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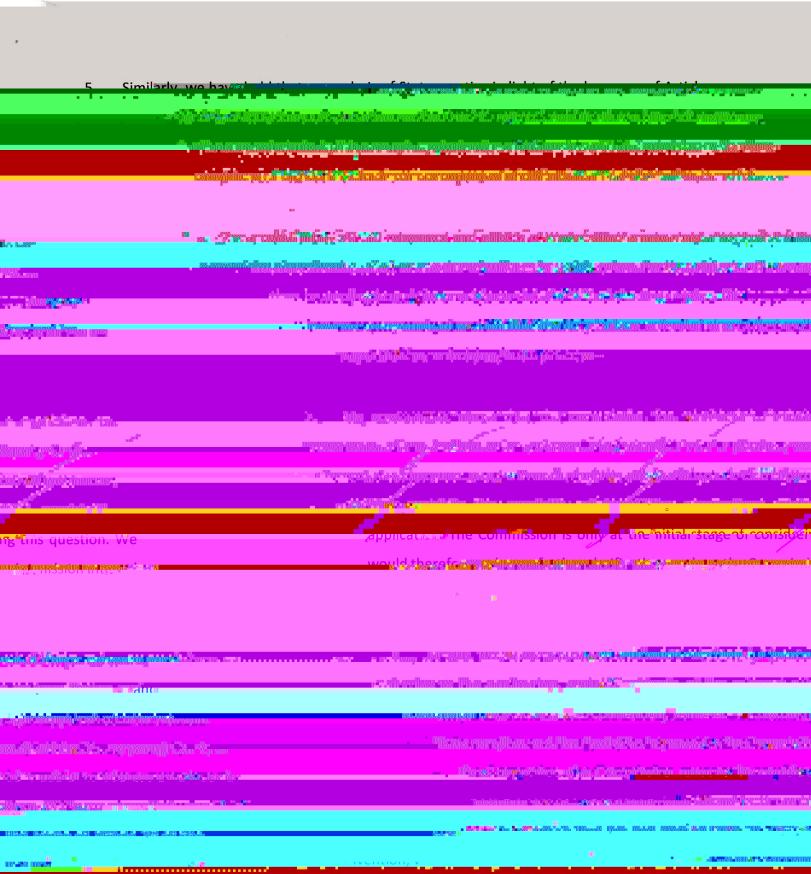
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	and VIII (Peremptory norms of general international law (jus cogens))
	Chair,

Thank you for the overview you just provided of the work of the Commission for this cluster
of topics. In what follows, I will present to you the comments and observations of my
Government with respect to some of these topics.

Chapter VII (Provisional application of treaties)

2. With respect to the topic of 'Provisional Application of Treaties', my Government would like to extend its appreciation to the (1) Special Rapporteur for his fifth report, (2) to the Secretariat for its memorandum providing useful background information, and to (3) the Commission as a whole for adopting the text of the draft Guide to Provisional Application



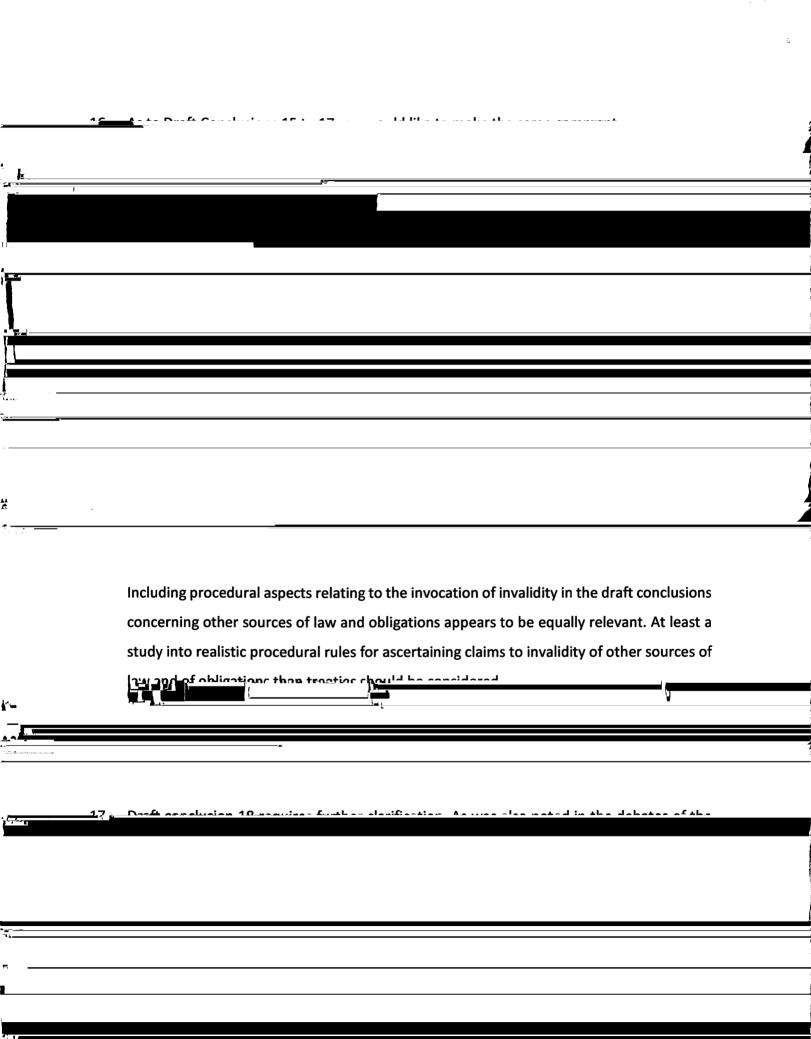
Chapter VIII (Peremptory norms of general international law (jus cogens)

9.	My government would like to thank the Commission for its work on this topic, and	in
	particular the Special Rapporteur for his thoughtful third report. As the debates in the	1e

Commission have demonstrated, many elements of *jus cogens* remain contested, and this is also true for several aspects relating to the consequences of a violation of *jus cogens*. In this respect, the Kingdom of the Netherlands would share the concern also voiced by other States earlier with respect to the lack of clarity on the concept of *jus cogens* and, in particular, its identification and application.

10. The Kingdom of the Netherlands hopes that the Commission will continuously evaluate its progress on this topic and will not hesitate to return to topics earlier discussed in the light of http://progression.com/

	invalidity of a treaty, the parties are released from any obligation further to perform their
<u>-</u>	obligations under the treaty.
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	disputes involving a conflict between a treaty and jus cogens resembles the procedure contained in article 66 of the Convention. However, contrary to the article 65 of the Convention, the draft conclusions do not contain procedural rules regarding, amongst
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	20.	Regarding the future work of the Commission on this topic, the Kingdom of the Netherlands
		rejtante its necition that it prefers not to include a list of its casens norms. The
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		authoritative nature of a list, illustrative or otherwise, composed by the Commission would
		in all likelihood prevent the emergence of State practice and opinio juris in support of other
		norms. If the inclusion of a list is nevertheless considered necessary, my government would
		-present a sufference to the commentation on emission 20 and 40 of the Amislan on the
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