

Check against delivery

12 October 2018

**GENERAL ASSEMBLY
73rd SESSION (2018)
SIXTH COMMITTEE**

**STATEMENT BY THE DIRECTOR OF THE CODIFICATION
DIVISION ON THE STATUS OF THE *REPERTORY OF PRACTICE
OF UNITED NATIONS ORGANS***

Mr. Chairman,

The Report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (document A/73/190) outlines, *inter alia*, the progress of work on the *Repertory* during the last 12 months since the issuance of the previous report (document A/72/184). With regard to the *Repertory*, the General Assembly is invited to take action in the light of the conclusions drawn in paragraph 17 of the Report.

In this statement, I will highlight a few of the main points of the Report, outlining the progress made regarding the *Repertory* studies. I also wish to draw your attention to the updated chart on the status of the *Repertory of Practice of United Nations Organs*, which has been made available electronically to delegations in the PaperSmart Portal.

General overview of the progress made on this publication

Concerning the backlog, the Codification Division of the Office of Legal Affairs, acting as coordinator for the preparation of the publication, sought to significantly reduce the **backlog in volume III of Supplements Nos. 7 to 9** (1985-1999) of the *Repertory*. Research and drafting of a study on Article 23 of the Charter for volume III of these Supplements, is under preparation with the assistance of Peking University. Two previously completed studies — one on Article 33 of the Charter, prepared with the assistance of interns in the Codification Division, and one on Article 49 of the Charter, prepared with the assistance of a consultant — have been submitted for final review to the responsible author departments, namely, the Department of Political Affairs and the Department of Peacekeeping Operations, respectively.

Progress has also been made in the preparation of studies for volumes III and IV of **Supplement No. 10 (2000–2009)**. A study on Article 49 of the Charter for volume III, prepared with the assistance of a consultant, has been submitted to the responsible author department, the Department of Peacekeeping Operations, for final review. Two studies, on Articles 55 (c) and 56 for volume IV, are also currently under review by the responsible author department, the Office of the United Nations High Commissioner for Human Rights. In addition, the Department of Economic and Social Affairs has hired a

consultant to prepare a study on Article 58 for volume IV, that study being among those falling under its responsibility. Work also continues in relation to studies on Articles 104 and 105 for volume VI, in preparation by the Office of the Legal Counsel in the Office of Legal Affairs.

Turning now to **Supplement 11**, covering the period 2010 to 2015, I am pleased to inform you that six studies, on Articles 33, 39, 50 and 51 for volume III and on Articles 92 and 99 for volume VI, were researched and drafted with the assistance of the Faculty of Law at the University of Ottawa. Two studies, on Articles 55 (c) and 56, for volume IV, are also under preparation by the responsible author department, the Office of the United Nations High Commissioner for Human Rights. Furthermore, relevant parts of a study on Article 101 for volume VI, which was researched and drafted with the assistance of a consultant in the Office of Human Resources Management, were reviewed by the Office of the United Nations Ombudsman and Mediation Services, the Office of Staff Legal Assistance, the Management Evaluation Unit and the Office of Administration of Justice. The text of the study was thereafter made accessible on the Repertory website.

I am also pleased to inform you of two developments that took place after the issuance of this year's report:

- Firstly, a meeting of the ***Interdepartmental Committee on Charter Repertory***, to which all units of the Secretariat involved in the preparation of the publication – as well as units that did not exist at the time Annex I of the Secretary-General’s report was last drawn up – were invited, was held to discuss the current status of the publication and call for contributions. This meeting was an opportunity to engage into a dialogue with stakeholders, that we intend to pursue;
- Secondly, we were informed by our colleagues in the Department of General Affairs and Conference Management (DGACM) that Volume II of Supplement 8 (1989-1994) was issued in English and French.

The current status of the Repertory is as thus follows: of the 57 volumes that the publication as a whole should consist of, 44 volumes have been completed. 31 of these have been published and 13 have been finalized and submitted for translation and publication. Work remains to be completed on 13 volumes. Six of these volumes relate to Supplement 11, covering the most recently defined time-period, i.e., 2010 to 2015, on which work has begun; four of those volumes relate to Supplement No. 10, covering the period 2000 to 2009, and are at various stages of preparation. The other three volumes on which work remains to be completed relate to volume III of Supplements Nos. 7 to 9, covering the period 1985 to 1999.

