

Item 6

MR CO-CHAIR

The lack of effective implementation at national level, first, has to be evaluated by national governments and second, has to be considered based on, national capacity, national priorities, resources available, knowledge gap and the like.

In many cases, financial resources have not been made available, transfer of technology has not been carried out, even with the required information available, and therefore capacity building has been impaired.

Dispute settlement and enforcement mechanisms, is a delicate issue. It is evident that, if the states involved in inter-state disputes are not prepared to get involve in dispute settlement process, no court can do that effectively. This is more, a diplomacy issue than an issue dealt with by law. We need more to strengthen the mechanisms provided for in international instruments than resorting to tools outside them.

On the state responsibility we do believe that the rules have to be strengthened and redressing transboundary harm must be addressed effectively and adequately. Due diligence standard has to be further emphasized.

THANK YOU