



**UN General Assembly – Agenda item 79
Report of the International Law Commission on the work of its seventy-third and
seventy-fourth sessions (Cluster 2)**

**Federal Republic of Germany
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Madam Chairwoman / Mr. Chairman,

With regard to the second cluster, Germany intends to address both topics. Allow me to start with the topic of “Settlement of disputes to which international organizations are parties”.

First of all, we would like to congratulate the Special Rapporteur Mr. August Reinisch for his excellent first report. Germany notes that the number of International Organizations has increased dramatically over the past two decades. In our view, therefore, focusing on the field of International Institutional Law is a worthy while at the same time challenging endeavor. In previous projects, the ILC has already thrown light on international law as it pertains to International Organizations. To us it is fitting that the ILC now chose to focus on the important issue of disputes to which International Organizations are parties. Germany, in particular, welcomes the intent to gather best practices and maybe even to develop model clauses for future use.

Germany notes that the ILC has already provisionally adopted two draft guidelines. We welcome the decision to include “non-international disputes” in the future work. Also, we would like to stress the importance that the Commission keep in mind its prior work on International Organizations so as to avoid contradictions or misunderstandings in the applicable law. Germany is looking forward to future reports by the Special Rapporteur as well as debates in the Sixth Committee.

Allow me now to briefly turn to the topic of “Prevention and repression of piracy and armed robbery at sea”. We would like to express our gratitude to the Special Rapporteur Mr. Yacouba Cissé for his excellent first report and the detailed analysis of the practice of States contained therein. The prevention and repression of piracy is of utmost importance to the international community. Germany notes with concern that piracy remains a reality in today’s world. As observed by the Special Rapporteur in his first report, most international commerce is maritime of nature. Hence, piracy – wherever it may occur – has an effect on all States. Germany in particular, as a trading nation, has a special interest in upholding the safety of all sea-lanes. Accordingly, Germany has always been a staunch supporter of the fight against piracy.

Germany notes with appreciation that the ILC has already adopted three draft articles on a provisional basis. In particular, we laud the Commission’s decision to focus not only on the repression of piracy but rather to look into the issue of prevention as well. Germany further notes with appreciation that the ILC has decided to base its definition of piracy on the United Nations Convention on the Law of the Sea thereby averting a fragmentation when it comes to the definition of piracy. Germany is looking forward to the future work of the ILC on this important topic and wishes to thank once more the Special Rapporteur and the ILC for their work.

Thank you.