



SLOVENIA

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STATEMENT

**Report of the International Law Commission on the work of its seventy-third
and seventy-fourth session**

Cluster II:

Chapter V Settlement of disputes to which international organizations are parties

Chapter VI Prevention and repression of piracy and armed robbery at sea

**78th Session of the General Assembly
Sixth Committee**

New York, October 2023

Mr/Madam Chair,

I have the honour to address the Sixth Committee in relation to the work of the International Law Commission on Cluster II, namely Chapter V 'Settlement of disputes to which international organizations are parties' and Chapter VI 'Prevention and repression of piracy and armed robbery at sea'.

Mr/Madam Chair,

With regard to the topic 'Settlement of disputes to which international organizations are parties', which was included in the Commission's programme of work for the 73rd session, I would like to say that it underlines the urgent need for a comprehensive framework for the settlement of disputes involving international organizations.

We express our sincere gratitude to the esteemed Special Rapporteur, Mr August Reinisch, for his dedication and tireless efforts in steering this important initiative. The first report and the preliminary adoption of the draft guidelines show significant progress. These guidelines cover the scope and use of terms related to international organizations and disputes, providing essential definitions and concepts.

The proposed guidelines emphasise the fundamental need for organizations to have international legal personality in order to enter into treaties and assume international responsibilities, reflecting their evolving role and responsibilities on the global stage. We recognise that careful consideration has been given to the various forms of disputes involving international organizations, both at the international and national levels. We welcome the Commission's objective to guide States, international

organizations and users towards effective dispute management, emphasising appropriate methods of resolution to promote peaceful outcomes.

The distinction between international and non-international disputes involving organizations may not always be clear. Slovenia agrees that international organizations, in addition to States, may be parties to disputes, and that their legal responsibility may derive from various sources, such as constituent instruments and international agreements. We look forward to and welcome further developments on this topic.

Mr/Madam Chair,

On the topic of 'Prevention and repression of piracy and armed robbery at sea', it is my pleasure to address the Sixth Committee in relation to the work of the International Law Commission on this issue. Slovenia aligns itself with the EU statement and would like to add the following in its national capacity.

We thank the Special Rapporteur, Mr Yacouba Cissé, for the first report, which discusses the historical, socio-economic and legal aspects of the topic and provides a detailed overview of the national legislation and judicial practice of States regarding the definition of piracy and the implementation of conventional and customary international law. Slovenia also welcomes the work of the ILC on the draft Articles and the accompanying commentaries.

The resurgence of piracy in maritime areas has undoubtedly heightened concern about the issue and highlighted it as a prominent challenge to maritime security. In addition, the emergence of new technologies has revealed some significant shortcomings in the legal framework that are hampering the international community's ability to combat piracy in its modern form. As noted in the report, there are certain elements of the definition of piracy contained in Article 101 of the United Nations Convention on the Law of the Sea that require clarification in its interpretation and application. Slovenia fully agrees with this assessment.

Slovenia congratulates the ILC on the excellent work done so far on this topic and welcomes its further examination as envisaged in the Commission's programme of work.

Thank you.