Russian Federation, Succession to International Humanitarian Law Treaties

Note of the Ministry for Foreign Affairs of the Russian Federation:

“... The Russian Federation continues to exercise the rights and carry out the obligations resulting from the international agreements signed by the Union of Soviet Socialist Republics.

Accordingly the Government of the Russian Federation will carry out, instead of the Government of the USSR, functions of depositary of the corresponding multilateral treaties.

In this connection the Ministry asks to consider the Russian Federation as the Party to all international agreements in force, instead of the USSR...”

Discussion

1. Was this note necessary? Does it change the legal status of the Russian Federation with
regard to IHL treaties? Would the Russian Federation have been party to the IHL treaties without this note?

2. Are your answers to question 1 also valid for all other States of the former USSR? What would their legal status be if they had not made any such declaration?