



MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS

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**STATEMENT BY
MS. LIYANA MUHAMMAD FUAD, DELEGATE OF MALAYSIA
ON AGENDA ITEM 87: RESPONSIBILITY OF INTERNATIONAL ORGANIZATIONS
AT THE SIXTH COMMITTEE OF THE 72nd SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY, NEW YORK, 13 OCTOBER 2017**

Mr Chairman,

1. Malaysia records its appreciation to the International Law Commission (ILC) for its continuous contribution to the codification and progressive development of international law.
2. Malaysia takes note of the draft articles on “responsibility of international organizations” as contained in the Report of the ILC on the works of its sixty-third session in 2011, in which the Commission had recommended to the General Assembly to take note of the draft Articles and to consider at a later stage, the elaboration of a convention on the basis of the draft Articles.

Mr. Chairman,

3. Malaysia is of the view that in-depth consideration of the draft articles is necessary before we make a decision on the adoption of the articles and before we make a decision to negotiate a convention in this regard. Malaysia has reviewed with



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interest the draft ILC articles and is of the view that, as comprehensive as they may set out to be, they can only be considered as guidelines. This is because the current formulation for the essential provisions of the draft ILC articles, among others, on the use of terms; conduct acknowledge and adopted by an international organization as its own; and self-defence lack the necessary clarity and precision to enable accurate interpretation of the said draft articles.

4. Malaysia shares the views of other member states that negotiation to develop a convention is therefore untimely and further discussion should be made for us to better comprehend the draft articles on the responsibility of international organisations as contained in the 2011 Report of the ILC on the works of its sixty-third session.

I thank you, Mr. Chairman.