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"Responsibility of international organizations"

Statement by Wieteke Theeuwen Legal Adviser of the Permanent Mission the Kingdom of the Netherlands to the United Nations

NEW YORK, 17 October 2023

Madam/Mr. Chair,

Thank you for giving me the floor. The Kingdom of the Netherlands is grateful to the International Law Commission for its work on this topic, in particular the formulation of the draft articles on the Responsibility of International organizations.

At this time, however, the Kingdom of the Netherlands considers it premature to take this discussion into a direction that would lead to the facilitation of negotiations on a convention on the responsibility of international organizations.

In the view of the Kingdom of the Netherlands, there is currently not enough relevant practice of states and international organizations concerning the draft articles to start such negotiations. In addition, the consolidation of these draft articles prior to any consolidation of the draft articles on the Responsibility of States for Internationally Wrongful Acts would not be preferable.

Madam/Mr. Chair,

The Kingdom of the Netherlands, furthermore, notes that the current draft articles do not, at least not sufficiently, address the settlement of disputes of a private law character brought against international organizations by natural and legal persons. In this regard, the Kingdom of the Netherlands welcomes that the International Law Commission is currently considering this topic and would like to suggest to await the outcome of this work before further consideration is given to the present topic on the responsibility of international organizations.

Thank you, Madam/Mr. Chair