



SIXTH COMMITTEE

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Statement by

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RESPONSIBILITY OF STATES FOR INTERNATIONALLY WRONGFUL ACTS

Agenda Item 73

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United Nations, New York

Mr. Chairperson,

The subject of responsibility of States for internationally wrongful acts is of major importance in relations between States. Israel considers the Draft Articles on the Responsibility of States for Internationally Wrongful Acts to be of significant contribution to public international law. While Israel, as well as other States, may have some reservations regarding the content and status of some of the Draft Articles, their widespread application in practice is a testimony to their importance.

Mr. Chair,

More than two decades have passed since these Draft Articles were completed by the Commission and turned over to States to consider additional action on the matter. In this regard, Israel recalls the decision of the General Assembly at the Seventy-fourth session to further examine the question of a convention on responsibility of States for internationally wrongful act, or any other appropriate action on the basis of the articles.

In this regard, Israel's longstanding position on this question is that opening negotiations on a convention at this time would inevitably involve unraveling the current wording of the Draft Articles, which reflects a delicate balance, achieved through considerable efforts.

Furthermore, we note the valuable report prepared by the Secretariat, compiling decisions of international courts, tribunals and other bodies referring to the Draft Articles, reflects the organic development of the Draft Articles over the years. Those decisions serve as evidence for the already existing influence of the draft articles in practice, in a manner that puts into question the supposed need for a convention on this topic at all.

It is due to the aforesaid reasons that we are of the position that convening an international conference for the elaboration of the draft articles into a convention would not be advisable at this time.

Mr. Chair,

The Government of Israel would, once again, like to reiterate our appreciation for the Sixth Committee for convening this important discussion, and offer our support to the committee in its deliberations on this topic.

I thank you, Mr. Chair.