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# UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,  
UNGA76, AGENDA ITEM 88

STRENGTHENING AND PROMOTING THE INTERNATIONAL TREATY FRAMEWORK

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Delivered by Melina Lito

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Mr/Madame Chair,

The United Kingdom welcomes the opportunity to speak on this agenda item on strengthening and promoting the international treaty framework, which continues to be of particular interest to us.

The United Kingdom continues to be involved in a surge of treaty making, across a range of policy areas, largely as a result of its withdrawal from the European Union.

We have, in the last two years, agreed over 150 individual treaties with States or international organisations designed to replicate or enhance the relations we maintained as part of the European Union. This is in addition to the usual level of treaty making you would expect from every State and an ambitious new programme of Free Trade negotiations. This exercise has reaffirmed to the United Kingdom the importance of having a clear and consistent international approach to treaty making.

The United Kingdom believes that all States benefit from the stability afforded by the Vienna Convention on the Law of Treaties, as well as the wider international treaty framework.

The United Kingdom takes its obligations to register treaties under Article 102 of the UN Charter very seriously. Our domestic treaty processes differ depending on whether the treaty in question enters into force upon signature

(what we call definitive signature) or following ratification or completion of domestic procedures.

Before the United Kingdom ratifies an agreement, it must be laid before Parliament for twenty one sitting days, during which time both Houses of Parliament have an opportunity to scrutinise the agreement. Because of our dualist system, this is separate from any legislative process. If any domestic law needs to be introduced or amended in order to implement a treaty, that will be done and approved through a separate parliamentary procedure, and we will coordinate the entry into force of the domestic legislation with the entry into force of the relevant treaty at the international level. Not all treaties will, however, require domestic legislation.

In the case of treaties subject to ratification, it is only when the treaty has completed parliamentary scrutiny, and any necessary legislation has been adopted, that the United Kingdom will proceed to ratify or notify completion of domestic procedures. We will always register a treaty with the UN Secretariat after entry into force and after publication of the treaty in our own Treaty Series.

The Parliament of the United Kingdom has recently undertaken a number of inquiries into UK treaty scrutiny process and the reports of the various committees considering this issue are published on the UK Parliament website.

Like all States, the United Kingdom also enters into non-binding arrangements, such as memoranda of understanding. The United Kingdom believes that it is essential that any such non-binding arrangements are drafted in such a way as to ensure that the intention not to create legal relations is clear, and that they can be readily identified as such, and are clearly distinguishable from legally binding treaties.

The United Kingdom remains open to participating in an exchange of views on the drafting of non-binding arrangements particularly if this would assist in developing a consistent approach internationally.

Mr/Madame Chair,

The Regulations which give effect to Article 102 of the UN Charter have become a crucial tool for treaty makers. We welcome this opportunity to review the regulations and ensure they remain fit for purpose and we welcome efforts to promote universal registration of treaties. At the same time, our view is that we need to promote predictability and avoid reviewing the regulations too often.

The United Kingdom looks forward to discussions on how we can support efforts to ensure that the UN framework and the regulations deliver a consistent and open approach to treaty making.

Thank you, Mr/Madame Chair