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Statement by

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on the occasion of

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6th Committee

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Subsequent agreements and subsequent practice in relation to the interpretation of treaties

Special Rapporteur: Georg Nolte

Madam Chair/Mr Chairman,

Germany welcomes the highly informative fifth report by Special Rapporteur Georg Nolte on the topic “*Subsequent agreements and subsequent practice in relation to the interpretation of treaties*” and the adoption, on second reading, of a set of 13 draft conclusions, including commentaries.

Germany would like to thank the Special Rapporteur for his substantial work on, and contributions to, this subject.

In our view, the adopted draft conclusions clarify the law in this complex matter to a significant extent and offer very substantial guidance for the interpretation of treaties.

I would like to point out two aspects in particular:

- First, Germany wants to stress that this report will be an invaluable help when it comes to the interpretation of treaties. The conclusions give very useful, practices-based advice regarding the conditions under which subsequent practice and agreements can contribute to the interpretation of treaties. The conclusions clarify that subsequent agreements may be, but need not necessarily be, legally binding instruments for them to be taken into account. The project that has now been completed covers an extensive range of issues and takes into account even constituent instruments of international organisations. It can be assumed that the conclusions will be applied in countless matters.
- Second, the project contributes to the codification of international law, the use of which has been steadily increasing over the last decades, in particular due to the

increasing number of international organisations. Germany therefore appreciates this impressive result.

Madam Chair/Mr Chairman,

Germany very much welcomes the adopted draft conclusions and encourages the General Assembly to both take note of the conclusions and promote their widest possible dissemination, including the commentaries.

Thank you.