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**GENERAL ASSEMBLY
67th SESSION (2012)
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/67/189) outlines, *inter alia*, the progress of work on the *Repertory* during the last 12 months since the issuance of the previous report (document A/66/201). Furthermore, with regard to the *Repertory*, the General Assembly is invited to take action in the light of the conclusions drawn in paragraph 14 of the report.

In my statement, I will highlight the salient points of the recent report of the Secretary-General 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.

General overview of the progress made on this publication

With respect to the preparation of studies pertaining to the Supplements that were in backlog, the Secretariat has submitted volume II of Supplement No. 9 and volume VI of Supplements Nos. 8 and 9 for translation and publication.

Concerning the backlog in volume III of the *Repertory*, the Security Council Affairs Division of the Department of Political Affairs prepared studies on Articles 24, 26, 28, 30, 34, 35 (relating to the practice of the Security Council) and Articles 36 to 39 of the Charter, and thereby submitted all outstanding studies for the period 1985 to 1999 (Supplements Nos. 7 to 9). A single study for each of these provisions of the Charter addresses the entire period that is covered by the three Supplements. 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 links to the relevant studies of the *Repertoire of the Practice of the Security Council*. The links thus provided are intended to replace the elaboration of *Repertory* studies whenever there would be an overlap with the studies of the *Repertoire*. Furthermore, at a meeting between the Codification Division of the Office of Legal Affairs, acting as coordinator for the preparation of the *Repertory*, and 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, it was agreed that the Codification Division will reach out to partnering academic institutions potentially willing to prepare draft studies on the Articles in question

and that, once the drafts are completed, the Codification Division will submit them for review, as appropriate.

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

- (a) Studies on Articles 3, 5, 6 and 8 for volume I;
- (b) Studies on Articles 13 (1) (a), first phrase; 13 (1) (a) second phrase; 13 (1) (b) and (2); 14; 17 (1) and (3) for volume II; and
- (c) Studies on Articles 92 to 95, 98 (political and security matters), 103 and 106 to 111 for volume VI.

Two studies on Article 17(2) and 19 for volume II, a study on Article 55 (c) for volume IV and three studies on Articles 97, 99 and 100, for volume VI, are also being finalized. Moreover, work has begun on a study on Article 73 for volume V and a study on Article 101 for volume VI, and good progress has been made on a study for volume VI, covering the remaining aspects of Article 98. Furthermore, since all the studies pertaining to volume I of Supplement No. 10 have now been completed, the Secretariat has submitted the volume for translation and publication.

The current status of the publication is as follows: from among the 50 volumes of which the publication as a whole (original *Repertory* and supplements thereto) 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

As it is indicated in the report of the Secretary-General, studies from 42 complete volumes, including the 14 volumes in processing for publication, are available on the United Nations website for the *Repertory* (www.un.org/law/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 accessible on the website, awaiting completion of the respective volumes. The electronic version of the *Repertory* includes a full-text search feature, providing the users with the opportunity to search all the studies instantaneously for any word or combination of words in the three languages of the publication, namely English, French and Spanish.

Cooperation with academic institutions and recourse to interns

The well-established cooperation with Columbia University Law School continued for the ninth consecutive year. Four students contributed to the preparation of three studies relating to volumes II and IV of Supplement No. 10. The cooperation with the University of Ottawa, Faculty of Law, also continued for the second consecutive year and contributed to the completion of six studies pertaining to volume VI of Supplement No. 10; four other students from the same university have just begun working on a study for volume II of Supplement No. 10 and on three studies for volume III of Supplements Nos. 7 to 9. Furthermore, the cooperation with academic institutions has been extended to Fordham University School of Law, leading to the completion of one additional study for volume II of Supplement No. 10, and to Concord Law School, leading to some progress in the preparation of a study pertaining to volume V of Supplement No. 10.

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

In its resolution 66/101, 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. The Secretary-General welcomed with appreciation the contributions to the trust fund of 5,000 US\$ from Chile and 5,000€ from Finland.

The contributions to the trust fund have been used for hiring consultants, who have prepared some studies pertaining to volumes II and VI. The current balance in the trust fund is about 20,000 US\$, which will be used for hiring further consultants for the preparation of studies pertaining to volumes that are near completion. Continued contribution to the trust fund would enable the Secretariat to carry out the effective elimination of the backlog in the *Repertory*.

Thank you, Mr. Chairman.