

Summary Report

Capacity-building Workshop on Treaty Law and Practice and the Domestic Implementation of Treaty Obligations for Southeastern Europe/Western Balkans Region Ljubljana – Castle Jable, Slovenia 28 – 30 May 2007 (Regional) 31 May 2007 (Slovenia only)

Hosted by the Ministry of Foreign Affairs, Republic of Slovenia, in collaboration with the Treaty Section of the United Nations Office of Legal Affairs, the UNCITRAL Secretariat/International Trade Law Division of the United Nations Office of Legal Affairs and the United Nations Office of Drugs and Crime

1. The Ministry of Foreign Affairs of the Republic of Slovenia and the Treaty Section of the United Nations Office of Legal Affairs (TS/OLA) jointly organized a well-received regional capacity building workshop on treaty law and practice and the domestic implementation of treaty obligations. The workshop was held in Ljubljana – Castle Jable, Slovenia, from 28-30 May 2007. Thirty-one participants attended from nine different countries in the Southeastern Europe/Western Balkans Region. The workshop was opened by H.E. Professor Dr. Lorro Šturm, Minister of Justice and Ms. Anita Pipan, Director-General for Policy Planning and Multilateral Relations at the Foreign Ministry of the host country as well as by representatives of the United Nations Office of Legal Affairs.
2. In the *2005 World Summit Outcome Document*, Member States stressed the rule of law and recognized the “need for universal adherence to and implementation of the rule of law at both the national and international levels”. Enhancing awareness of the rule of law through training seminars is a key element of legal technical and capacity-building assistance to States offered by the TS/OLA.
3. Responding to an initiative of the Ministry of Foreign Affairs of Slovenia, the United Nations offered to support the Slovenian Government in its proposal for a regional workshop for officials from the Southeastern Europe/Western Balkans region. In light of its upcoming EU Presidency and its activities since independence, Slovenia wished to share its experience with the countries in the region. Effective implementation of international treaties represents a journey away from a difficult past and towards a more tenable future grounded in the rule of law, respect for human rights, and good democratic governance.
4. Taking into account the importance of increasing participation in the treaty framework and the registration of treaties by States, attendees were trained by Mr. Bradford Smith, the Deputy Chief of TS/OLA and Ms. Sherry Holbrook, Legal Officer of TS/OLA in the following areas of treaty law and practice: the depositary practice of the Secretary-General; practical aspects of becoming party

- to treaties; reservations to treaties; registration of treaties pursuant to Article 102 of the UN Charter; reporting and monitoring requirements of human rights treaties deposited with the Secretary-General; and legal technical assistance provided by the TS/OLA. In addition to the above, the TS/OLA provided handout materials and a demonstration of use of the UN treaty section's databases and made arrangements to distribute log-in IDs and passwords for the TS/OLA website.
5. The broad objectives of the regional training also included providing the participants with a better understanding of certain substantive areas of international law and the domestic implementation of obligations under certain treaties, including those on trade, terrorism, transnational organized crime, corruption and human rights. To this end, Slovenia and the TS/OLA invited expert trainers from the UNCITRAL Secretariat/International Trade Law Division of the United Nations Office of Legal Affairs (UNCITRAL Secretariat) and the United Nations Office of Drugs and Crime (UNODC).
 6. Presentations were given by Mr. Jernej Sekolec, Secretary of UNCITRAL and Director of the International Trade Law Division of the United Nations Office of Legal Affairs and Mr. Luca Castellani, Legal Officer, UNCITRAL Secretariat/International Trade Law Division of the United Nations Office of Legal Affairs on UNCITRAL and various trade conventions deposited with the Secretary-General. Mr. Stefano Betti, Terrorism Prevention Expert with the Terrorism Prevention Branch of UNODC gave a presentation on the Universal Legal Framework Against Terrorism and the main conventions against terrorism deposited with the Secretary-General. Mr. Demosthenes Chryssikos, Crime Prevention and Criminal Justice Officer with the Division for Treaty Affairs, Crime Conventions Section of UNODC gave presentations on the UN Convention Against Corruption and the UN Transnational Organized Crime and its Protocols. H.E. Mr. Ernest Petrič, Ambassador to Austria and Permanent Representative of Slovenia to the UN organizations in Vienna and Member of the International Law Commission (ILC) provided an excellent discussion of the history and the work of the ILC.
 7. Participants from the following States took part in the 3-day regional training: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Montenegro, Romania, Serbia, Slovenia and The Former Yugoslav Republic of Macedonia (for a total of thirty participants, of which seventeen were women). Slovenia was represented by H.E. Professor Dr. Lorro Šturm, Minister of Justice, Ms. Anita Pipan, Director-General for Policy Planning and Multilateral Relations at the Foreign Ministry and other officials from the Foreign Ministry and other line ministries. In addition, a reception on the evening of 28 May 2007 was hosted by Mr. Andrej Šter, State-Secretary of the Ministry of Foreign Affairs.
 8. On 31 May 2007, following the regional workshop, the trainers from TS/OLA gave a presentation on treaty law and practice to a group of 15 Slovenian officials

(of which two were men), focusing on the following issues: 1) what constitutes a treaty, and how the UN determines that certain agreements constitute international legally binding instruments that need to be registered; 2) the legal status of MOUs; 3) registration by the UN Secretariat under Article 102 of the UN Charter; 4) reservations to treaties, in particular to human rights treaties; and 5) the jurisdiction of the International Court of Justice.