



PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS

MISS CLAUDINE BAILEY

LEGAL OFFICER

MINISTRY OF FOREIGN AFFAIRS AND FOREIGN TRADE OF JAMAICA

Court of Justice or in its drafting history limits general principles of law to those derived from national legal systems.”

Regarding methodology, the Commission has posited, at paragraph 3 of its Commentary, that “[t]his analysis must take into account all available evidence of the recognition of the principle in question by the community of nations, such as international instruments reflecting the principle, resolutions adopted by international organizations or at intergovernmental conferences, and statements made by States.” As we have not previously viewed general principles of law as being intrinsic to the international legal system, in the manner proposed by the Commission, we wish to further examine this text and the attendant Commentaries before making any final pronouncement thereon. Notwithstanding, to aid us in our deliberations, we query whether the Commission could elucidate the following in the Commentaries:

- (i) any perceived impact that this draft conclusion will or will not have on the future interpretation of Article 38, paragraph 1 (c), of the Statute of the International Court of Justice;
- (ii) how the methodology would be applied so as not to create any overlaps with other sources of international law specifically, customary international law;

In conclusion, we wish to applaud the Commission and Mr. Marcelo Vázquez Bermúdez, Special Rapporteur, on their work over the years as they seek to engage in the progressive development of international law of this topic.



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Mr. Chairman,

My delegation wishes to

Accordingly, Jamaica shares the view that preservation of states maritime rights in this regard is deeply connected to the preservation of states' statehood.

Having regard to the subtopic on protection of persons affected by sea-level rise, Mr. Chairman, it is recalled that the Montevideo Convention is generally regarded as outlining the criteria for statehood. However, it does not lay down rules for the continuation of statehood. Notwithstanding, we support the continuity of statehood. My delegation acknowledges that the corpus of international law evinces that, once established, it is difficult for a state to lose its statehood. S22(l)-(35e)TF8 12 Tf1 0 0 1 9.(l)-635.25