

2. Austria

Statement made in the Sixth Committee, Sixty-seventh session (2012), 20th meeting, 2 November 2012:³

The Austrian constitution does not contain any rules on the provisional application of treaties. However, since Austria has become a member of the European Union in 1995 and in view of the EU practice of provisional application, the need arose to apply provisionally certain treaties with third countries. Austria accepted this practice, but in order to respect democratic legitimacy it applied such treaties provisionally only after their approval by the Austrian parliament. If the treaty does not specify that the provisional application becomes effective only upon notification, allowing Austria to conclude its parliamentary procedure, Austria has adopted the practice of declaring that it would apply the treaty provisionally only after its parliamentary approval in Austria.

³ Full text available at: https://www.un.org/en/ga/sixth/67/pdfs/statements/ilc/austria_3.pdf.