

**Statement by the United States of America
74th General Assembly Sixth Committee Debate on
Agenda Item 79: Report of the International Law Commission
on the Work of its 71st Session
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*Cluster I Crimes Against Humanity, Peremptory Norms of International Law,
Other Decisions and conclusions of the Commission*

Thank you, Mr. Chairman.

I would like to begin by thanking Mr. Pavel Šturma, the Chairman of the Commission, for his presentation of the Commission's report and recent leadership of the ILC.

The United States remains supportive of the work of the ILC. The Members of the Commission are to be congratulated for their hard work over the past year, and on behalf of the United States, I extend my thanks for their dedication to international law. We also thank the Office of Legal Affairs, and particularly its Codification Division, for its continued effort to support the work of the ILC. The United States considers the ILC's work in the codification and

We would like to thank the Special Rapporteur for this project, Sean Murphy, for his prodigious efforts. He has brought tremendous value to this project, and we particularly

First, we have questions as to the purpose of **draft conclusion 3**, which, on its face, appears to introduce additional criteria for the identification of *jus cogens* norms. The commentary indicates this was not the intent. If that is the case, the content of draft conclusion 3 and its commentary seem more appropriately placed in a discussion of the historical development of the principle of *jus cogens*.

Second, **draft conclusion 5** addresses the bases for peremptory norms of international

