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## UNITED STATES MISSION TO THE UNITED NATIONS

**Statement at the 75<sup>th</sup> General Assembly Sixth Committee  
Agenda Item 88: Responsibility of International Organizations  
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United States Mission to the United Nations  
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Thank you, Chair.

We appreciate the work of the International Law Commission on the responsibility of international organizations, which is an important topic in light of the number of international organizations and their growing functions. We also express our gratitude to the Secretariat, in particular the Office of Legal Affairs, for compiling the two reports that form the basis of our discussion today. The Reports enable us and the rest of the international community to stay current on the development of the law in this area. It was informative to review the application of the draft Articles by several arbitral and judicial bodies between 2017-2019. However, the limited development of the law in this area since the last time this topic was on our agenda confirms that it is not appropriate to take further action on the draft Articles.

In light of the lack of significant developments in this area over the last three years, we reiterate the view we have expressed on past occasions that many of the rules contained in the Draft Articles fall into the category of progressive development rather than codification of the law, a point expressly recognized in the General Commentary introducing the Draft Articles. We continue to agree with the Commission's assessment that the provisions of the present Draft Articles do not reflect the current law in this area to the same degree as the corresponding provisions on state responsibility. In this connection, we again highlight our view that the principles contained in some of the Draft Articles – such as those addressing countermeasures and self-defense – likely do not apply generally to international organizations in the same way that they apply to states.

Given these considerations and the significant differences of opinion that remain regarding which principles should govern and how they should operate, the United States continues to hold the view that the Draft Articles should not be transformed into a Convention.

Thank you.