



  
PERMANENT MISSION OF THE REPUBLIC OF SINGAPORE  
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**BRAZIL**  
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NEW YORK

# INVITATION

The Permanent Missions of the Republic of Singapore,  
Gabon and Brazil to the United Nations

Invite you to attend a Side Event on the margins of  
International Law Week

**CONTEMPORARY ISSUES IN THE LAW OF TREATIES:  
CHALLENGES AND OPPORTUNITIES**

*Thursday 25 October 2018, 1.15 – 2.30 pm      UNHQ, Trusteeship Council Chamber*

**Open to all, particularly visiting legal advisers and  
representatives to the Sixth Committee**

RSVP to: <http://bit.ly/event6c>

## **CONTEMPORARY ISSUES IN THE LAW OF TREATIES: CHALLENGES AND OPPORTUNITIES**

Treaties are an indispensable tool in international relations. They can take various forms and can serve an array of purposes. Fundamentally, they establish rules governing the rights and obligations of consenting parties, thereby providing certainty and predictability for the parties inter-se, and often also for the wider international community as a whole. Treaties are therefore part of the tapestry of international law, and their effective operation and implementation are vital to the rule of law at the international level.

In 1947, the UN General Assembly established the International Law Commission, with the object of promoting the progressive development of international law and its codification. It is no coincidence that at its first session in 1949, the Commission selected the law of treaties as one of the topics suitable for codification. This eventually led to the Vienna Convention on the Law of Treaties, which today embodies the modern law of treaties. The Convention, while comprehensive in scope, does not purport to be exhaustive. In its preamble, it affirms that the rules of customary international law will continue to govern questions not regulated by its provisions. Today, the law of treaties continues to develop and evolve, and attracts the attention of scholars and practitioners alike.

The Secretary-General of the United Nations, as the depositary of more than 560 multilateral treaties, is a repository of a wealth of information on treaty law and practice. The Treaty Section of the United Nations Office of Legal Affairs maintains an online portal known as the United Nations Treaty Collection, which provides easy access to information such as the status of treaties, certified true copies of treaties, texts of reservations and declarations, and even model instruments for deposit.

The Commission has undertaken and continues to undertake considerable work in this area of law. The Commission recently concluded its work on “Subsequent agreements and subsequent practice in relation to the interpretation of treaties” at its 70<sup>th</sup> session, producing 13 Draft Conclusions, which would be considered by the General Assembly.

Member States, being the main actors in international law, have the greatest stake and arguably the greatest influence over the development of the law of treaties. State practice informs and shapes the development of customary international law. The engagement of Member States in the work of the Commission can also provide validation to the latter’s work on this area of law.

This event will explore the law of treaties from different perspectives. It will seek to enhance the discourse on this area of law through an informal and open exchange of views, and by identifying some of the key challenges as well as opportunities. Participants will hear from the United Nations Office of Legal Affairs, which will reflect on how the United Nations contributes to the development and enhancement of treaty law and practice. Participants will also obtain an insight from the Commission, which will provide, among other things, an overview of the Commission’s work on this area of law, as well as an update on its final product on “Subsequent agreements and subsequent practice in relation to the interpretation of treaties”. Finally, we will hear the thoughts and observations from the perspective of a Member State.

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## **SIDE EVENT – INTERNATIONAL LAW WEEK**

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### **PROGRAM**

#### **Welcome & introductory remarks:**

- H.E. Mr. Burhan Gafoor  
Ambassador and Permanent Representative of Singapore to the United Nations
- H.E. Mr. Michel Xavier Biang  
Ambassador and Permanent Representative of Gabon to the United Nations  
Chair of the Sixth Committee at the 73<sup>rd</sup> session of the General Assembly

#### **Panel Discussion:**

- Moderator: Mr. Nathaniel Khng  
Deputy Senior State Counsel, International Affairs Division, Attorney-General's Chambers of Singapore

#### Panellists:

- Mr. Miguel de Serpa Soares  
Under-Secretary-General for Legal Affairs and United Nations Legal Counsel
- Prof. Georg Nolte  
Member, International Law Commission  
Special Rapporteur for the topic "Subsequent agreements and subsequent practice in relation to the interpretation of treaties"
- Mr. Lionel Yee  
Deputy Attorney-General of Singapore

#### **Moderated Discussion with Participants**