



**PERMANENT MISSION OF THE REPUBLIC OF MOLDOVA
TO THE UNITED NATIONS**

STATEMENT

**by the delegation of the Permanent Mission of the Republic of Moldova
delivered by Ms Augustina ȘIMAN
Second Secretary**

**on item 88 – Strengthening and promoting the international treaty framework – of the
Sixth Committee of the United Nations General Assembly**

New York, 15 October 2021

Madam Chair,

At the outset, allow me to congratulate you and the members of the bureau on your election and to assure you of my delegation's full support and cooperation in fulfilling your important mandate.

Madam Chair,

During the last year's session the General Assembly adopted the resolution A/RES/75/144, entitled "Strengthening and promoting the international treaty framework", by which we agreed that the matter of improving the practice of registration and publication of treaties and international agreements is of such importance, that instead of considering the agenda item on a biannual basis, we deferred it for the 76th session.

The delegation of the Republic of Moldova carefully studied the proposals of amendments to the Regulations to give effect to Article 102 of the Charter of the United Nations, made by member-states, as well as the Report of the Secretary-General A/75/136, and we would like to share our national position regarding the means of modernizing the Regulations.

In order to offer more clarity to the process of registration and publication of the treaties and international agreements, this very technical document, the Regulations, should answer 3 main questions: I. what is being registered; II. who is operating the registration; and III. how it is being registered. If we will not succeed to bring clarity to these fundamental questions, then we will not be able to bring improvements to this document. Our approach on this agenda item should be pragmatic, purely legal and most important – forward thinking, for the general use of all member-states.

I shall further develop on each of the 3 questions. First, **what is being registered**. We thank the member states for their proposals, and we thus support the amendment made by a state to translate into the Regulations the practice of registering a treaty or international agreement that are being provisionally applied in accordance with article 25 of the Vienna Convention on the Law of

Treaties, as such practice is already confirmed in the SG Report A/75/136. Secondly, referring to the issue encountered by some member states of not being able to register a treaty or international agreement that makes reference to a previously non-registered treaty or international agreement, we agree with the existing practice (explained in the UN Treaty Handbook) that if provisions in a treaty invoke other agreements *that form a part of the treaty and are essential for the application and implementation of the treaty* registration of the newer treaty would be impossible without the previous one.

Regarding the second question, **who is operating the registration**, we would like to have more clarity on the following practical aspects: I. who registers a treaty or international agreement in case of those being bilateral; II. who registers a treaty when a depositary is being designated; and III. who registers a treaty in case of multiple depositaries being designated – as suggested in one of the amendments of a member state. Should such a matter be solved by the mutual agreement of the parties, we would appreciate such a wording to be included in article 1 of the Regulations.

In this regard, the proposal made by the delegation of the Republic of Moldova is to exclude a phrase in article 1, paragraph 3 of the Regulations that never had an application and will be impossible to apply due to the provisions of article 5 of the same document, in order to bring more coherence to the process of registering a multilateral treaty when a depositary is designated.

Finally, with reference to the third question, **how a treaty or international agreement is being registered**, we fully support the proposal made by Spain, and endorsed by a group of states, regarding the improvement of multilateralism through multilingualism. The amendment of submitting, on a voluntary basis, courtesy translations into any of the six official UN languages (Arabic, Chinese, English, French, Russian or Spanish) in order to facilitate the translation process at the level of the UN Secretariat, and the further registration and publication in English and French (as obligatory by articles 8 and 12 of the Regulations), will considerably enhance the entire mechanism, ensuring a faster access to the treaties by practitioners and academia.

Madam Chair,

My delegation sees this moment of the 76th session as an important opportunity for positive enhancements. We are conscious of the obligations resulting from Article 102 of the Charter of the United Nations and the importance of treaties in the development of international law and the international legal order. Thus, we stand ready to engage in productive negotiations in order to find practical means of improving the Regulations.

I thank you.

Señora Presidenta,

Mi delegación ve este momento de la sesión 76 como una oportunidad importante para una consolidación positiva. Nosotros somos conscientes de las obligaciones dimanantes del Artículo 102 de la Carta de las Naciones Unidas y de la importancia de los tratados en el desarrollo del derecho internacional y el orden jurídico internacional. Por lo tanto, estamos dispuestos a entablar negociaciones productivas a fin de encontrar medios prácticos para mejorar el Reglamento.

Muchas gracias!