



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS

Πρόξενιο της Ελλάδας στις Ηνωμένες Πολιτείες
Αμερικής, Ουάσινγκτον, Δ.Κ.

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Πρόξενιο της Ελλάδας στις Ηνωμένες Πολιτείες Αμερικής, Ουάσινγκτον, Δ.Κ.

Επίσημο Πρόγραμμα

Απόγευμα 19:00

Πρόγραμμα Διεθνούς Ημερίδας

19:00-20:00

20:00-21:00

21:00

Χρηματοδοτούμενη από την Ελλάδα

Πρόγραμμα Διεθνούς Ημερίδας

19:00-20:00

Πρόγραμμα Διεθνούς Ημερίδας

Απόγευμα 19:00

Πρόγραμμα Διεθνούς Ημερίδας

19:00-20:00

20:00-21:00

21:00

Wednesday, October 24, 2018

Check again, please

Turning now to the legal effects of provisional application, we agree with the statement, in the commentary to draft guideline 6, that provisional application is not intended to give rise to the whole range of rights and obligations deriving from the consent of a State or an inter-

Chapter VIII : Peremptory norms of general international law (*jus cogens*)

Mr. Chairman,

On the topic of peremptory norms of general international law (*jus cogens*), allow me first of all to express our deep appreciation to the Special Rapporteur, Mr. Dire Tladi, for the high quality of his three reports. This year's report addresses in a pragmatic and holistic way, going beyond the law of treaties, the consequences and legal effects of *jus cogens*, and this despite the scarcity of relevant state practice. We wish also to extend our appreciation to the Drafting Committee for its ongoing consideration of the draft conclusions.

My delegation wishes to make the following additional observations on the draft conclusions proposed by the Special Rapporteur in his last report¹ :

Draft conclusion 14 on dispute settlement as redrafted by the Drafting Committee is, according also to the oral interim report of its Chair, dated 26 July 2018, of a recommendatory nature. However, it should be stressed that terms such as “is to” or “are to”, are, in our view, at the crossroads between soft and hard law formulations. In addition, paragraph 4 which prescribes, *inter alia*, that the invoking State “may not carry out the measure which it has proposed until the dispute is resolved” does not really fit, because of its blocking effect, into a non-binding context.

putes although it intends to cover, according to page 9 of the above mentioned oral report of the Chair of the Drafting Committee, also cases where a State invokes a peremptory norm as a ground for the invalidity or termination of a binding resolution of an international organization. Dispute settlement provisions should vary in the latter case, as evidenced by the text of article 66 of the 1986 Vienna Convention which deviates substantially from the one of