



**On Agenda item 79:
“Diplomatic Protection”
New York, 3 November 2022**

Mr. Chairperson,

My delegation believes any legal regime on diplomatic protection must strike a proper balance among the rights of individuals, the rights and discretionary powers of concerned States as well as their national and international obligations. It is doubtful that the current articles on diplomatic protection can properly observe that balance.

In addition, a number of critical draft articles do not reflect customary international law rather



Thus, instead of proposing a normative solution, article 7 only increases the uncertainty and ambiguity around the topic.

Furthermore, **Mr. Chariperson**, the drafting articles function contrary to the Constitutions of countries which do not recognize dual nationality or the legal effects arising from the secondary nationality of their citizens. In those cases, the attempt to exercise diplomatic protection by one State in the territory of another State wherein the latter does not recognize dual nationality would create uncertainty and ambiguity about States obligations