



S L O V A K I A

STATEMENT

by

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Sixth Committee

*Report of the International Law Commission
on the work of its seventy-third session (item 79)
Cluster I*

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(check against delivery)

Madam Chair,

At the outset, I wish to express our sincere congratulation to

predominantly, should be respected. In addition, by its very nature, the topic might not be fully suitable for progressive development and codification.

Not to repeat our comments from the last year ¶ session, which we recall, allow me, Madam Chair, to briefly highlight the points in which we see the most significant disagreement with the draft conclusions as adopted by the Commission on first reading. It is our view that general principles of law can be derived only from national legal systems. They *per se* represent the higher degree of generalisation or abstraction of existing norms and principles of a national legal order which are common to legal systems of the world. We find it still difficult to accept that general principles of law would be a third, completely distinct and autonomous source of rights and obligations under international law, and that they can be formed within international legal system. The Commission ¶ efforts to present examples of the latter based on thegations

not enjoy the same status. The primary function of general principles of law is, in our view, rather supplementary, filling the gaps in international law.

Finally, in relation to paragraph 3 of draft conclusion 11, we have some difficulty to envisage a situation where a general principle of law would be in conflict with a customary rule of international law. This holds even more vis-à-vis the proposed second category of general principles of law. My delegation would welcome some examples of such a conflict, otherwise the third paragraph would seem to be redundant.

Madam Chair,

~~/ H W P H Q R Z D G G U S A / W e l c o m e i n r e l a t i o n t o I n t e r n a t i o n a l l a w '~~

My delegation welcomes the additional paper to the first issues paper prepared by the co-chairs of the Study Group, Mr. Aurescu and Ms. Oral, which provides a well-researched and comprehensive clarification on a number of principles and issues relating to the law of the sea. We also praise the progress made so far by the Commission on all three subtopics, namely the law of the sea, statehood and the protection of persons affected by sea-level rise.

We recognise that the sea-level rise topic that impacts whole international community and requires global solutions, including formulating answers to legal questions. While we note the interest of the Commission to interpret the legal concepts encompassed in the UN Convention on the Law of the S

My delegation encourages the Study Group to continue its work on this topic with a view of preparing a consolidated final report in 2025.

Madam Chair,

Before concluding, I will offer some brief remarks on ³ 2 WKHU GHFLVLRQV RI WKH & namely those related to its programme of work and working methods.

We note with interest the inclusion of the topic of non-legally binding international agreements on current programme of the Commission's work and congratulate Mr. Mathias Forteau on being appointed as Special Rapporteur. My delegation believes that this