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Responsibility of International Organisations (Agenda Item 87)

Sixth Committee

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Statement by Ms Christiana Muratidi, Adviser

(Check against delivery)

Australia thanks the Secretary-General for his Report on the Responsibility of International Organisations.

We live in an era in which the number, reach and influence of international organisations have never been greater. Global changes have impelled the creation of a vast number of international organisations, established to pursue cooperative ends in areas ranging from telecommunications to fisheries management.

Norms and institutions that ensure the responsibility of States acting individually are well developed. While international organisations are primarily composed of States, we must acknowledge that the rules applicable to States, as such, cannot necessarily be directly transposed or applied by analogy to international organisations. International organisations differ from States in key respects and any principles concerning their international legal responsibility must reflect these differences.

The clarity of the norms governing the responsibility of international organisations remains an important issue. Australia welcomes the valuable contribution made by the International Law Commission's draft articles to discussions on this topic.

However, there remain significant differences of opinion among States about the principles that should govern the responsibility of international organisations. This conclusion is reinforced by the recent report of the Secretary-General publishing the responses of governments and international organisations to a request for comment on any future action regarding the articles (A/72/80). In particular, it is notable that none of the States whose responses are recorded in the report indicated that they would support the elaboration of a convention at this time. The report also records the view of a large

number of international organisations that it would be premature to negotiate a convention based on the draft articles. In the view of those organisations, many of the draft articles remain controversial and largely unsupported by practice. Australia does not, therefore, support the elaboration of a convention on the basis of the draft articles at this time.