Availability of *Repertory* studies on the Internet

Mr. Chairman,

As is indicated in the report of the Secretary-General, studies from 44 complete volumes, including the 13 volumes being processed for publication, are available on the United Nations website for the *Repertory*. This figure includes Volume II of Supplement 8, issued very recently Advance versions of several studies on individual Articles for volume III of Supplements Nos. 7, 8 and 9, as well as a considerable number of studies for Supplement No. 10 which have been finalized, are also accessible on the website, awaiting completion of the respective volumes. Such is indeed also the case for newly completed studies for Supplement No. 11.

The electronic version of the *Repertory* continues to include a full-text search feature, providing users with the opportunity to search all the studies together, rapidly, for any word or combination of words in the three languages of the publication, namely English, French and Spanish.

Cooperation with academic institutions and use of the United Nations internship programme

Mr. Chairman,

Turning to the question of cooperation with academic institutions and use of the United Nations internship programme referred to in paragraph 12 of resolution [72/118](#), I am pleased to report that the well-established cooperation with the University of Ottawa, Faculty of Law, for the past eight years, is still active.

With a view to revitalizing cooperation with academic institutions and pursuing a diverse geographical distribution, the Codification Division, acting as coordinator for the preparation of the *Repertory*, continued to call upon members of the Permanent Missions to the United Nations to identify academic institutions that may be interested in contributing to the preparation of studies, consistent with paragraph 13 of resolution 72/118. To date, the Codification Division had preliminary contacts with four universities: two in the Asia Pacific region, one in the Latin America and Caribbean region and one in the Western Europe and other States region. Following up on the message I conveyed in the context of the Sixth Committee held in 2015 and 2016, and during the Special Committee on the Charter held in 2016 and 2017, I would like to renew my call for delegations to express an interest in contributing to the preparation of *Repertory* studies, through the involvement of their national academic institutions.

In the past year, the Codification Division also invited academic institutions to which members of the International Law Commission are affiliated, to consider contributing to the preparation of studies. This has led to the establishment of a framework of cooperation with Peking University, as I mentioned earlier.

The Secretariat will continue to make use of the internship programme of the United Nations and explore ways to expand its cooperation with academic institutions in the preparation of *Repertory* studies, mainly in the fields of research and collection of documentation. Having said this, the Secretariat of course bears the ultimate responsibility for the quality and the final preparation of all studies.

Sponsoring of associate experts

In paragraph 15 of resolution 72/118, the General Assembly reiterated its call for the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of, *inter alia*, the *Repertory*. To this date, we have received no expression of interest in that regard and I would also like to invite delegations to consider the matter.

Funding

As regards funding, in paragraph 15 of its resolution 72/118, the General Assembly reiterated its call for voluntary contributions to the trust fund established pursuant to its resolution 59/44, in order to eliminate the backlog in the *Repertory*. In that regard, the Codification Division sent a note verbale to all Permanent Missions to the United Nations in December 2017, reminding them of the possibility of making voluntary contributions to the trust fund and inviting them to bring the question of funding for the *Repertory* to the attention of private institutions and individuals that might wish to assist in this regard.

Since the issuance of the 2017 report, the Secretary-General has received no contribution to the *Repertory* trust fund. As of mid-September 2018, the total balance of the Fund was US\$ \$47,517.

As mentioned earlier, during the reporting period, a consultant financed through the trust fund has just been contracted to work on the preparation of a study on Article 58 for volume IV of Supplement No. 10. The further use of consultants for the preparation of studies pertaining to volumes that are nearing completion is envisaged.

Mr. Chairman,

In an environment of financial constraint, voluntary contributions to the Fund indeed remain a crucial element for sustaining progress on the *Repertory* and maintaining its website. I would thus like to seize this opportunity to call upon your continued support for the Secretariat's work on reducing the backlog in the publication of the *Repertory* through Member States' voluntary contributions to the Fund.

Thank you, Mr. Chairman.
