



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY MR. LUKE TANG
DELEGATE TO THE 69TH THE WORK OF ITS 66**

**TH SESSION,
SIXTH COMMITTEE,
31 OCTOBER 2014**

Madame Chair,

1. My delegation would like to express its thanks to the Commission for its report on the work conducted on the topics “Obligation to extradite or prosecute”, “Subsequent agreements and subsequent practice in relation to the interpretation of treaties”, “Protection of atmosphere” and “Immunity of State officials from foreign criminal jurisdiction”.

2. On the topic of “**Obligation to extradite or prosecute**”, my delegation would like to thank the Working Group, under the chairmanship of Mr. Kriangsak Kittichaisaree, for its final report and congratulates the Commission on the conclusion of its consideration of the topic following the adoption of the 2013 and 2014 reports.

3. This topic has been an important part of the Commission’s work for some time. The topic is marked by a complex web of treaties that feature different formulae on this issue. Knowing how the obligation to extradite or prosecute is differently framed across different international treaties, my delegation welcomes the Commission’s report as a useful tool for understanding the conventional landscape. My delegation notes that

the 2014 report also examines the implementation of the obligation to extradite or prosecute, and undertakes a comprehensive consideration of the various comments and queries posed by delegates to the 6th Committee over the last year. In the view of my delegation, these aspects of the 2014 report enhance its practical value to the international community.

4. Turning to the topic of **subsequent agreements and subsequent practice in relation to the interpretation of treaties**, my delegation wishes to express its appreciation for the work of the Special Rapporteur, Professor Nolte, in producing his second report on this topic, as well as for the work of the Commission, which has resulted in draft conclusions 6 to 10 and the accompanying commentaries.

5. We now wish to comment briefly on the aspect of ‘subsequent practice’. First, we wish to reiterate that whilst subsequent practice can influence the interpretation of a Treaty, the cornerstone of interpretation remains the wording of the Treaty itself. This is not only

commentary, the latter criteria brings in the elements of time and the character of a repetition and indicates, for example, that something more than just a technical or unmindful repetition of a practice may contribute to its interpretative value. Whilst we

