



Statement by the Republic of Cyprus

Item 75 – “Responsibility of States for internationally wrongful acts”, Plenary Meeting of the Sixth Committee, 74th UN General Assembly, 15 Oct. 2019

Mr. Chairman,

As this is the first time my delegation takes the floor, allow me to congratulate you on your election and wish you and the Bureau every success in steering our work.

The position of my delegation concerning the responsibility of states for internationally wrongful acts is well known. We consider that, in adopting its draft articles on state responsibility in 2001, the ILC codified customary international law.

The plethora of case law on the draft articles, confirmed by the 86 recent decisions of international and regional courts that have been cited by the UNSG in his report A/74/83, combined with a plethora of practice, have laid to rest any claim to the contrary.

My delegation is a strong supporter of the universally binding force of customary international law, which it considers a prerequisite for the primacy of international law in interstate relations. We consider that no state may opt-out from norms that have acquired the status of customary international law.

Cyprus would like to see the draft articles, as adopted by the Commission, be formally codified through their adoption as a multilateral treaty, as quickly as possible, notwithstanding their customary character and hence their universal binding applicability. The formalization of a framework for state responsibility for internationally wrongful acts is long overdue; an issue of such gravity must be governed by clear, written rules.

Turning to the broader issue of state responsibility, beyond the draft articles, my delegation would like to observe that our discussions are increasingly infused with elements that go beyond the scope of holding states accountable for wrongful acts vis-à-vis other states or the international community as a whole. While there are aspects of state responsibility that go beyond this narrow framework, we need to keep our objectives clear, focused, and in line with the work of the ILC on this issue. To this end, my delegation would like to see more focus on the consequences of wrongful acts, including judicial and other objective means for assessing the violations and ensuring remedy.

I thank you Mr. Chairman.