



**Statement by**

**Delegation of the Republic of Indonesia**

**at**

**the 78<sup>th</sup> Session of the Sixth Committee of the  
United Nations General Assembly**

**on**

**Agenda 83:  
Report of the International Law Commission  
– Cluster II –**

**Tuesday, 31 October 2023**

**Thank you, Mr. Chair,**

Allow me to express my delegation's appreciation to the Commission for their work on the two main topics of our discussion today.

On the topic "**Settlement of disputes to which international organizations are parties,**" my delegation wishes to extend its appreciation to Mr. August Reinisch, the Special Rapporteur, for his first report.

The explorative character of the Special Rapporteur's preliminary thoughts on the topic, particularly on the scope and analysis of the subject matter in light of previous work of the Commission, is particularly valuable.

My Delegation also takes note of the refinement in the title of this topic, which now reads "*settlement of disputes to which international organizations are parties.*"

This refinement will accommodate disputes of a private law character, which in practice form an important part of disputes to which international organizations are parties.

The observations of the Special Rapporteur that a dispute of private law character may raise numerous issues of international law are duly noted.

At this juncture, my Delegation wishes to comment on Draft Guideline 2, subparagraph (c).

With respect to "*other means of dispute settlement*," it is evident that there is no explicit mandate to actively pursue specific dispute resolutions, akin to the obligations outlined in Article 33 of the UN Charter.

We concur that this absence of a stipulated obligation within the framework of the draft guideline... essentially serves as a straightforward delineation... steering clear of any potential misrepresentation of its intended purpose.

We believe that it is also essential to retain this lucidity in interpretation... ensuring a precise understanding that avoids the imposition of obligations related to dispute resolution of international organizations.

In conclusion, Indonesia emphasizes the need to preserve the clarity of Draft Guideline 2, subparagraph (c)... as it aligns with the overarching principles of precise and unambiguous legal text, preventing unwarranted expansion of its scope and intent.

We therefore commend the Commission's work on this issue... and its continued efforts to ensure a more effective approach.

**Mr. Chair,**

Let me now move to the topic of "**Prevention and Repression of Piracy and Armed Robbery at Sea**" – and this will be my final observations.

My Delegation commends the work of the Commission on this topic and welcomes the Special Rapporteur's first report that provides a comprehensive outlook on the history, socio-economic, and legal aspects of piracy and armed robbery at sea.

Piracy and armed robbery at sea are grave threats that not only jeopardize maritime safety and security but also pose significant economic repercussions and disrupt vital trade routes.

The maritime industry is a linchpin of the global economy, with approximately 80% of the world's trade by volume and over 70% by value being transported by sea. Ensuring the safety and security of these waterways is paramount.

The Commission's work in addressing this issue will further clarify the existing international legal norms and harmonize legal responses, ensuring an effective international approach to maritime security.

My Delegation appreciates the adoption of Draft Articles 1, 2, and 3 by the Commission that provide a clear scope and definitions of acts of piracy and armed robbery at sea.

My Delegation is looking forward to the Commission's future deliberations that could further enhance the capacity of states in the prevention and repression of piracy and armed robbery at sea, as well as further strengthen international cooperation in criminal matters in prosecuting and punishing pirates and armed robbers.

**Thank you.**

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