

Coordinator's statement in the Plenary (Group 5)

Without going into the process of our bilateral consultations, let me briefly explain our proposal and its intention.

First, on Article 5:

Taking into account strong positions of a number of member states on this Article, we believe that the best way forward would be to respect Chair's original without any amendments.

Moving on to Article 24, paragraph 1:

We saw broad support at the plenary for the two proposals on the use of "this Convention" instead of "this chapter," and the insertion of "which shall provide for the adequate protection of human rights." We decided to incorporate those proposals with the omission of "adequate" because some delegations find it ambiguous.

Meanwhile, we decided to retain "proportionality" as it is. Although some delegates showed their concerns over its possible repercussions for international cooperation, that should be addressed in the discussions on International Cooperation.

Turning to paragraph 2:

Some delegations expressed their strong concerns that this paragraph may open the door for unwarranted interference or supervision from abroad. Although I do not believe that is the case in this context, we nevertheless decided to insert the phrases "in accordance with their national legislations" and "as defined in its domestic law" to address their concerns.

"the right to an effective remedy" was proposed at the plenary without any objection except those who voiced their reservation over the entire paragraph.

Finally, on paragraph 3:

The same explanation applies to “this Convention.”

Incidentally, some delegations pointed out that the term “third parties” at the end is ambiguous and can be overinterpreted. The coordinator believes that such concerns should be addressed not in the Convention itself, but separately in the form of Chair’s report or a similar document.

To conclude, the coordinator has tried to address the concerns of as many countries as possible through a series of bilateral consultations. Since the articles in this group is closely linked with other groups, it may not be easy to reach an agreement ad referendum at this moment. Nor do I believe this proposal is satisfactory to all member states. Nevertheless, I hope this proposal will serve a constructive discussion and help us reach a consensus.