

IOE Comments on Article 14 of the third revised draft treaty

Chair

The IOE agrees with the many countries which have expressed great concerns, particularly with regards to article 14.4. and 14.5. The absolute language used in the article fails to recognise the right of freedom on negotiations and the balancing role that States need to take in terms of possible competing issues and priorities.

Of course, States can always be encouraged to consider such expectations and of course they need to ensure that they have enough bargaining space to do so, but the draft cannot require that outcome. It is also unclear what, if any, consequences there would be, if a State did not comply with the requirements stemming from this wording.

Thank you