

Check against delivery

11 October 2013

**GENERAL ASSEMBLY
68th SESSION (2013)
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/68/181) outlines, *inter alia*, the progress of work on the *Repertory* during the last 12 months since the issuance of the previous report (document A/67/189). Furthermore, with regard to the *Repertory*, the General Assembly is invited to take action in the light of the conclusions drawn in paragraph 13 of the Report.

In my statement, I will highlight the salient points of the Report and provide further details regarding the *Repertory* studies on which progress has been made. 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 volume III of the *Repertory*, in line with the understanding reached with the Department of Peacekeeping Operations concerning the drafting of the studies on Articles 40 to 54 for volume III of Supplements Nos. 7 to 10 (1985-2009), which is referred to in the previous Report of the Secretary-General (A/67/189), the Codification Division prepared studies on Articles 42 to 47 as well as on Article 50 of the Charter. Single studies for each of the aforementioned Articles of the Charter address the entire period that is covered by the three Supplements. Those studies have been placed on the Repertory website (un.org/law/Repertory). As in the case of earlier studies prepared for volume III of Supplements Nos. 7 to 9, these studies contain a short introduction and provide references to the relevant studies of the *Repertoire of the Practice of the Security Council*. The references thus provided are intended to replace the elaboration of *Repertory* studies whenever there would be an overlap with the studies of the *Repertoire*. In addition, draft studies on Articles 35, 41 and 51 have been prepared by the Codification Division with the assistance of a consultant. They are currently being finalized.

Further effort will be undertaken to ensure the preparation of the outstanding studies for Supplements Nos. 7 to 10. As will be underlined later, it should however be noted that, unless financial contributions are made by Member States in the near future, the

small amount of funds available in the *Repertory* Trust Fund will not allow for the further contribution of consultants.

Significant advancement has, on the other hand, been achieved in the preparation of studies for Supplement No. 10 (2000-2009). During the reporting period, the following studies have been prepared, some of them with the assistance of interns or consultants or in collaboration with academic institutions:

- (a) Studies on Articles 17 (2), 18, 19 and 63 for volume II;
- (b) A study on Article 73 for volume V;
- (c) Studies on Articles 99 to 101 and 108 and 109 for volume VI; further studies concerning Articles 97 and 98 (the latter regarding all functions of the Secretary-General other than political and those pertaining to security matters, which are already covered in a separate study available online are being finalized.

Moreover, the Security Council Practices and Charter Research Branch of the Department of Political Affairs is currently preparing the studies on Articles

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supplements thereto, up to Supplement No. 10) should consist, 42 volumes have been completed. 28 of them have been published and 14 have been finalized and submitted for translation and publication. Thus, the work remains to be completed on 8 volumes. Five of those volumes pertain to Supplement No. 10, which covers the most recent reviewable period, the other three pertain to volume III of Supplements Nos. 7, 8 and 9.

Availability of *Repertory* studies on the Internet

Mr. Chairman,

As is indicated in the report of the Secretary-General, studies from 42 complete volumes, including the 14 volumes being processed for publication, are available on the United Nations website for the

Cooperation with academic institutions and recourse to interns

Mr. Chairman,

Turning to the question of cooperation with academic institutions, I am pleased to report that the well-established cooperation with Columbia University Law School continued for the tenth consecutive year and contributed to the preparation of two studies relating to volumes III of Supplements No. 7 to 9 and a study for volume IV of Supplement No. 10. The cooperation with the University of Ottawa, Faculty of Law, also continued for the third consecutive year and contributed to the completion of one study pertaining to volume II of Supplement No. 10 and the preparation of a study for volume III of Supplements 7 to 9. Furthermore, a study for volume V of Supplement No. 10 was prepared in cooperation with Concord Law School.

The Secretariat will continue to take advantage of the involvement of interns and academic institutions in the preparation of *Repertory* studies, mainly in the fields of research and collection of documentation. It is understood that the Secretariat bears the ultimate responsibility for the quality and the final preparation of all the studies.

Funding

As regards funding, in its resolution 67/96, 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*. A note verbale was sent 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 that regard. However, no contribution was received during the period under review. As of 30 September 2013, the total balance of the Fund, including unliquidated obligations, was US\$ 9,242.

Under the circumstances, and considering that in an environment of financial constraint, voluntary contributions to the Fund remain a crucial element for sustaining progress on the *Repertory* and maintaining its website, I would like to seize this opportunity to call upon your assistance to continue to support the Secretariat's work on advancing the *Repertory* through Member States' voluntary contributions to the Fund.

Thank you, Mr. Chairman.