



Republic of Cyprus

75th Session of the United Nations General Assembly – Sixth Committee Statement on agenda item 90 “Strengthening and promoting the international treaty framework”

Mr. Chairman,

As this is the first time my delegation takes the floor in this session, allow me to congratulate you on your election as Chairman and wish you and the Bureau every success in steering your work.

Treaties provide the source of ‘most specific international laws’, they strengthen the international rule of law, shape international relations and form one of the most important elements of collective security and effective multilateralism. We are deeply appreciative of the important role of the UN Secretariat, in particular the Treaty Section of the Office of Legal Affairs, through the implementation of Article 102 of the Charter, the orderly registration and publication of international treaties by the United Nations, ensuring transparency, legal certainty and accessibility to the evolving body of international commitments of states. In this regard, it is in order to emphasize the need to strengthen the dialogue between the Treaty Section and the member states on matters relating to treaty law and practice, preferably in the framework and/or in the margins of the Sixth Committee. We welcome the Report of the Secretary-General on the subject matter (A/75/136). It provides an excellent overview of the current practice as well as to possible options for the review of relevant regulations.

Cyprus has welcomed the update of the Regulations on Article 102 of the UN Charter by GA Resolution 73/210, of 1 February 2019, aiming at adapting them to the latest developments in treaty registration practice and advances in information technology, and ensuring consistency with regard to the treaty-making practice. Cyprus complies with the duty of submitting its bilateral treaties for registration through electronic communication. In this context, we believe that, among other things we need to reflect upon, the development of an on-line tool for the registration of treaties should be further discussed, as means of facilitating the process.

Furthermore, Cyprus complies with the obligation of providing courtesy translation of the submitted treaties, in English or French, pursuant to article 12, paragraph 1, of the regulations and we believe that this practice, should be continued.

Mr. Chairman,

Cyprus joins other member states in expressing our serious concerns as to the registration of agreements that fail to satisfy the necessary criteria for registration under Article 102 of the UN Charter. This is evident in the recent case of a registration of a bilateral MoU that does not meet even the rudimentary *prima facie* criteria for registration, and is clearly *ultra vires*. Furthermore, it also blatantly contravenes both international legality and well-established rules of international law, including the international law of the sea. This is clearly an undesirable result. Such regrettable development solely contributes to further creating tensions and spreading regional instability. Similar misgivings might stem from the question of compatibility with peremptory norms of international law. Hence, we believe that all of us need to find a way to facilitate the work of the Secretariat and to better clarify the framework and the criteria for registration of a treaty or international agreement and we should ideally also associate the ILC in this important task.

I thank you for your attention.

[Delivered by Haris Chrysostomou, Sixth Committee Expert]