

Post-negotiation milestones

Draft treaty gets “initialed”

- Heads of delegations add their initials to each page of the draft text to reflect the result of the negotiation
- Unless otherwise agreed, the text should be treated as confidential until signature

Obtaining internal authority to sign

- The draft treaty is formally submitted to the relevant ministers in the government for internal approval for signature
- If a treaty is to be signed by a person other than the Head of State, Head of Government or Minister of Foreign Affairs (e.g. by an ambassador or the Minister of Finance), a written confirmation of full powers to sign is generally required.

Approval by parliament or legislative assembly

- The negotiating team usually prepares a written explanation of the treaty
- Negotiating teams should update each other from time to time on the status of this process

- Relevant for treaties that will be signed in more than one language
- Terminal clauses usually indicate that each version is authentic and define a prevailing language in case of divergence of interpretation
- Thorough proofreading is needed
- Translation should be transmitted to the other country for approval

Draft treaty gets translated (if necessary) and conformed

- Liaise with the Ministry of Foreign Affairs which is normally in charge of arranging the signing ceremony
- At least two original versions of the treaty will be signed in each official language of the treaty
- Each country will receive one signed original version of the treaty per each official language
- The content of the signed treaty is made available to the public

Signature

- The State formally expresses its consent to be bound by the signed treaty
- The Entry-into-Force article usually defines the procedure to communicate such consent (e.g. exchange of instruments of ratification)
- The Entry-into-Force date triggers the Entry-into-Effect rules in the treaty

Ratification of the treaty