

MISSION OF
BRAZIL
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**United Nations General Assembly | Sixth Committee
Report of the International Law Commission (Cluster II)**

(check against delivery)

Mr. Chairperson,

Moving to the second cluster of items discussed in the report of the International Law Commission, Brazil would like to make some remarks regarding the topics contained in Chapters VI, VIII and X, namely: (i) Protection of the environment in relation to armed conflicts, (ii) Immunity of State officials from foreign criminal jurisdiction; (iii) sea-level rise in relation to international law.

Let me start by the topic "Protection of the environment in relation to armed conflicts". First of all, we would like to thank Marja Lehto for her work. We consider that the Commission should not seek to change the existing set of norms international humanitarian law, but rather fill the gaps of IHL relating to environmental protection. taking into account the recent developments of international law. In the same vein, we consider that the current exercise should not seek to change international environmental law or attempt to create new norms.

We commend the Commission for the adoption, on first reading, of 28 draft principles. Without prejudice to our written comments, Brazil takes this opportunity to highlight the necessity to have clarity on the normative value of individual draft principles, since many of them seem to have a more recommendatory nature. In particular, the word choice should follow the non-binding nature of the text.

Mr. Chairman,

Turning to the topic of immunity of state officials from foreign criminal jurisdiction, Brazil has been following with attention the work of the Commission on the matter, in accordance with the resolutions adopted by the General Assembly. We wish to recognize the work of the current Special Rapporteur, Ms. Escobar Hernández, and the seven reports presented since 2007, when the issue was included in ILC's programme of work.

Brazil looks forward to the completion of ILC work on this topic, with due attention to the comments and suggestions to be presented by Member States.

Mr. Chairman,

I now turn to the topic of "sea-level rise". Brazil takes note with interest of the decision to establish an open-ended Study Group on the topic "sea-level rise in relation to international law". Throughout its planned sessions for the next two years, the Study Group will have the opportunity to gather significant elements in order to address a pressing legal need of the international community. In light of the complexity of the issues to be considered, touching upon different areas of international law, its work should be therefore undertaken with care. Brazil supports the recommendation presented by the Study Group on para 272 of the ILC Report (A/74/10) for the Commission to invite member states to present their comments on specific issues with regard to the topic "sea-level rise in relation to international law".

Thank you.