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INTERNATIONAL LAW COMMISSION
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DRAFT REPORT OF THE INTERNATIONAL LAW COMMISSION
ON THE WORK OF ITS FORTY-EIGHTH SESSION

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CHAPTER III

STATE RESPONSIBILITY

[Commentaries]

Corrigendum

1. Page 9, article 48:

Replace the text of article 48 by the following:

"Article 48

Conditions relating to resort to countermeasures

"1. Prior to taking countermeasures, an injured State shall fulfil its obligation to negotiate provided for in article 54. This obligation is without prejudice to the taking by that State of interim measures of protection which are necessary to preserve its rights and which otherwise comply with the requirements of this Chapter.

2. An injured State taking countermeasures shall fulfil the obligations in relation to dispute settlement arising under Part Three or any other binding dispute settlement procedure in force between the injured State and the State which has committed the internationally wrongful act.

3. Provided that the internationally wrongful act has ceased, the injured State shall suspend countermeasures when and to the extent that the dispute settlement procedure referred to in paragraph 2 is being implemented in good faith by the State which has committed the internationally wrongful act and the dispute is submitted to a tribunal which has the authority to issue orders binding on the parties.

4. The obligation to suspend countermeasures ends in case of failure by the State which has committed the internationally wrongful act to honour a request or order emanating from the dispute settlement procedure."

2. Page 12, first paragraph:

"(9) In addition ..." should read "(7) In addition ...".

3. Page 16, paragraph (5), line 1:

"article 17" should read "article 53".