

Statement by Ms. LEE Young Ju
Ministry of Foreign Affairs of the Republic of Korea
Report of the International Legal Commission on the work of its 75th
session (Agenda 9) Cluster 3

Non-legally binding international agreements

Mr. Chair,

Moving on to the topic of Non-legally binding international agreements, my delegation views this subject as highly significant, as it explores areas that have not been fully addressed by the current legal framework. Specifically, by engaging in depth discussions on aspects not covered by the Vienna Convention on the Law of Treaties, this topic offers a new and much-needed approach to meet the evolving needs of the international community.

We commend Special Rapporteur Mathias Forteau for his diligent work and the structured, effective approach he has taken. His efforts to clarify the intricate legal discourse surrounding non-legally binding agreements and their substantive implications have provided a solid foundation for further deliberation. We believe this approach will be instrumental in advancing the development of international law.

We also understand and support the Special Rapporteur's rationale for retaining the term "agreement" instead of "instrument." While the term "instrument" may cover a wide range of non-legally binding documents, "agreement" more accurately reflects the mutual understanding between the parties involved. The Republic of Korea recommends that this distinction be appropriately reflected in the section on definitions, as it will enhance clarity and consistency in legal language.

Non-legally binding agreements often carry significant political weight. Therefore, it is essential to approach this issue with caution, ensuring that agreements do not exceed the Commission's mandate. Defining the role, significance, and scope of legally binding agreements is critical moving forward. The Republic of Korea expects this work to clarify the legal implications, resulting in valuable and practical outcomes.

Succession of States in respect of State responsibility

Mr. Chair,

Regarding the Succession of States in respect of State responsibility, my delegation would like to express its appreciation for the work of the Working Group chair, Mr. August Reinisch. It commends the Working Group for having offered a concise and clear list of options for the way forward. It also would like to congratulate Mr. Bimal N. Patel on his appointment as Chair of the Working Group to be established at the twenty-sixth session of the Commission.

Among the options proposed by the Working Group, my delegation would like to support forming a Working Group with the mandate to prepare a procedural report that could bring the work of the Commission to a close at its next session. The report of a procedural nature

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The Working Group to be established at the seventh session should identify the difficulties encountered by the Commission in its work on the topic and the questions the Commission was not in a position to tackle. My delegation expects that lessons drawn