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78th Session of the General Assembly of the United Nations
Sixth Committee

Agenda item 79

Report of the International Law Commission
(74th Session, A/78/10)

Cluster II

Chapter V ± Settlement of disputes to which international organizations are parties

Chapter VI ± Prevention and repression of piracy and armed robbery at sea

Statement delivered by Ms. Alina Orosan
Director General for Legal Affairs
Ministry of Foreign Affairs of Romania

New York, 31 October 2023

Mr. President,

Chapter V: Settlement of disputes to which international organizations are parties

1. We express our sincere appreciation to the Special Rapporteur ~~Andreas~~ ^{August} Must Reinisch for the work on Chapter V of the ILC Report. Even though this represents the first report on the settlement of disputes to which international organizations are parties, establishes some essential aspects related to the scope of the guidelines on the top
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6. This being said,

have proved remarkably effective in the fight to suppress piracy. There is a wealth of recent practice that could underpin the regulation of cooperation among States in order to prevent and fight piracy and robbery at sea.

6. Romania welcomes that during its seventh session the ILC adopted the draft Articles 1, 2 and 3 and the commentaries to them.
7. In respect of the scope envisaged, as laid down in Article 1, we note the decision taken by the Commission to address both piracy and armed robbery at sea, and recognize that this is a logical step, as the same acts, depending on the location where they are committed, can constitute either piracy or armed robbery at sea.
8. As to the definition of piracy in Article 2, we agree with the approach to build on the definition laid down in the UNCLOS, and not expanding it by the addition of other acts, given the importance of preserving the integrity of the definition provided in UNCLOS, which is reflective of customary international law.
9. We welcome the insertion of paragraph 2 of Article 2 and the guidance given in the comments that clarify that the provisions regarding piracy apply to the exclusive economic zone.
10. We also duly note the definition of armed robbery at sea provided in Article 3 and of the comments to this article, which we generally subscribe to.
11. We look forward to the future work of the Commission on the matter.

I thank you!