

29. Nordic Countries (Denmark, Finland,⁷⁵ Iceland, Norway and Sweden)

Finland (on behalf of the Nordic Countries)

Statement made in the Sixth Committee, Sixty-eighth session (2013), 23rd meeting, 4 November 2013:⁷⁶

As far as the treaties among the Nordic countries are concerned, provisional application has not been resorted to very frequently, but I wish to mention one example. In 2010 the Nordic countries concluded a General Security Agreement on the Mutual Protection and Exchange of Classified Information which provides that

[u]ntil the entry into force of this Agreement, each Party may notify at the time of the deposit of the instrument of ratification, acceptance or approval, or any other subsequent time, that it shall consider itself bound by the Agreement in its relations with any other Party having made the same notification. These notifications shall take effect thirty days after the date of receipt of the notification.

That example illustrates that provisional application may also be based on a provision avoiding such terminology.

Norway (on behalf of the Nordic countries)

Statement made in the Sixth Committee, Sixty-ninth session (2014), 25th meeting, 3 November 2014:⁷⁷

The Nordic countries have previously mentioned examples of agreements where provisional application has been resorted to, such as the 2010 *General Security Agreement on the Mutual Protection and exchange of Classified Information between the Nordic countries* and the 2013 *Arms Trade Treaty*.

One model of provisional application is the adoption of the decision 1/CMP.8, where the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol recognized that Parties may provisionally apply the Doha Amendment pending its entry into force in accordance with Articles 20 and 21 of the Kyoto Protocol. The Parties intending to provisionally apply the Doha Amendment pending its entry into force in accordance with Articles 20 and 21 of the Protocol may provide notification to the Depositary of their intention to provisionally apply the Amendment. The Nordic countries implement the above-mentioned treaties provisionally with the same legal effects as if they had formally been in force.

Norway (on behalf of the Nordic countries)

Statement made in the Sixth Committee, Seventieth session (2015), 23rd meeting, 9 November 2015:⁷⁸

As has been stated before, when the Nordic countries agree to apply treaties provisionally, we are of the view that they produce the same legal effects as if they were formally in force.

⁷⁵ See separate submission by Finland, above at p. 29.

⁷⁶ Full text available at: https://www.un.org/en/ga/sixth/68/pdfs/statements/ilc/nordic_3.pdf.

⁷⁷ Full text available at: https://www.un.org/en/ga/sixth/69/pdfs/statements/ilc/nordic_3.pdf.

⁷⁸ Full text available at: https://www.un.org/en/ga/sixth/70/pdfs/statements/ilc/nordic_3.pdf.