



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

**The Vienna Convention on the Law of Treaties at 50:
An Anniversary Celebration**

Remarks

by

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Under-Secretary-General for Legal Affairs and
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Excellencies,

Distinguished representatives,

Ladies and gentlemen,

It is a great pleasure for me to be here this morning to celebrate the fiftieth anniversary of The Vienna Convention on the Law of Treaties. On behalf of the Secretary-General, I thank the Permanent Missions of Canada and Colombia for their invitation and initiative to mark this important occasion.

[Background of the Convention]

Treaties have a fundamental role in the history of international relations and an unrivaled importance as a source of international law, as well as a means of developing peaceful cooperation among nations.



This paramount role was already present in the very beginning of our Organization, when the peoples of the United Nations reflected in the preamble of the Charter their determination “to establish conditions under which justice and respect for the obligations arising for treaties and other sources of international law can be maintained.”

Similarly, it is not surprising that in discharging its mandate of “encouraging the progressive development of international law and its codification” the General Assembly looked at the issue of treaties, and that the newly created International Law Commission placed the codification and development of the rules that regulate the formation and application of treaties as one of the first priorities of its work.

Many distinguished legal authorities were actively involved on the work that culminated in the Convention, including of course the special rapporteurs appointed by the Commission. Most importantly however, the documents, debates and subsequent resolutions on the topic show an active participation of Member States from all regions, engaged committedly in creating this essential framework of international law which had to reflect not only the past customs and norms perfected over centuries of practice, but also the provisions which look decisively into the future of international relations.

That was the spirit that saw, fifty years ago today, on the 23rd of May of 1969 the Vienna Convention on the Law of Treaties opening for signature in the Austrian capital, which was also then “capital of codifications of international law” as some described Vienna due to the hosting of most of the codification conferences of the second half of the 20th century.

[The Convention today]

Today, the Vienna Convention on the Law of Treaties has 116 Parties. Despite not being ratified by all States, most of its provisions are widely regarded as customary international law.

The Convention establishes a versatile regime of flexible residual rules which are relied upon in treaty making. In clause after clause, the Convention reserves its role





to those situations where States have not agreed otherwise. But its flexibility and residual nature are among its strengths and what have kept the Convention vital fifty years after its adoption.

Central topics, such as the definition and conclusion of treaties, the regime of reservations and objections, amendments, the application of successive treaties and the withdrawal are addressed by the Vienna Convention.

In my own experience as the United Nations Legal Counsel, the Vienna Convention guides our daily work. We refer to it at all stages of the treaty-making process, from the negotiation to the adoption, and later when called on for the interpretation and application of treaties.

The Vienna Convention has also codified the obligation contained in the Charter for all States to submit to the Secretariat of the United Nations their treaties in force for registration and publication.

[Role as depositary]

The Convention also represents a fundamental moment of determination for the functions of the depositary of a treaty.

The Secretariat's registration and publication functions, and the functions of the Secretary-General as depositary of over 600 multilateral treaties are, as you well know, carried out by my office.

I take the performance of these functions conscious of their relevance as a key contribution to the effective and wider dissemination of treaties and the promotion of participation in the multilateral treaty framework. Last year alone around 1000 treaty actions were discharged by my Office in this capacity.





Many of you present today have participated also in another concrete reflection of our commitment to the promotion of participation in treaties deposited with the Secretary-General: the annual Treaty Event.

Since the year 2000, 2,200 signatures, ratifications and similar actions have been undertaken by States in the context of this annual Treaty Event in relation to hundreds of treaties covering all facets of human existence: from protection of human rights and gender equality to environmental sustainability, from disarmament, to the prevention of terrorism.

The 2019 Treaty Event will focus on treaties in support of the 2030 Agenda for Sustainable Development. These treaties address social, economic and environmental challenges, and work towards peaceful and inclusive societies and a clean planet for sustainable development. I take this opportunity to renew the invitation to all of you to participate in our Event in this important year for the Sustainable Development Goals.

[BBNJ/Multilateral/Future]

Excellencies,
Ladies and gentlemen,

On this anniversary occasion, it is not only the increase in the number of treaty actions what confirms their importance as the instrumental framework of the rule of law at the international level anchored in the Charter of the United Nations.

As the drafters of the Convention desired, treaties represent also the crystallization of the combined and cooperative efforts made by the international community in topics of the uttermost importance for our world and our future, in the best tradition of multilateralism.

As you all know, we are now amidst a vibrant illustration of this: “The Intergovernmental Conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee, established by General





Assembly resolution 69/292, on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to developing the instrument as soon as possible”. (BBNJ).

This Conference is the culmination of 15 years of intense efforts to strengthen cooperation for the conservation and sustainable use of BBNJ and is critical in the discussions on the future of our oceans.

The Conference demonstrates not only the continued relevance of a treaty: The United Nations Convention on the Law of the Sea, but also reaffirms multilateralism as the only way to address issues of global significance, and the United Nations as a unique forum for the meaningful discussions on the future of our planet and the advancement of international multi-stakeholder cooperation.

Excellencies,
Ladies and gentlemen,

Let me finalize by referring to another concrete example of the engagement of the General Assembly with the law of treaties: the inclusion last year of the agenda item entitled “Strengthening and promoting the international treaty framework”.

This occasion provided a platform for a review of the registration and publication regulations to give effect to Article 102 of the Charter of the United Nations, but also triggered an exchange of views among Member States to discuss treaty law-related topics and treaty-making practices of Member States.

As you know, the General Assembly adopted, in December last year, amendments to the regulations and decided to continue to discuss further outstanding issues identified by Member States following broad consultations with my office.





As the General Assembly takes up again this item during its 75th session in 2020, I stand ready to continue working towards our shared goal of promoting and strengthening the international treaty framework.

Excellencies,

Ladies and gentlemen,

This anniversary is an opportunity to celebrate the progress and development of treaty law, to reflect on and discuss the challenges ahead but, most importantly, to recommit with the principles that inspired the Vienna Convention on the Law of Treaties, including equal rights and self-determination of peoples, sovereign equality and independence of States, cooperation among nations and respect for and observance of human rights and fundamental freedoms for all.

It is my hope that building on our commitments, we continue to strengthen multilateralism and the international legal framework, which counts as one of its key components the Vienna Convention on the Law of Treaties.

I thank you for your kind attention.

