which is now has been renumbered to Draft Article 18, Malaysia notes that the qualifier “all” was deleted and the phrase “necessary measures” has been replaced to “appropriate measures” to allow for a margin of discretion for the affected State in deciding which action to take.

18. Malaysia further proposes for the words “subject to the available resources and capabilities” to be inserted after the words “The affected State shall,” as the standard of care or due diligence may vary depending on circumstances, inter alia, the economic situations of the affected State, the availability of technical expertise and resources as well as the magnitude of the disaster.

Mr. Chairman,

19. In relation to Draft Article 17 and 18 which are now renumbered to Draft Article 20, Malaysia notes that the Commission is taking a simpler approach, by incorporating ideas expressed in both draft articles.

20. Lastly, Malaysia is favourable with the Draft Article 20 as it upholds the general principles of international law in governing the sovereignty, territorial integrity and political independence of the affected State and shall remain sacrosanct.

Thank you, Mr. Chairman.