



**PERMANENT MISSION OF SINGAPORE  
TO THE UNITED NATIONS**

318 EAST 48<sup>TH</sup> STREET, NEW YORK, NY 10017  
TEL: (212) 826 0840 FAX: (212) 826 2964

**STATEMENT BY MRS. NATALIE Y. MORRIS-SHARMA, COUNSELLOR,  
PERMANENT MISSION OF SINGAPORE TO THE UNITED NATIONS,  
ON AGENDA ITEM 85, ON THE RESPONSIBILITY OF INTERNATIONAL  
ORGANIZATIONS, SIXTH COMMITTEE, 23 OCTOBER 2014**

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1. Mr. Chairman, when this topic was last considered by the Sixth Committee in 2011, my delegation had reiterated our firm belief in the relevance and significance of the International Law Commission's work on the Responsibility of International Organisations. Our view in this regard has certainly not changed. There are more international organisations today than there were then, and the institutional structures, functions and powers of international organisations continue to be complex and diverse. As we had observed in 2011, there is also a recent policy trend to establish international institutions under national private law, with sophisticated mixed membership and with mandates and operations comparable to those of traditional international organisations. Against this backdrop, a considered exchange of views over the applicable rules of responsibility of international organisations can only be welcomed.

2. This year, the Sixth Committee has been tasked with examining the question of the form that might be given to the draft articles on the Responsibility of International Organisations. Although the ILC had recommended that we consider, at a later stage, the elaboration of a convention on the basis of the draft articles, my delegation remains of the view that the time is not ripe for this.

3. We continue to have difficulty over certain aspects of the draft articles which sought to progressively develop the applicable rules, such as in relation to countermeasures and the derived responsibility of States. There is still a dearth of practice that draws from across the diverse spectrum of international organisations, and we remain to be convinced that the application of the draft articles to international organisations will not lead to unforeseen complications.

4. At this stage, we can bring the articles to the attention of States and international organisations for their consideration and reception, to the extent that they deem appropriate. Although not yet ripe to be developed into a convention, the draft articles do provide a useful lens through which to assess, and perhaps even inform, the practice of international organisations and States in connection with their acts within and in relation to international organisations. As recognised in the general commentary to the draft articles, the authority of the draft articles “will depend upon their reception by those to whom they are addressed”; with the passage of time, we will be beneficiaries of a growing body of practice that will enable us to afford the weight as due to the draft articles.

5. My delegation is also open to including in the provisional agenda of a future session the further consideration of this agenda item. However, this should be accompanied by clear action items that will facilitate future examination of the question of the form that might be given to the draft articles, such as requests to the Secretary-General to invite international organisations and Governments to submit their written comments on any future action regarding the articles, and to invite international organisations and Governments to submit information on their practice as relevant to the responsibility of international organisations, including the decisions of courts, tribunals and other bodies that refer to the draft articles.

6. It is important that international organisations also be invited to submit information and comments because they are, after all, the subject of the draft articles. Moreover, a further invitation to international organisations will hopefully expand the pool of international organisations who reply; thus far only a small number have provided their comments, which may reflect either a lack of relevant practice to cite or of a lack of interest in the relevance of the draft articles. A breadth of sources of inputs from amongst international organisations will improve on our ability to evaluate the universal applicability of the draft articles, taking into particular account the institutional diversity of international organisations.

7. Thank you, Mr. Chairman.

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