



Strengthening and promoting the international treaty framework

Agenda Item 88

CANZ Statement – UNGA 76 (15 October 2021)

Chairperson,

I am pleased to speak on behalf of Australia and New Zealand as well as my own country, Canada, on this agenda item that affects all delegations, for treaties are a central foundation of a rules-based international order.

Article 102 of the UN Charter, on the registration of treaties with the United Nations, is not a new obligation on Member States; it dates back to the UN's creation. This obligation has been over the years complemented by regulations that give effect to Article 102. It is these regulations that we are striving to improve upon today as our world and technology have evolved in the last seventy-six years.

We would like to express our gratitude to the UN Office of Legal Affairs for its work in the area of online treaty publication, and in particular for the maintenance of the online UN Treaty Collection.

Canada has already contributed some views through the Office of Legal Affairs on this topic, as invited in last year's resolution. Though we will not restate them again today, we, on behalf of CANZ, wish to underline that a steady transition to modern electronic methods is crucial to controlling the growth of the publishing backlog that the UN is experiencing. The COVID pandemic that still affects us has, in this respect, amply demonstrated the possibilities afforded by digitalization and remote access to key tools and documents.

Canada speaks from experience as we have transitioned our core publication, the Canada Treaty Series, from paper to digital, a move that has allowed it to become available to the wider public through the Government of Canada's treaty database website.

Similarly, the Australian Treaty Database provides an online resource including access to the text of all treaties to which Australia is a signatory.

New Zealand also maintains a publicly available online treaty database. This database is used by New Zealanders and by international researchers, and has been a useful resource for Government practitioners during lockdown conditions when accessing physical records has been difficult.

While we three countries have witnessed the growth of accessibility of publications to researchers, academics, international law practitioners, officials and the general public, we recognize that traditional print-based access must be preserved as an alternative available on request.

We also recognise that high standards of security must be maintained when digitising legal records.

As we consider this issue, we must keep in mind the fundamental rationale underpinning the registration and publication of treaties, namely:

- the promotion of transparency in the conduct of international relations; and
- the establishment of a comprehensive and central source of international agreements for practical, operational and academic research purposes.

These twin objectives of accessibility and transparency should be at the heart of our deliberations. We look forward to a pragmatic discussion that is aimed at giving full effect to Article 102 of the UN Charter, while considering ways in which to improve the capacity and meet the needs of Member States.