

Observations by Austria

Strengthening and promoting the international treaty framework

March 2020

In response to the request by the Office of Legal Affairs of the United Nations of 27 June 2019 to submit information and observations to be considered in the preparation of the Secretary-General's report as requested by General Assembly Resolution 73/210, Austria would like to offer the following remarks:

Austria welcomes the update and modernisation of the Regulations to give effect to Article 102 of the UN Charter by GA Resolution 73/210 as of 1 February 2019. We particularly appreciate the explicit recognition of the role of depositaries other than the Secretary-General in Article 1 para. 3 of the Regulations. Austria is also serving as the depositary of several multilateral treaties and is registering such treaties and any amendments thereto very diligently. Austria also complies with the duty of registering its bilateral treaties. In this regard, it was very timely to adapt the Regulations to modern practices of electronic communication. We believe that the use of electronic means such as, for instance, standardised registration through a customised online tool, should be further discussed. This could not only add to the efficiency in treaty registration, but also simplify the procedure and thereby encourage more universal treaty registration.

Regarding capacity building and technical assistance, Austria would like to highlight the importance of the work of the Treaty Section of the Office of Legal Affairs and its constant advice offered to Member States on matters of treaty registration, depositary functions and other matters relating to treaty law and practice. In view of the continuing shortcomings in treaty registration, such cooperation and dialogue need to be intensified, and additional measures should be considered. This could entail, for example, regular events on topical treaty issues in the margins of the Sixth Committee, preferably during the International Law Week. Another useful tool could be a compendium of practice on the registration and publication of treaties.

Austria notes the growing backlog in the publication of treaties in the UN Treaty Series. While we reiterate the importance of maintaining the multilingual nature of the Treaty Series, we believe that an open dialogue on the review of the translation policy is needed, with a view to enhance efficiency and to ensure the swift publication of treaties in accordance with Article 102 para. 1 of the UN Charter. Such review should take into account the limited resources available to Member States as well as the Treaty Section in providing accurate translations of treaties.

Lastly, Austria recalls that the agenda item "Strengthening and promoting the international treaty framework" should be used as a forum to discuss further issues related to international treaties and treaty law. Such discussion could focus, for instance, on the practice of reservations and declarations to treaties, the withdrawal of signature or instruments of accession, or the obsolescence of treaties.