



**PERMANENT MISSION OF SINGAPORE  
TO THE UNITED NATIONS**

318 EAST 48<sup>TH</sup> STREET, NEW YORK, NY 10017  
TEL: (212) 826 0840 FAX: (212) 826 2964

**STATEMENT BY MS DAPHNE HONG, DIRECTOR-GENERAL,  
INTERNATIONAL AFFAIRS DIVISION, ATTORNEY-GENERAL'S  
CHAMBERS OF SINGAPORE, ON AGENDA ITEM 87 ON THE REPORT  
OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS  
SEVENTIETH SESSION (CLUSTER 1: CHAPTERS I-IV, V, XII & XIII OF  
A/73/10), SIXTH COMMITTEE,  
22 OCTOBER 2018**

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*[Please check against delivery]*

Mr Chair,

1. As this is the first time that I take the floor on behalf of my delegation, allow me to congratulate you on your election as Chair, and reaffirm our full support to you and the Bureau.
2. I thank the Commission for the comprehensive report on the work of its seventieth session (A/73/10), and join others in offering my warmest congratulations to the Commission on its seventieth anniversary. It was Singapore's privilege to have contributed to and taken active part in the commemorative events, which are recounted in the UN Office of Legal Affairs for their unstinting dedication and substantive support to the Commission as it discharges its important mandate.

Mr Chair,

3. It seems apt that the Commission's platinum jubilee should bring the completion on second reading of two important projects on sources doctrine. These are the draft conclusions on subsequent agreements and subsequent practice in relation to the interpretation of treaties (Chapter IV), and the draft conclusions on identification of customary international law (Chapter V). We record our deep

words reflect the delicate balance that the treaty parties strove to achieve. That balance should not be easily unravelled. Practice may be reflective of a shared binding understanding between the treaty parties of how their obligations have been varied subsequent to the conclusion of the treaty. But for the vast majority of States, especially States without the resources to do so, practice is usually not properly recorded. Practice may indeed sometimes be inferred from particular acts, but there are many instances where the exact contours of practice cannot be clearly ascertained.

- (b) We remain conscious of the flexibility and adaptability to changing circumstances that may sometimes be required to make a treaty work over time. However, Singapore reiterates its position that a treaty should be interpreted in light of its original meaning and purpose.



footnote 741 of the commentary states that “Once the General Assembly has taken action in relation to a final draft of the Commission, such as by annexing it to a resolution and commending it to States, the output of the Commission may also fall to be considered under draft conclusion 12...”. In such cases, there needs to be a careful consideration of various factors to determine whether the States concerned intended to acknowledge

