

Cambodia's position on the Chair's Text for the INC-5.2

❖ ARTICLE 22: SETTLEMENT OF DISPUTE

Cambodia supports the inclusion of Article 22 as it provides a structured yet flexible mechanism for the peaceful settlement of disputes under this Convention.

We particularly welcome the emphasis in paragraph 1 on cooperation, negotiation, and other peaceful means of the Parties' own choice. This aligns well with Cambodia's commitment to diplomatic resolution of disputes and reinforces the spirit of mutual trust and collaboration among Parties.

At the same time, Cambodia appreciates the voluntary and non-mandatory nature of the mechanisms outlined in paragraphs 2 and 3. The ability of Parties to choose whether to accept arbitration or the jurisdiction of the International Court of Justice (ICJ) is crucial for preserving sovereignty and national legal discretion.

We also see value in the conciliation commission in paragraph 6, especially as a last-resort mechanism for resolving unresolved disputes. However, Cambodia stresses that such a mechanism should remain non-binding, accessible, and not overly burdensome—particularly for developing countries with limited technical or legal resources.

Cambodia also highlights the importance of ensuring that any dispute resolution process does not become a barrier to cooperation or implementation, and that it fully respects the principle of equity, especially in the context of differentiated capacities and responsibilities.

Finally, Cambodia supports Article 22 in its current form, with openness to improvements that ensure the mechanism is efficient, respectful of national sovereignty, and fair to all Parties—particularly developing and least developed countries.