



**UNITED STATES MISSION TO THE UNITED NATIONS**

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**Statement of the United States of America  
68<sup>th</sup> Session of the UN General Assembly  
Sixth Committee – Agenda Item 82  
Diplomatic Protection  
Agenda Item 82  
Steven Hill, Deputy Legal Adviser  
October 21, 2013**

Thank You Mister Chairman.

We thank the Secretary General for his helpful report (A/68/115) compiling the written comments of States on the future status of the draft articles on diplomatic protection.

As we explained in our 2007 written submission, the United States continues to believe that the General Assembly should take no further action on the draft articles at this time. We agree with the many written comments received from States that, where the draft articles reflect the large body of State practice in this area, they represent a major contribution to the law of diplomatic protection, and are thus valuable to States in their present form. However, we also share the concerns expressed that a limited number of articles are inconsistent with well-settled customary international law. For additional details, I would refer delegations to the statement delivered by the United States on October 19, 2007, as reported in document A/C.6/62/SR.10.

Much like the draft articles on State responsibility, we are concerned that the process of negotiating a convention would risk undermining the substantial contributions already achieved by the draft articles. We believe, therefore, that the better course is to allow the draft articles some time to inform, influence, and settle State practice in this area.

Thank you, Mister Chairman.