

JOINT EXPLANATION OF POSITION  
77<sup>TH</sup> SESSION  
SIXTH COMMITTEE OF THE GENERAL ASSEMBLY  
AGENDA ITEM No. 79  
Diplomatic Protection  
New York, November 18<sup>th</sup>, 2022

Mr Chair,

Concerning the agenda item at hand I have the honor to deliver this explanation of position on behalf of the delegations of Brazil, El Salvador, Mexico, Portugal and my own country, Colombia.

Even though 16 years have passed since the International Law Commission concluded its work on the topic and recommended the elaboration of a convention based on limited. This is particularly alarming due to the X E M U F W G V E R S A L R E V A L A N C E. After all, this Assembly has acknowledged W K H 3 P D M R U L P S R U W D A Q I S H R I V K H resolutions on diplomatic protection since its 6<sup>th</sup> Session.

At the 77<sup>th</sup> Session, our delegations sought to engage constructively to vitalize this agenda item and deliver an action-oriented resolution that could set us on the path to making a reasoned decision on what action to take regarding the articles. Informal consultations focused primarily on R Q W K H 6 L [ W K & R P P L W W H H ¶ V Z R U N L C subject.

While we are glad to have a text that contributes to advancing the topic, we would have preferred it to reflect more accurately the fruitful discussions held at this session. In the spirit of flexibility, however, we have decided to accept OP2 and OP3 as adopted. On this point, however, I wish to make two main clarifications on our position on the resolution

the

62<sup>nd</sup> Session except for resolution 74/188. While we would have preferred an explicit clarification to that effect, we note that, during informal consultations,

several delegations endorsed the understanding that WKH ZRUGV ³DSSURSU  
DFWLRQ´ H O F P R S D R V O P I O A Accordingly, in light of this mandate  
and in furtherance of the constructive dialogue started this year, we expect  
delegations to address the possible reconstitution of the working group in their  
statements at the 80 Session.

2. Second aV WR 23 ZH HPSKDV L]H WKDW aW Kate YHUE ³FR  
accounts for the ongoing substantive dialogue on diplomatic protection.  
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