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Mr Chairman,

As this is the first time I take the floor in the Six Committee at the current session of the General Assembly, please allow me to congratulate you on your election as Chairman I am confident that under your able leadership

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the Chairman of the International Law Commission for introducing the report on the work of the Commission's seventy-first session and for

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discussions so far at this Committee also show that many Me	mber States
still see major shortcomings in certain key provisions of the dra	ft articles as
they currently stand For instance many provisions during from	

texts found in existing international conventions, are not grounded in empirical analysis of widespread international practice, and rely primarily on the practice of international criminal tribunals that do not enjoy

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Secondly, the draft conclusions should avoid treading on the relationship between resolutions of the Security Council and *jus cogens*. The Chinese delegation has noted that according to draft conclusion 16, "A resolution, decision or other set of an interactional argumentic that would athernic

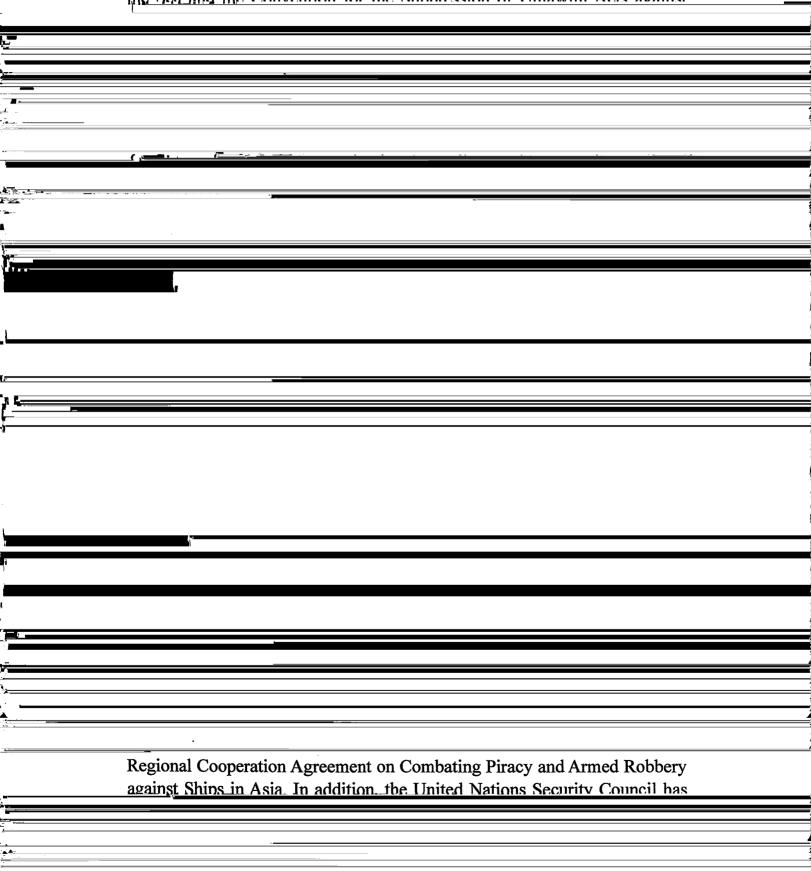
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problematic, as the Commission failed to provide convincing arguments for the inclusion of those norms in accordance with its own criteria for the

identification of *jus cogens* as contained in the draft conclusions. In fact, the substance of some norms remains extremely vague. For instance, neither the

draft conclusions nor their commentaries offer any illumination as to what rules constitute "the basic rules of international humanitarian law". The list also falls short of explaining the rationale for highlighting the foregoing eight norms while leaving out other norms governing international relations, such as the principle of sovereign equality Furthermore the inclusion of

such a list will result in a change in the nature of this project, deviating from the codification of secondary rules regarding the criteria for the identification of secondary rules regarding the criteria for the



the Sea and the Convention for the Suppression of Unlawful Acts against