

MISSION OF
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Report of the International Law Commission (Cluster I)

27th October 2018

Statement by the Principal Legal Adviser of the Ministry of Foreign Affairs

Let me start with a few suggestions that could be taken from the title of "C... .."

this very debate. Our statements here should aim at providing the Commission with clarity on our stance and on

priorities regarding the codification and progressive development of international law. We should refrain from replicating the legal debates held within the ILC and should not equate these statements to the written comments that we are submit

The draft conclusions on customary international law offer a valuable evidence on the identification of a sometimes

elusive, but fundamental source of international law. Brazil agrees with the Commission's recommendations, particularly

on the need to follow in the suggestions contained in the Secretariat memorandum on ways and means for making the

evidence of customary international law more readily available. An online database with State practice relating to international law, based on information received from States, would constitute a positive step in this regard.

The draft conclusions strike a balance between precise guidance, on the one hand, and reasonable flexibility, on the