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Sixth Committee

“Diplomatic protection”

**Statement by Wieteke Theeuwen
Legal Adviser of the Permanent Mission the Kingdom of the
Netherlands to the United Nations**

NEW YORK, 3 November 2022

Madam/Mr. Chair,

The Kingdom of the Netherlands continues to support the Articles on Diplomatic Protection as developed by the International Law Commission, and would repeat its expression of gratitude for the work of Special Rapporteur John Dugard, under whose guidance the present Articles were developed.

As stated before, the Kingdom of the Netherlands does not see the need to initiate a process of concluding a treaty on diplomatic protection. This has two reasons. First, the Kingdom of the Netherlands considers that there is, at this stage, no need. The vast majority of the provisions included in the Articles reflect customary international law.

Second, the Kingdom of the Netherlands would prefer a joint procedure for the Articles on State Responsibility and the Articles on Diplomatic Protection. We consider that diplomatic protection is intertwined with State responsibility to such an extent that a separate treaty would not be desirable.

At the same time, it is important to note that there are differences between the two instruments.