



## UNITED STATES MISSION TO THE UNITED NATIONS

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Statement of the United States of America  
71<sup>st</sup> General Assembly Sixth Committee  
Agenda Item 79 – Diplomatic Protection  
Statement by Stephen Townley, Counsellor  
October 7, 2016

We thank the Secretary General for his helpful report (A/71/93) compiling the written comments of States on possible future action with regard to the draft articles on diplomatic protection.

The United States continues to believe, consistent with our 2007 and 2013 statements, that the General Assembly should not at this time take further action on the draft articles. We concur with the many other States who have concluded that, where the draft articles reflect State practice in this area, they represent a substantial contribution to the law of diplomatic protection, and are thus valuable to States in their present form. Nevertheless, we also share the concern that a limited number of articles are inconsistent with well-settled customary international law. For more details, please see the statement delivered by the United States on October 19, 2007, as reported in document A/C.6/62/SR.10.

As we stated in 2007, and similar to the draft articles on State responsibility, the United States is concerned that the negotiation of a convention risks undermining the significant contributions already achieved by the draft articles. We still believe, therefore, that the best option is to allow the draft articles more time to inform, influence, and settle State practice in this area.