

UNITED STATES MISSION TO THE UNITED NATIONS  
NEW YORK

February 25, 2020

The United States Mission to the United Nations presents its compliments to the UN Office of Legal Affairs and has the honor to refer to the Secretariat's Note No. LA/TR/230/Regulations/2019-2, dated June 29, 2018. In that Note, the Office of Legal Affairs invited governments to submit information and observations regarding possible options to further review regulations to give effect to Article 102 of the Charter of the United Nations, taking into account outstanding issues identified by Member States during discussions in connection with the adoption of General Assembly Resolution 73/210 of December 20, 2018.

The United States welcomes the opportunity to provide views in particular on the issue of the Secretariat's translation of treaties and international agreements into English and French. In this regard, Article 12, paragraph 1 of the regulations provides that the Secretariat shall publish as soon as possible in a single series every treaty or international agreement which is registered or filed and recorded, in the original language or languages, followed by a translation in English and in French. In a 2017 report to the General Assembly (A/72/86), the Secretariat suggested that the General Assembly

may wish to examine, for example, whether the requirement that all published treaties be translated into English and French meets the current needs of Member States and justifies the resources devoted to it. The Assembly may choose to remove the requirement or consider alternative measures, such as the publication of translations only when they have been provided by the registering entity.

DIPLOMATIC NOTE

JCS

The United States believes that the practical value of publishing treaty texts in the United Nations Treaty Series would be significantly undermined were the Secretariat to cease their translation into English and French. Under such a circumstance, for a number of treaties the Treaty Series might not contain a reliable text of the treaty in any of the UN's official languages. Such a situation would complicate the ability of UN Member States to understand and refer to such agreements, including in situations contemplated by paragraph 2 of Article 102 of the Charter. In addition, the absence of such translations may deprive the International Court of Justice, whose official languages are English and French, of reliable versions of treaty texts for use in addressing matters before it. The absence of treaty texts in widely used languages may particularly disadvantage developing states that may lack the resources to make their own arrangements for translation.

The United States respectfully requests that the Office of Legal Affairs take these views into account in preparing the report called for by paragraph 12 of General Assembly resolution 73/210 (2018).

The United States Mission to the United Nations avails itself of the opportunity to assure the Office of Legal Affairs of its highest consideration.

ILCS