

GENERAL ASSEMBLY

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massive environmental damage and the polluter pays principle often need to be considered together in order to assess their effectiveness for the purposes of the topic before the Commission.

We would also like to emphasize that, for our purposes, the concept of protection of the environment should be intended in a rather broad sense that would include, as we have incidentally noted, areas such as the protection of cultural property, which is gravely put at risk in situations of international or internal conflicts. Recent examples of destructions, looting and illegal traffic of cultural goods during or after conflicts have shown how important is to focus the attention of the international community on this phenomenon and its lasting negative effects, both economic and spiritual, for the communities concerned. This is even more true, if we keep in mind that next year will mark the 60th anniversary of the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict.

Mr. Chairman,

In concluding my remarks on this topic, I wish to confirm the support of my delegation for the continuing engagement of the Commission in addressing the protection of the environment in times of armed conflicts. We also agree with the suggestion by the Special Rapporteur that the topic is more suited to the development of draft non-binding guidelines. The Commission should not aim at preparing a draft convention. Rather, what would be in our view important and useful is to provide

the lacunae that may allow those responsible for these crimes to escape prosecution and punishment. We look forward to further progress in the ILC's analysis of the issues involved.

Mr. Chairman,

Finally, just a few remarks on the topic entitled "The most-favoured nation clause". We wish to express our appreciation for the work conducted by the Study Group on this matter. We share the view, expressed within the Group, that its final report, while focused on the area of investments, would also address broader aspects of international law which are relevant in respect of MFN clauses. As an alternative to developing guidelines and model clauses, it could be useful, as suggested by the Group, to simply catalogue the examples of clauses contained in relevant treaties and call the attention of States to the interpretation given to them by various arbitral awards.

Thank you, Mr. Chairman