



**United Nations General Assembly | Sixth Committee
78th Session
Report of the International Law Commission
(Agenda item 79)**

CLUSTER III

31 October 2023

(check against delivery)

Mr./Madam Chair,

Moving to the third cluster of items discussed in the report of the International Law Commission, Brazil would like to deliver some remarks regarding the topics contained in Chapters VII and IX, namely: (i) subsidiary means for the determination of rules of international law and (ii) succession of States in respect of State responsibility.

Brazil thanks the Special Rapporteur, Mr. Charles Jalloh, for his first report on subsidiary means for the determination of rules of international law. We commend the International Law Commission for provisionally adopting three draft conclusions with commentaries thereto.

We acknowledge the

There is a need for caution when drawing upon teachings of individual publicists, as previously recognized by the ILC. They often reflect the individual or national viewpoints of their authors, and they greatly differ in quality. Furthermore, they do not always distinguish between the determination of rules of law and the advocacy for its development.

In this vein, Brazil commends the Special Rapporteur for his efforts to identify the writings of individual scholars that could be used as subsidiary means, when

