

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH
COMMITTEE, UNGA78

Strengthening and promoting the international treaty framework

Agenda item 87

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Delivered by Melina Lito

(check against delivery)

Mr. Chair,

The United Kingdom welcomes the opportunity to speak on this agenda item on strengthening and promoting the international treaty framework, and in particular on the topic of best practices of depositaries of multilateral treaties.

The United Kingdom maintains a keen interest in the topic, in particular as the depositary for over 50 multilateral treaties.

The Vienna Convention on the Law of Treaties is the bedrock of the international treaty framework. The United Kingdom believes that all States benefit from the stability it affords, including its rules on the status and functions of a depositary. The practice of the world's largest depositary, the Secretary-General of the United Nations, as reflected by the UN Treaty Handbook, also provides valuable guidance.

Mr. Chair,

As regards best practices, the United Kingdom wishes to highlight three, drawn from its own experience as depositary.

The first relates to a depositary's obligation to act impartially in the performance of its duties. The United Kingdom addresses this by drawing a distinction between its role as a depositary and its views as a State, which is party to a treaty. As a depositary, the United Kingdom acts with neutrality in its treatment of the treaty action at hand.

The second is the importance of operating an efficient depositary service, fit for the 21st century. One of the effects of the Covid era was complications in the receipt of hard copies of instruments. The United Kingdom as depositary therefore adapted its practices by encouraging the deposit of electronic copies of instruments, on the basis the original hard copy would follow soon afterwards. The date of the receipt of the electronic copy was taken as that of deposit. This has become our standard operating procedure and we cite this practice on our treaty webpages.

Our webpages include both postal and email addresses. Typically, via the latter, we advise enquiring States on various aspects of the depositary process. Enquiries can range from the form and wording of an instrument to technicalities where the treaty has more than one depositary. The benefits of this service include the spreading of treaty knowledge and expediency in the performance of our depositary duties.

The final best practice we would like to highlight is the importance of maintaining accessible and up-to-date records. Upon successful deposit of an instrument, the United Kingdom as depositary issues an acknowledgment to the depositing State in the form of a Note Verbale. A circular Note Verbale advises other parties to the treaty of the latest action and we update the treaty's status list. The United Kingdom is committed to the transparency of the treaty data it processes as depositary. This is met by the status lists' dedicated webpages on gov.uk, our public database UK Treaties Online, and our monthly email and website update service, the Treaty Action Bulletin.

Mr. Chair,

The United Kingdom takes its duties as custodians of original treaty instruments seriously. We bind and box them using specialised materials and transfer them to the UK National Archives at Kew, London, for their permanent preservation. At Kew, the instruments are available for access and inspection by any interested enquirer. You can attend in person or request electronic copies.

The United Kingdom looks forward to hearing other examples of depositary best practice, and how we can support efforts to promote this perhaps less renowned aspect of treaty law and practice.

Thank you, Mr. Chair.