



United Kingdom Mission
to the United Nations

One Dag Hammarskjold Plaza
(885 Second Avenue)
New York, NY 10017

Tel: +1 (212) 745 9200
Fax: +1 (212) 745 9316

Email: uk@un.int
http://twitter.com/UKUN_NewYork

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,
SEVENTY-NINTH SESSION, AGENDA ITEM 79,
REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK
OF ITS 75TH SESSION: PART 3 (A/79/10)
CHAPTER VI (PREVENTION AND REPRESSION OF PIRACY AND ARMED
ROBBERY AT SEA)
CHAPTER VIII (NON-LEGALLY BINDING INTERNATIONAL AGREEMENTS)
CHAPTER IX (SUCCESSION OF STATES IN RESPECT OF STATE
RESPONSIBILITY)

STATEMENT BY MS VYAJ LOVEJOY
ASSISTANT LEGAL ADVISER
FOREIGN, COMMONWEALTH & DEVELOPMENT OFFICE

30 OCTOBER 2024

Check against delivery

Thank you Chair,

1. On the topic '**Prevention and repression of piracy and armed robbery at sea**', first of all, I would like to express the United Kingdom's sincere gratitude to Mr. Yacouba Cissé for his valuable contribution to this topic. I also congratulate Mr. Louis Savadogo on his appointment, and offer him the very best wishes as he begins his work. The United Kingdom continues to recognise the importance of this topic and the potential for the Commission's work to make a tangible difference to the fight against piracy and armed robbery at sea.
2. The Special Rapporteur's impressive second report reflects the importance of cooperation between States in this field. In its previous contributions to work on this topic, the United Kingdom has recalled the role it has played in tackling piracy through numerous coalitions and other initiatives.
3. In the United Kingdom's view, an effective response to piracy and armed robbery at sea will almost invariably

require cooperation, and so we welcome the focus on this aspect. However, successful cooperation requires a legal framework that facilitates interoperability, such as through the transfer of suspected pirates and armed robbers for prosecution, noting the different jurisdictional issues for these two categories. The United Kingdom would welcome the Commission's continued focus on this issue.

4. More generally, the United Kingdom continues to underline the importance of aligning the Commission's work on this topic with the relevant provisions of the United Nations Convention on the Law of the Sea. In that respect, we emphasise the need to give separate consideration to piracy, on the one hand, and armed robbery at sea on the other. The Commission's work on armed robbery is a vital component of this topic, and it is important that it is considered on the basis of a detailed examination of law and practice of armed robbery at sea as distinct from piracy. We would caution against any assumption that longstanding legal principles regarding

piracy can be applied to armed robbery at sea, absent clear evidence to support that conclusion.

5. Looking ahead, the United Kingdom continues to see fruitful areas for the Commission's work. In particular, we continue to encourage the Commission to explore further the issues that arise from applying the established definition of piracy, such as the requirement that a piratical act be 'illegal'. Additional guidance in achieving a more detailed understanding of the definition, particularly as it applies to novel or complex circumstances, would be of considerable practical benefit to those engaged in the fight against piracy and armed robbery at sea.

6. The United Kingdom reiterates its thanks to the Commission for its valuable work on this important topic.

Chair,

7. On the topic '**Non-legally binding international agreements**', the United Kingdom thanks the

Commission for their consideration of this topic and thanks Mr. Mathias Forteau for his comprehensive initial report. The United Kingdom intends to respond to the call for information in due course.

8. In the meantime, the United Kingdom, like a number of other States, has concerns about the proposed terminology used for this topic, in particular the use of the term “non-binding international agreements”. While the United Kingdom understands that the term “international agreements” has been chosen to reflect that the topic is focussed on a limited range of non-binding instruments, we think that using this term, which is a common synonym for treaties, is likely to cause confusion in both international and domestic legal frameworks.
9. In relation to the proposed final product on this topic, the United Kingdom agrees that conclusions are likely to be more appropriate than guidelines. This better reflects that non-binding instruments are not legal documents. It is important that the Commission does not inadvertently limit the ability of States to deal with each other in an

administratively simple way using whatever form they consider to be most straightforward in the circumstances.

Chair,

10. Turning to the topic '**Succession of States in respect of State responsibility**', the United Kingdom thanks the Commission for its further consideration of the topic, and thanks the Chair, Mr. August Reinisch and the members of the Working Group for their report.
11. The United Kingdom notes the decision of the Commission to establish at its seventy-sixth session a Working Group for the purpose of drafting a report that would bring the work of the Commission on this topic to an end. The United Kingdom welcomes the appointment of Mr. Bimal N. Patel as Chair of the Working Group and looks forward to considering the report.

Thank you, Chair.