

item 82), Cluster III

Statement by KAWASE Taro, Counsellor, Legal Advisor, Permanent Mission of Japan

New York, 25 October - 3 November 2021

Thank you, Madam Chair,

I have the honour to speak on behalf of Japan. I would like to comment on the topic of "General Principles of Law". Japan congratulates the Special Rapporteur Mr. Marcelo Vázquez-Bermúdez for his second report and appreciates the memorandum prepared by the Secretariat. Japan welcomes the progress made on this topic and hopes that the International Law Commission will continue its thorough deliberations on the questions involved.

Japan understands that this topic is highly theoretical. The discussion on the identification of general principles of law derived from national legal systems and those formed within the international legal system is important, but Japan hopes the difference between general principles of law formed within the international legal system and customary international law will be clarified. Japan expects the draft conclusions sent to the Drafting Committee to be thoroughly examined and further explanations to be provided in the Draft Conclusion and commentary.

Japan is of the view that it would be helpful in practical terms if the Commission would elaborate on the definitions of terms used in a draft conclusion, including a definition of "general principles of law".

I thank