## Sixth Committee United NationsGeneral Assembly

## Mr Chaiman,

- 1.
- Report of the International Law Commission. I withit my comments to the topic of Subsidiary Means for the Determination of Rules of International Law
- 2. Ireland wishes to thank the Special RapporteuProfessorJalloh, for hiswork on the elaboration of draft conclusions and accompanying commentaries. We also wish to express our appreciation for the work of the Drafting Committee.
- 3. Ireland has taken an active interest in this topic and submitted information this year concerning the use of subsidiary means for the determination of rules of international law in decisions of the Irish superior courting Irish legislation and international courts and tribunals.

## Mr. Chairman

4. At the outset, we agree that conclusions are the appropriate form of product for the

This to date
of the other elements of Article 38 of the Statute of the International Court of Just The
the identification of customary international laward on general
principles of law

6.	. With respect todraft conclusion 4 Ireland welcoms the explanation imparagraph 5 of the			
	commentary thatthe term	broadly.		
	We encourage the Commission to considerapanding the definition to bodies	exercising		
	arbitral powers, where such bodies are called upon to determine the existen	ce and content		
	of a rule of international law.			

7.	Turning to the second paragraph of draft conclusion 4,eweouragegreater consideration		
	in		We note that paragraph 18of the commentaryto
	this	in	

- 11. Finally, with respect todraft conclusion & we also suggest that some commentary on the status of courts within national judicial hierarchies be provided, including on the questions of whether a judgment of a national court is one from which there is no appeal or, indeed, is currently under appeal.
- 12. To conclude, Mr. Chairman, we thank the Special Rapporteur for his work on this topic and we look forward tofurther engagement with the Commission, the Sixth Committee and Member States the text develops.