







Nonetheless, we agree with the views of some States that this provision may reflect expanded risk grounds when compared to comparable international crime treaties. Australia is continuing to consider this provision and supports continued discussion on it in the context of treaty negotiations.

Australia reiterates that we recognise States with .

Australia supports draft article 14 and the objectives of the Annex on mutual legal assistance (MLA). Taken together, they provide sufficient detail to assist MLA requests relating to alleged crimes against humanity, particularly when no MLA treaty exists between the States involved.

We acknowledge the views of States that consider there is scope to streamline some aspects of draft article 14 and the Annex to facilitate greater flexibility. We would support further consideration, in the context of treaty negotiations, of how to simplify the Annex.

We note that States have expressed a variety of views on paragraph (9) of draft article 14 on agreements and arrangements with international mechanisms. At this stage, Australia emphasises that this provision only requires States to enter into such agreements or arrangements, if they so choose, or to take any particular action in this regard.

## Draft article 15

Chair,

Turning to draft article 15, Australia recognises the importance for any future treaty of a robust framework for the resolution of disputes related to its interpretation and application.

As a general principle, Australia encourages States to turn to the International Court of Justice (ICJ) to resolve their disputes and is convinced

that the ICJ is the most appropriate forum for the resolution of such disputes.



We acknowledge this model of dispute resolution is reflected in other multilateral crime cooperation treaties such as the UN Conventions against Corruption and Transnational Organized Crime.

However, it is out of step with other treaties addressing serious international crimes of comparable gravity, including the Convention on the Prevention and Punishment of the Crime of Genocide, which recognises the compulsory jurisdiction of the ICJ in relation to disputes under those treaties at the request of the parties.

In that regard, we noted that in



