

Mr. Chair,

To begin with, we would like to thank the Chair Rapporteur, the Secretariat and the Legal Counsellor for their hard work on this issue.

As we already mentioned in our previous statements, Türkiye believes that in the field of this topic, clear and specific rules in international law have not yet been formed. And there are not enough practice and case law.

Therefore Türkiye is still of the view that more time is needed to conclude an inclusive legally binding document.

In this sense, we support the idea that the working group should continue with the paragraphs of the non legally binding alternative.

Therefore, as also mentioned by some other delegations, we propose to revise the articles 18-24 as well as the terminology of the text regarding the words such as “obligation”, “establish” and “legislation” which are generally used in the binding treaties.

In addition we also believe an inclusion of an explanatory paragraph regarding the legal character of the instrument would be useful.

We are still considering some of the paragraphs with our relevant departments.

At this point we want to share some general comments regarding the text.

- Firstly, we see that there are references to international law, human rights law and humanitarian law in almost every paragraph. We believe those will be the sources in interpreting the whole text. Therefore in order to make the text simpler, referring the relevant areas of law in the preamble might be sufficient.

- Secondly, for an instrument to gain a broad acceptance, it must incorporate the viewpoints of a diverse group of States. Therefore bearing in mind that not every State is party to all the international documents referred in the text, we propose to add “as applicable” or “where applicable” when referring certain international documents including the 1977 Protocols of the Geneva Conventions.

Thirdly, in different paragraphs, we see that the words “hostilities”, “conflict” and “armed conflict” are used in the same meaning. We believe, it could be better to use the same terminology in the whole text. Or if there are differences between them, a clarification or a definition might be added.

In addition we are still considering the use of some terminology such as abuse and violation regarding the human rights and human rights law as their scope might lead to different interpretation.

- We look forward to negotiations this week to find a constructive path forward.

Thank you.