## Chairperson,

As regards the topic P ec f e A e e , Austria expresses its appreciation to Special Rapporteur Murase and the Commission for the adoption in second reading of the guidelines, preamble and commentaries. Austria fully concurs with the principles set out in the preamble, in particular with the view that atmospheric pollution and atmospheric degradation are a common concern of humankind.

With respect to guideline 9 regarding the interrelationship among relevant rules, we agree with the guideline that the rules of international law relating to the protection of the atmosphere should, to the extent possible, be interpreted and applied in harmony with other existing rules of international law. However, Austria wishes to underline that such harmonic interpretation or application cannot expand international legal obligations beyond the content originally accepted by states.

Guidelines 10 and 11 on implementation and compliance deal with general matters that are either already adequately addressed by international and national law or are outside the scope of the present guidelines.

## Chairperson,

With respect to the topic Pr a a ca f ea e, Austria commends Special Rapporteur Gómez-Robledo and the Commission for the adoption in second reading of its Guide to Provisional Application of Treaties, comprising 12 guidelines with commentaries as well as an annex containing examples of treaty clauses relating to provisional application. We support the

We particularly welcome that the Commission has taken up in guideline 9 paragraph 3 to

termination of provisional application than the entry into force or the intention not to become a party to the treaty. We believe that this adds to the flexibility of the system of provisional application. We also agree with the decision not to include a for termination in the guideline itself, as outlined in paragraph 7 of the commentary. However, we recognise that notice periods may be useful and are grateful for the examples in the annex alerting treaty drafters of the benefits of dearly defined termination dates.

Lastly, with respect to guideline 12, the commentary in paragraph 4 leaves it open whether the agreement to limit the provisional application of a treaty according to the internal law of a state requires consent of all states parties or only of those states applying the treaty provisionally.

## Chairperson,

Allow me to conclude this statement with some remarks on the long-term programme of work of the Commission.

As regards the topic S b d a ea f e de e a f e f e de e a f e f e a a a most recently included in the long-term programme of work, we believe that studying this topic in detail would mainly be of academic value. While we recognise that the Commission could undoubtedly contribute to the darification of we re 1 70.84 457.03 T.34 believe that

Unlike the assertion voiced by some that the concept was too politically sensitive to be dealt with by the Commission, we believe that it is essentially legal and therefore must also be approached in this way. There is an urgent need for profound analysis of this topic. We trust that the Commission will be able to dispel the existing misunderstandings and explain universal jurisdiction as a necessary element for the cooperation among states in their fight against impunity for international crimes.

The settlement of disputes to which international organizations are partie—, we would like to highlight once again that disputes of international organisations with private parties, governed by domestic law, are most relevant in practice and have raised important questions on the scope of privileges and immunities enjoyed by international organisations and on adequate dispute settlement mechanisms established in such organisations.

We hope that both topics future.

Thank you for your attention.