

**Sixth Committee Statements
Report of the International Law Commission
on the work of its 71st session**

Provisional application of treaties

75th session of the General Assembly
2020

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1. New Zealand

New Zealand welcomes the updated guidelines, which will be a valuable practical tool for States, supporting the development of consistent practice in this area. New Zealand also welcomes the detailed analysis on the crucial question of which rights and obligations arising from the entry into force of a treaty are triggered in the event of provisional application. As highlighted in the report, provisional application is not, and cannot be used as a means of bypassing Parliamentary procedures, and retaining the flexibility of provisional application is key to managing the tension between bringing a treaty into force at the international level, and ensuring relevant domestic constitutional procedures are completed.