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Sixth Committee

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Statement by René Lefeber

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NEW YORK, 24 October 2023

Cluster I

1. The Kingdom of the Netherlands would like to thank the International Law Commission for this year's report and would like to express its continuing appreciation for its valuable contribution to the codification as well as the progressive development of international law. The Kingdom considers this year's ILC report as a solid basis for the deliberations of the Sixth Committee.
2. The codification and progressive development of international law is dear to my Government. The Kingdom, therefore, always strives to submit substantive contributions in the form of comments and observations, and to provide the ILC with timely written contributions including examples of State practice. In doing so, we hope to support the work of the ILC.
3. Before turning to the topics of this cluster, my Government has noted with appreciation that its comments and observations were genuinely taken into account in this year's ILC report.

Chapters I, II, III and V (General Principles of Law)

4. [Mr/Mme Chair, please allow me to start with the topic 'general principles of law.] The Kingdom of the Netherlands welcomes the adoption, on first reading, by the International Law Commission of the draft conclusions on general principles of law and the commentaries thereto.

5. The Kingdom of the Netherlands would like to express its appreciation to the Special Rapporteur as well as to the ILC as a whole for the work on this topic. In particular, my Government welcomes the amendments and additions to the draft conclusions and the commentaries thereto further to its written comments and observations.
6. In that regard, my Government welcomes in particular the maintenance of the category general principles of law formed within the international legal system. In that regard, the Kingdom appreciates the further clarification in the commentaries to draft conclusion 7 on the meaning of the wording 'intrinsic to the international legal system'.
7. My Government, however, noted that the difference of opinion of the members of the ILC as regards the existence of general principles of law formed within the international legal system was included in the draft commentaries. The Kingdom of the Netherlands believes that it would be more appropriate to include such disagreement amongst ILC members in its reports, and accordingly would like to suggest to remove this from the draft commentaries.

8. Since the ILC has adopted the conclusions and the commentaries thereto
on

12. First, my Government has tested that several States made statements on whether or not the United Nations Convention on the Law of the Sea contains

17. In the context of the 75 anniversary of the ILC, the Kingdom welcomes the initiative to convene meetings with ILC members and legal advisers of Ministries of Foreign Affairs involved in the work of the ILC.
18. Finally, in January 2023, my Government hosted a symposium on independent advice to the Government on public international law, organized by the Dutch Advisory Committee on Public International law. During this symposium, ILC member Professor Patricia Galvão Teles elaborated upon the contribution of the Dutch Advisory Committee to the work of the ILC. For us, it was very useful to hear her experiences in order to improve my Government's practices related to the work of the ILC. For instance, when preparing written submissions on the work of the ILC, my Government will now also provide the ILC with a report of the Advisory Committee and the Government's response to it. My Government can therefore only but support this type of meetings.
19. Thank you Mr/Mme Chair.