



INTERVENCIÓN
EN LA
DIPLOMACIA JURÍDICA INTERNACIONAL

JEFE DE LA ASESORIA

(PARTE I)

(Cotex con intervención definitiva)

PROCESO DE INTERVENCIÓN EN DEFERENCIA NACIONAL
Y DEFERENCIA INTERNACIONAL

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Administración de Asesoría Jurídica Internacional, Oficina de Asesoría Jurídica, Ministerio de Asuntos Exteriores, Unión Europea y Cooperación

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Mr Chairman,

I would like to start my address by expressing what a great honour it is for me to once again take the floor at this Sixth Commission. I would also like to take this opportunity to congratulate you, Mr Chairman, and the other members of the Bureau, for your efforts to ensure that the work of this session is productive. Furthermore, I congratulate the

Chapters I to III and XI

Mr Chairman,

The Spanish Delegation welcomes the continuance of plans to celebrate in 2018 the 70th

possible to limit, *a priori*, the length of the documents produced therein. Having said that, while guaranteeing quality, we must make an effort to be concise. As the Spaniard Baltasar Gracián said: "la brevedad es la fuente de la vida" [Brevity is the source of life]

disconcerting and adds nothing new. It adds nothing new because the idea that States

it is disconcerting because it seems to indicate the non-self-executing nature of these draft

produce *ex tunc* or *ex nunc* effects? Neither can we overlook the question of provisional

session.

We also believe that there are guidelines — as is clearly the case with number 7 — but also

this paragraph is difficult to understand. It would be advisable to be more explicit and to

point out as the Commentary does that the provision set forth here will operate in the

With regard to draft Guideline A ("Form of agreement") we must welcome the fact that in

latter) the term "treaty" has replaced the word "agreement" which had been used in

previous versions.

Even though it is possible for a State to unilaterally decide to provisionally apply a treaty that does not contain a provision to this effect, it is also true that such a declaration will fall