



**UNITED NATIONS  
OFFICE OF LEGAL AFFAIRS**

**Statement**

**by**

**Mr. Miguel de Serpa Soares**

**Under-Secretary-General for Legal Affairs**

**and United Nations Legal Counsel**

**Sixth Committee**

**23 October 2017**

Thank you, Mr. Chairperson, for your kind introduction.

Let me first congratulate you, Mr. Chairperson, and the Members of the Bureau, on taking up the leadership of the Sixth Committee and exercising it with such zeal and dedication. Thanks to your guidance, the Committee has already made significant progress in the past three weeks on many of the items on its agenda, such as: “The rule of law at the national and international levels”, “The administration of justice at the United Nations” and “Criminal accountability of United Nations officials and experts on mission”. On behalf of the Secretary-General, I wish to convey to you and all delegates the best wishes for a successful continuation and completion of the session.

Mr. Chairperson,

It is fitting that this week, which bring together the work of the International Law Commission and the Sixth Committee of the General Assembly, is known as



“International Law Week”. I would like to acknowledge the presence of the Chairperson of the International Law Commission, Mr. Georg Nolte, and thank him in advance for briefing the Sixth Committee on the work of the Commission at its sixty-ninth session. I am equally delighted to be in the company of so many Legal Advisers and international law experts from Member States, many of whom have travelled to New York specifically for this occasion.

The Sixth Committee and the International Law Commission play a central role in the progressive development of international law and its codification, in pursuance of Article 13 (1) (a) of the Charter of the United Nations. Together, they have stood at the foundation of many groundbreaking advances in the field of international law.

To give but one example, it was at the recommendation of the Sixth Committee that the General Assembly, by resolution 177 of 21 November 1947, first entrusted the International Law Commission with the preparation of a draft code of offences against the peace and security of mankind. While this project faced many challenges, the Sixth Committee did not relent and renewed the Commission’s mandate in 1981, by resolution 36/106. Upon completion of its work, the International Law Commission recommended the convening of a diplomatic conference, a recommendation on which the General Assembly, through the Sixth Committee, acted in 1996. As a result, the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court, also known as the Rome Conference, opened on 15 June 1998. After five weeks of arduous negotiations, on 17 July 1998, it adopted the Rome Statute of the International Criminal Court.



Today, the Sixth Committee continues its collaboration with the International Law Commission in the field of international criminal justice by considering the Commission's work on the topic "Crimes against humanity".

Mr. Chairperson,

Next year, we will be celebrating the long-standing partnership between the Committee and the Commission when we commemorate the 70th anniversary of the International Law Commission. As we will hear shortly from its Chair, the Commission is planning to hold the first part of its session in New York, from 30 April until 1 June 2018. To strengthen the bond between the two bodies, the Commission is anticipating holding a solemn meeting on 21 May 2018, followed by a conversation with representatives of the Sixth Committee. The Commission will convene the second part of its session at its regular seat in Geneva. There, it is planning to hold a conference with legal advisers and other international law experts on 5 and 6 July, focusing on the work of the Commission and its cooperation with Member States.

You will have found on your desks this morning a little *aide-mémoire*, in the form of a bookmark, to remind you of the Commission's upcoming anniversary and the dates of the celebrations. I hope that this may be of use while you study the report of the Commission. I would also like to take this opportunity to invite Member States that wish to get involved in the celebrations to contact the Secretariat.



M. le Président,

Ce matin, je n'ai mis en exergue qu'un des exemples de collaboration productive entre la Sixième Commission et la Commission du droit international. Il en existe bien d'autres, et je suis certain que nombre d'entre eux seront relatés lors des célébrations de l'anniversaire de la Commission du droit international l'an prochain. Pour l'instant, je vous invite cependant à porter votre regard vers l'avenir pour écrire le prochain chapitre de cette longue et vénérable tradition.

Au cours des prochains jours, en sus du sujet « Crimes contre l'humanité », vous allez débattre de nombreuses autres questions juridiques inscrites au programme de la Commission. Je vous souhaite à tous une discussion fructueuse.

Une grande part du droit international a peut-être déjà été codifiée, mais celui-ci continue de se développer progressivement dans des directions jusqu'ici imprévues. Ce n'est qu'en travaillant ensemble que la Sixième Commission et la Commission du droit international pourront continuer de faciliter et d'orienter ce processus.

Pour conclure, je tenais à réitérer que le Secrétariat, et en particulier le Bureau des affaires juridiques, s'est toujours attaché à renforcer la collaboration entre la Sixième Commission et la Commission du droit international. Je vous assure que vous pouvez continuer à compter sur le soutien et l'engagement du Secrétariat.

Je vous remercie.