

Statement by Ms. LEE Young Ju
Ministry of Foreign Affairs of the Republic of Korea
Report of the International Legal Commission on the work of its 75th
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Prevention and Repression of Piracy and armed robbery at sea

Mr. Chair,

My delegation welcomes the opportunity to address the topic of *Prevention and repression of piracy and armed robbery at sea*. We extend our deep gratitude to Yacouba Ciccé, the former Special Rapporteur, for his dedicated efforts, and we warmly congratulate Mr. Louis Savadogo on his appointment as the new Special Rapporteur.

As a nation heavily reliant on maritime routes for trade, the Republic of Korea places great importance on the Freedom of Navigation, one of the most widely recognized principles in the legal framework governing ocean space. To uphold the principle, we remain committed to preserving international maritime order by strengthening maritime security cooperation and safeguarding sea lanes. We also actively participate in various cooperative mechanisms across Africa and Asia and reaffirm our strong commitment to addressing global maritime security challenges.

Given that this agenda is rooted in the United Nations Convention on the Law of the Sea (UNCLOS), we emphasize the need for caution when deriving rights and obligations that go beyond UNCLOS's explicit or interpretative scope. As UNCLOS forms the cornerstone of the legal order of the seas, any development of new norms beyond its scope should be approached with due care.

Although we regret the limited progress made on this issue within the Commission, we recommend that future work clearly distinguish between piracy and armed robbery at sea in terms of their defining elements. Additionally, further discussion is needed to determine whether prevention and suppression are conceptually different or similar. The Republic of Korea proposes that these distinct concepts be addressed in separate chapters or provisions in future work. Doing so will ensure a more precise and coherent framework for addressing these issues.

Furthermore, this is a global challenge that requires collective action. States and international organizations are already implementing significant practices. My delegation urges that the Commission's future work should thoroughly examine these practices and help identify gaps in the existing framework where further international norms may be needed. Maritime security is not the responsibility of any single nation but a collective duty of the international community. The Republic of Korea looks forward to meaningful progress on this topic and remains fully committed to contributing to international maritime security and cooperation.

Non-legally binding international agreements

Mr. Chair,

Moving on to the topic of *Non-legally binding international agreements*, my delegation views this subject as highly significant, as it explores areas that have not been fully addressed by the current legal framework. Specifically, by engaging in in-depth discussions on aspects not covered by the Vienna Convention on the Law of Treaties, this topic offers a new and much-needed approach to meet the evolving needs of the international community.

We commend Special Rapporteur Mathias Forteau for his diligent work and the structured, effective approach he has taken. His efforts to clarify the intricate legal discourse surrounding non-legally binding agreements and their substantive implications have provided a solid foundation for further deliberation. We believe this approach will be instrumental in advancing the development of international law.

We also understand and support the Special Rapporteur's rationale for retaining the term "agreement" instead of "instrument." While the term "instrument" may cover a wide range of non-legally binding documents, "agreement" more accurately reflects the mutual understanding between the parties involved. The Republic of Korea recommends that this distinction be appropriately reflected in the section on "definitions," as it will enhance clarity and consistency in legal language.

Non-legally binding agreements often carry significant political weight. Therefore, it is essential to approach this issue with caution, ensuring that such agreements do not exceed the Commission's mandate. Defining the role, significance, and scope of non-legally binding agreements is critical moving forward. The Republic of Korea expects this work to clarify the legal implications, resulting in valuable and practical outcomes.

Succession of States in respect of State responsibility

Mr. Chair,

Regarding the *Succession of States in respect of State responsibility*, my delegation would like to express its appreciation for the work of the Working Group chaired by Mr. August Reinisch. It commends the Working Group for having offered a concise and clear list of options for the way forward. It also would like to congratulate Mr. Bimal N. Patel on his appointment as Chair of the Working Group to be established at the seventy-sixth session of the Commission.

Among the options proposed by the Working Group, my delegation would like to support forming a Working Group with the mandate to prepare a procedural report that could bring the work of the Commission to a close at its next session. The report of a procedural nature will "contain a detailed explanation of why the Commission was ending its work on the topic by surveying the difficulties encountered and the issues the Commission was not in a position

to study.”

The Working Group to be established at the seventy-sixth session should identify the difficulties encountered by the Commission in its work on the topic and the questions the Commission was not in a position to tackle. My delegation expects that lessons drawn from this exercise will help the Commission to improve its working methods.

Thank you. /END/