

UNITED STATES MISSION TO THE UNITED NATIONS

UNGA 78 United States Statement
Report of the ILC on the Work of its 74th Session: Cluster 2
Nicole Thornton, Attorney Adviser
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Thank you, Chair. The United States is pleased to address both topics in this cluster, settlement of disputes to which international organizations are parties and prevention and repression of piracy and armed robbery at sea.

Settlement of disputes to which international organizations are parties

Turning to the first topic, the United States provides its thanks and appreciation to Special Rapporteur August Reinisch for his initial scoping and exploration of important questions underpinning the topic.

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the existing practices of international organizations concerning the settlement of their disputes and
to develop recommendations for the most appropriate ways of handling them. In this vein, the
United States appreciates the approach to elaborate a set of draft guidelines as the form for the
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We also appreciate that this project will be focused on the availability and adequacy of means for the settlement of disputes to which international organizations are parties, and not intended to elaborate or rewrite rules and principles that apply to international disputes more generally.

We look forward to future work on this topic.

that definition. This clear articulation of the international crime of piracy in Article 101 has been widely accepted since the adoption of the 1958 Convention on the High Seas. It remains fit for purpose, and serves important functions, including that states seeking to enforce their laws can distinguish between criminal acts that are subject to universal jurisdiction and those that, appropriately, are not. In this regard, we question whether draft articles are the most appropriate or useful vehicle for this particular topic. Moreover, international cooperation is important regarding both piracy and other crimes at sea that do not fall within the meaning of piracy under international law, with potential considerations that can vary depending on the nature of the offense. To that end, we appreciate that the Commission will continue to take the opinions and practices of states carefully into account, and we follow with interest as the Commission FRQWLQXH V WR H[SORUH WKH H[LVWLQJ UHOHYDQW GRPHV treatment of conduct that falls within their jurisdiction but outside the definition of piracy under international law, including armed robbery at sea.