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Subsidiary means for the determination of rules of international law

Addendum

Titles and texts of draft conclusions 4 and 5 provisionally adopted by the Drafting Committee

Draft conclusion 4

Decisions of courts and tribunals

1. Decisions of international courts and tribunals, in particular of the International Court of Justice, are a subsidiary means for the determination of the existence and content of rules of international law.
2. Decisions of national courts may be used, in certain circumstances, as a subsidiary means for the determination of the existence and content of rules of international law.

Draft conclusion 5

Teachings

Teachings, especially those generally reflecting the coinciding views of persons with competence in international law from the various legal systems and regions of the world, are a subsidiary means for the determination of the existence and content of rules of international law. In assessing the representativeness of teachings, due regard should be had to, *inter alia*, gender and linguistic diversity.

