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76th Session of the General Assembly of the United Nations
Sixth Committee

Agenda item 82

Report of the International Law Commission
(72nd Session, A/76/10)

Chapter VII – Succession of States in respect of State responsibility
Chapter VIII – General principles of law

Speech delivered by Ms. Alis Lungu
Second Secretary
Permanent Mission of Romania to the United Nations
New York, 3 November 2021

Otherwise, we concur with the Special Rapporteur and the Commission in what concerns the method of identifying the general principles of law derived from national legal systems (the two-step approach), as
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in art. 38 para 1 (c) of the Statute of the International Court of Justice.

We further agree that the study should include references to national jurisprudence as a means for identifying general principles of law, while we do not see that the teachings of scholars might serve the same objective, as they cannot be relied upon for purposes of the determination of general principles of law.

With these remarks, I conclude Romania

Since this is the last intervention on beh
Commission

Report of the International Law