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INTERNATIONAL LAW COMMISSION  
Seventy-fourth session  
Geneva, 24 April-2 June and  
3 July-4 August 2023

## **GENERAL PRINCIPLES OF LAW**

### **Statement of the Chair of the Drafting Committee**

**Mr. Mārtiņš Paparinskis**

**19 May 2023**

Madam Chair,

It is my pleasure to introduce the first report of the Drafting Committee for the seventy-fourth session of the International Law Commission, concerning the topic “General principles of law”. This report is contained in document [A/CN.4/L.982](#) and reproduces the text of the draft conclusions 1 to 11, which have been provisionally adopted by the Drafting Committee, and which the Drafting Committee recommends for adoption by the Commission on first reading.

Before commencing with the introduction of the report, allow me to pay tribute to the Special Rapporteur, Mr. Marcelo Vázquez-Bermúdez, whose constructive approach and guidance facilitated the work of the Drafting Committee. I also thank the other members of the Committee for their active participation and contributions. I wish to thank the Secretariat for its valuable

assistance. As always, and on behalf of the Drafting Committee, I am pleased to extend my appreciation to the interpreters.

Madam Chair,

It is to be recalled that, in 2021, at its seventy-second session, the Commission provisionally adopted draft conclusions 1, 2 and 4, together with commentaries, and took note of draft conclusion 5.

It is also to be recalled that last year, at the seventy-third session of the Commission, the Drafting Committee concluded its substantive consideration of all draft conclusions, as referred to it by the Plenary, and provisionally adopted draft conclusions 3 and 6 to 11. Following the conclusion of its substantive consideration, the Committee undertook a final review of the entire set of the draft conclusions, that is, draft conclusions 1 to 11, to ensure that the provisions were coherent. Also last year, at the seventy-third session, the Commission provisionally adopted draft conclusions 3, 5 and 7, together with commentaries, and took note of draft conclusions 6, 8, 9, 10 and 11.

In the interest of time, I draw the Commission's attention to the statements of the Chair of the Drafting Committee at the seventy-first, seventy-second and seventy-third sessions, which are available on the Commission's website, for a more detailed substantive and procedural background on the topic.

Madam Chair,

At the present session, the Committee devoted one meeting to this topic, on 11 May. The task before the Committee was limited to undertaking the *toiletage* finale of the entire set of the draft conclusions, which, as I have mentioned, had already been provisionally adopted by the Committee in previous years.

As a result of the *toiletage* finale, the Committee decided to introduce minor textual changes to the French version of the draft conclusions. No changes were made to the text in the other official languages of the United Nations.

Following the *toilettage* finale, the Drafting Committee adopted a set of 11 draft conclusions on first reading.

Madam Chair,

Before concluding, allow me to point out that in the course of the debate in the Drafting Committee, it was recalled that it would be useful for the Commission to consider including an additional draft conclusion or conclusions addressing the question of evidence of recognition of a general principle of law by the community of nations. It was also mentioned that the question of evidence of recognition could be further addressed in the commentaries to the draft conclusions. It bears recalling that this issue was also raised in the Committee last year and was reflected in the statement of the Chair of the Drafting Committee at the seventy-third session of the Commission.

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Madam Chair,

This concludes my introduction of the first report of the Drafting Committee for the seventy-fourth session.

It is my sincere hope that the Commission will adopt the draft conclusions on the topic “General principles of law” that are before you, on first reading.

I thank you for your kind attention.