

*Check against delivery*

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**GENERAL ASSEMBLY  
75th SESSION (2020)  
SIXTH COMMITTEE**

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

Mr. / Madam Chair,  
Distinguished Delegates,

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* of 24 June 2020 (document A/75/145) outlines, *inter alia*, the progress of work on the *Repertory* for the period 1 July 2019 to 30 June 2020. 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 introduce 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 on “eStatements” and on the website of the Sixth Committee.

### **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 three studies on Article 23 of the Charter of the United Nations were completed.

With regard to 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, continues to be under review.

Two studies, on Articles 55 (c) and 56 for volume IV, also continue to be under review by the responsible author department, the Office of the United Nations High Commissioner for Human Rights.

The Secretary-General’s report also records the completion and posting on the *Repertory* website of the study on Article 58 for volume IV, prepared by the Department of Economic and Social Affairs with the assistance of a

consultant, in consultation with relevant units and entities of the United Nations system.

With regard to Supplement 10, the Department of Economic and Social Affairs has also conducted consultations with the relevant Secretariat units, namely, the Department for General Assembly and Conference Management and the Department of Political and Peacebuilding Affairs, with a view to undertaking the preparation of a study on Article 65 for volume IV, with the assistance of a consultant.

Further, work 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.

Mr. / Madam Chair,  
Distinguished Delegates,

You may have noted that substantial progress has been made in relation to **Supplement No. 11 (2010–2015)**, with the continued assistance of the Faculty of Law at the University of Ottawa, where research and drafting were completed in relation to five studies: on Article 8 for volume I, on Articles 36 and 54 for volume III and on Articles 94, 104 and 105 for volume VI.

The study on Articles 104 and 105 I just mentioned is currently under review by the Office of the Legal Counsel in the Office of Legal Affairs. 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.

As you may have seen, the report also records that, in April 2020, the Department of Economic and Social Affairs selected a consultant, to be financed from the trust fund for the elimination of the backlog in the *Repertory*, to undertake the research and drafting of a study on Article 58 for volume IV. This work is now nearing completion.

Starting in June 2020, the United Nations Office for Disarmament Affairs also took preliminary steps towards selecting a consultant to prepare a study on Article 11 for volume II.

Mr. / Madam Chair,  
Distinguished Delegates,

You will recall that the preparation of *Repertory* studies lies with a broad range of units bearing primary responsibility for that purpose, as set out in Annex I of the Secretary-General's report.

Turning to the contacts that the Codification Division, in its capacity as coordinator of the *Repertory*, had with these various units, the report records that a meeting was held with representatives of the United Nations Office for Disarmament Affairs in September 2019 for the purpose of presenting the publication and providing guidance and information on the preparation of studies.

Information in that regard was also conveyed to representatives of the Department for General Assembly and Conference Management in June 2020.

Furthermore, a consultation process with all units listed in Annex I of the report took place in June 2020 regarding the time frame for the next *Repertory* Supplement, namely, Supplement 12. In the light of the experience acquired and lessons learned from the preparation of previous Supplements, it was decided that Supplement No. 12 would cover a five-year period (2016–2020). This additional Supplement is now reflected in the Chart on the status of preparation of the *Repertory* studies which has been made accessible to you on the on “eStatements” and on the website of the Sixth Committee, with the text of this statement.

You may further have noted that, during the period under review, the Department for General Assembly and Conference Management published a total of six volumes in electronic format, as outlined in paragraph 8 of the Secretary-General’s report. [i.e., volume I in English and volumes II and IV in Spanish for Supplement No. 7 (1985–1988); volume II in Spanish for Supplement No. 8 (1989–1994); and volumes II and V in Spanish for Supplement No. 9 (1995–1999)]. All studies included in these volumes were accordingly posted on the *Repertory* website.

The current status of the publication is thus as follows for the 57 volumes that the publication includes up to Supplement No. 11

(considering that work has not yet began on Supplement No.12): 36 volumes have been published and 8 have been finalized and submitted for translation and editing. Work accordingly remains to be completed on 13 volumes, 6 of which pertain to Supplement No. 11 (2010–2015) and 4 to Supplement No. 10 (2000–2009), which are at different stages of preparation. The other three volumes on which work remains to be completed correspond to volume III of Supplements Nos. 7 to 9.

### **Availability of *Repertory* studies on the Internet**

Mr. / Madam Chair,  
Distinguished Delegates

As is indicated in the report of the Secretary-General, studies from 44 complete volumes, including the 8 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. / Madam Chair,  
Distinguished Delegates,

Turning to the question of cooperation with academic institutions and use of the United Nations internship programme referred to in paragraph 12 of resolution 74/190, I am pleased to report that the well-established cooperation with the University of Ottawa, Faculty of Law, which has taken place for the past ten years, is still active. As mentioned in the Secretary-General's report, this cooperation led to the preparation of five studies during the period under review. The cooperation with Peking University initiated in 2018 also led to the preparation of three studies on Article 23 for volume III of Supplements 7, 8 and 9 during that period.

So far, the University of Ottawa, Faculty of Law, has confirmed its intention to further contribute to the publication.

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 74/190. In the past three years, 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.

The Codification Division also continued to invite academic institutions to which Members of the International Law Commission are affiliated to consider contributing to the preparation of studies.

I would indeed like to seize this opportunity 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.

Further, consistent with paragraph 15 of resolution 74/190, 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 2020. To this date, the appeal has not led to any expression of interest.

The Secretariat will continue to make use of the internship programme of the United Nations to the extent possible, taking into account the

constraints imposed by the COVID-19 pandemic. The Secretariat will also continue to 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, while bearing the ultimate responsibility for the quality and the final preparation of all studies.

### **Funding**

With regard to funding, in paragraph 15 of its resolution 74/190, 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 2020 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.

During the period under review in his annual report (1 July 2019 to 30 June 2020), the Secretary-General welcomed with appreciation the contributions to the trust fund received from Cyprus (\$2,220) and Qatar (\$10,000). The fund balance, as at 30 September 2020, was \$79,668.

As mentioned earlier, during the reporting period, one consultant financed through the trust fund completed the preparation of a study on

Article 58 for volume IV of Supplement No. 10 and another consultant was hired to undertake the preparation of the same study for Supplement 11. The further use of consultants for the preparation of studies pertaining to volumes that are nearing completion is envisaged.

Mr. / Madam Chair,  
Distinguished Delegates,

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. / Madam Chair.

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