



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY AMBASSADOR BURHAN GAFOOR,
0 , ON AGENDA ITEM 82, ON
F THE INTERNATIONAL LAW COMMISSION ON
F ITS SEVENTY-SECOND SESSION (CLUSTER 1:**

6 For example, draft guideline 8 addresses the obligation for States to cooperate, as appropriate, with each other and with relevant international organisations for the protection of the atmosphere. Singapore fully agrees that international cooperation is at the core of protecting the atmosphere from atmospheric pollution and degradation. We also agree that the principles of sovereign equality and good faith, as cited by the Commission in the commentary to draft guideline 8, guide such cooperation.

7 Second, on **Chapter V on the topic “Provisional application of treaties”**, Singapore is pleased that the Commission successfully concluded its work on the Guide to Provisional Application of Treaties and its commentaries, and welcomes the overall approach that the Guide encourages. The Guide provides important and concise practical guidance to States and international organisations on how treaties can be applied provisionally and the legal effects of such provisional application.

8 With regard to draft Guideline 4 on “Form of agreement”, we are heartened that the Commission’s output addresses concerns that my delegation raised before. We particularly welcome the amendments to emphasise the requirement of consent to the provisional application of a treaty between the States and international organisations concerned.

9 With regard to draft Guideline 6 on “Legal effects”, Singapore’s understanding is that an agreement between States or international organisations to provisionally apply a treaty or part of a treaty can create a legally binding obligation. Whether any such legally binding obligation is created is ultimately dependent on the intention of the parties and what they have agreed. This may be reflected in the circumstances surrounding the treaty and the agreement on provisional application, in cases where both are silent or ambiguous on the legal effect of provisional application. In situations where there is an obligation

Mdm Chair,

11 In closing, I wish to reaffirm Singapore's strong support for the Commission's work. We will continue to follow the Commission's