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**GENERAL ASSEMBLY
74th SESSION (2019)
SIXTH COMMITTEE**

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

Mr. Chair,

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/74/194) outlines, *inter alia*, the progress of work on the *Repertory* during the last 12 months since the issuance of the previous report (document A/73/190). With regard to the *Repertory*, the General Assembly is invited to take action in the light of the conclusions drawn in paragraph 18 of the Report.

In this statement, I will highlight 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 in the preparation of **volume III** of **Supplements Nos. 7 to 9 (1985-1999)** of the *Repertory*, the Codification Division of the Office of Legal Affairs, acting as coordinator for the preparation of the publication, maintained regular contact with Peking University, where research and drafting of a study on Article 23 of the Charter of the United Nations continue. Studies on Article 33 of the Charter, prepared with the assistance of interns in the Codification Division, and on Article 49 of the Charter, prepared with the assistance of a consultant, are under review.

With regard to the preparation of studies for **volumes III and IV** of **Supplement No. 10 (2000–2009)**, as mentioned in the report of the Secretary-General, a study on Article 49 of the Charter for volume III, prepared with the assistance of a consultant, is under review. Two studies, on Articles 55 (c) and 56 for volume IV, are also under review by the responsible author department, the Office of the United Nations High Commissioner for Human Rights. I am further pleased to inform you that the study on Article 58 for volume IV, prepared by the Department of Economic and Social Affairs with the assistance of a consultant, has now been finalized by that Department, and posted on the *Repertory* website.

You may have noted that substantial progress has been made in relation to **Supplement No. 11 (2010–2015)**, for which 12 studies, on Articles 12, 14 and 19 for volume II, Articles 27, 29, 34, 35, 40, 52 and 53 for volume III, and Articles 99 and 103 for volume VI, were researched and drafted with the assistance of the Faculty of Law at the University of Ottawa. Further, two studies for volume IV, on Articles 55 (c) and 56, are still under preparation by the responsible author department, the Office of the United Nations High Commissioner for Human Rights.

I am also pleased to inform you that, since the issuance of this year's report of the Secretary-General, our colleagues in the Department of General Affairs and Conference Management (DGACM) informed us that Volume I and IV of Supplement 7 (1985-1989) were respectively issued in English and Spanish.

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. 33 of these have been published and 11 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. Chair,

As is indicated in the report of the Secretary-General, studies from 44 complete volumes, including the 11 volumes at the publication stage, are available on the United Nations website for the *Repertory*. 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, call for sponsoring of associate experts and use of the United Nations internship programme

Mr. Chair,

Turning to the question of cooperation with academic institutions and use of the United Nations internship programme referred to in paragraph 11 of resolution 73/206, I am pleased to report that the well-established cooperation with the University of Ottawa, Faculty of Law, for the past nine years, is still active. As mentioned in the Secretary-General's report, this cooperation led to the preparation of 12 studies.

With a view to revitalizing cooperation with academic institutions and pursuing a diverse geographical spread, the Codification Division, acting as coordinator for the preparation of the *Repertory*, continued to call upon permanent missions to the United Nations to identify academic institutions that may be interested in contributing to the preparation of studies, consistent with paragraph 12 of resolution 73/206. In the past biennium, 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 European and other States region. Following up on the messages I conveyed to the Sixth Committee since 2015, and to the Special Committee on the Charter since 2016. 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 biennium, 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 in 2018, which has undertaken the preparation on one study, as I mentioned earlier.

Further, consistent with paragraph 14 of resolution 73/206, in which 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*, the Codification Division made an appeal to all permanent missions to the United Nations by a note verbale dated 7 January 2019. To this date, the appeal has led to preliminary contacts with representatives of the Latin American and Caribbean region.

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.

Funding

As regards funding, in paragraph 14 of its resolution 73/206, 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 dated 7 January 2019 to all permanent missions to the United Nations, 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 2018 report, the Secretary-General welcomed with appreciation the contributions to the trust fund received from Azerbaijan (\$10,000), Cyprus (\$2,280), Iraq (\$5,000) and Qatar (\$10,000). The fund balance, as of 30 September 2019, was \$69,651.

As mentioned earlier, during the reporting period, a consultant financed through the trust fund completed 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. Chair,

In an environment of increased 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. Chair.
