

**CHECK AGAINST DELIVERY**

20 February 2020

**SPECIAL COMMITTEE ON THE CHARTER  
OF THE UNITED NATIONS AND ON THE  
STRENGTHENING OF THE ROLE OF THE  
ORGANIZATION**  
(18 to 26 February 2020)

**STATEMENT BY MR. HUW LLEWELLYN  
DIRECTOR OF THE CODIFICATION DIVISION,  
OFFICE OF LEGAL AFFAIRS**

**STATUS OF THE *REPERTORY OF PRACTICE*  
*OF UNITED NATIONS ORGANS***

Mme Chair,

1. The purpose of my statement today is to update delegations further to the presentation on the *Repertory* made in October 2019, during the Sixth Committee. A coloured chart is available on the Codification Division's website, and that is perhaps the most informative document to have at hand as I speak.

**General points**

2. Before I outline the progress on specific Volumes and Supplements of the *Repertory*, I would like to recall the following:

- First, we (Secretariat) continue to share the views expressed in the Plenary debate on [Thursday] regarding the importance of the *Repertory*, and we share your frustration that there is a backlog – particularly in relation to Volume III [(as mentioned by [Iran on behalf of the NAM])];

- Second, one of the Annexes to the Secretary-General's report each year identifies which Secretariat department is in the lead for preparing studies on each of the Articles of the Charter. The Codification Division has a coordination role – we coordinate the input of various lead departments;
- Third, as you may know, researching and drafting studies on the Articles of the Charter is a demanding undertaking. Depending on the Article in question and the time-period to be covered, a study can take several months to prepare. Yet, none of the departments concerned have budgetary resources for working on *Repertory* studies – no people and no money have been allocated for this purpose.
- This, briefly said, summarizes the difficulty that we face.

3. In the past year, the Codification Division has continued to address this situation, placing emphasis on arrangements with academic institutions and consultants, to prepare studies on Articles of the Charter where we are not the lead.

4. In particular, the Codification Division 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, including during the last session of the Sixth Committee. Further, the Codification Division continued to provide administrative support to one department of the United Nations, namely the Department of Economic and Social Affairs (DESA), in view of the further recruitment of two consultants to be selected by that Department to prepare studies falling within its purview, i.e., a study on Article 58 for Supplement 11 (2010-2015) and a study on Article 65 for Supplement 10, in consultation with the Department for General Assembly and Conference Management (DGACM) and the Department of Political and Peacebuilding Affairs (DPPA).

5. While some progress continues to be made in the preparation of studies for the *Repertory*, it is my duty to let you know that, overall, and irrespective of these initiatives, the resources currently available to the preparation of *Repertory* studies, whether internally within the various departments of the Organization, or externally through

partnerships with academic institutions, do not allow for the expeditious elimination of the backlog in the publication.

### **Progress on Supplements**

6. As a number of you have rightly highlighted, and as can be seen on the coloured chart, volume III faces the longest backlog. We continue to monitor this situation, to the extent possible. However, at present, the status of preparation of studies referred to in the latest report of the Secretary-General (A/74/194 dated 18 July 2019) is unchanged, except for the following two initiatives:

- As I just mentioned, our colleagues from the Department of Economic and Social Affairs are in the process of recruiting consultants in view of the preparation of two studies, i.e., a study on Article 58 for Supplement 11 (2010-2015) and a study on Article 65 for Supplement 10 (2000-2009), the latter in consultation with DGACM and DPPA;
- Thanks to the continued support of the University of Ottawa, Faculty of Law, six studies pertaining to Supplement No. 11 (2000-2015) are also at the research stage, i.e., studies on Articles 8, 36, 54, 94, 104 and 105.

7. This being said, I am pleased to let you know that since my statement before the Sixth Committee in October, our colleagues in the Department of General Affairs and Conference Management (DGACM) informed us that two volumes have been published, namely Volume II of Supplement 8 (1989-1994) and Volume II of Supplement 9 (1995-1999). Both have been made available on the website.

8. Overall, of the 57 volumes that the publication should consist of, 44 volumes have been completed. 31 of them have been published and 11 have been finalised and submitted for translation and publication. Thus, work remains to be completed on 13 volumes. This includes Supplement Nos. 7 to 9 of volume III, covering the period 1985 to 1999.

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

Mme Chair,

9. The electronic version of the *Repertory* includes a full-text search feature, providing users with the opportunity to search all the studies instantaneously for any word or combination of words in the three languages of the publication - English, French and Spanish.

**Cooperation with academic institutions and recourse to associate experts and interns**

10. I would like to reiterate the gratitude of the Secretariat to the academic institutions that have provided valuable assistance in the preparation of *Repertory* studies, presently the University of Ottawa, Faculty of Law. The long-standing relationship with the University of Ottawa, Faculty of Law, is very valuable and has helped us to make consistent progress at the research and drafting stages for a decade now. As mentioned before, we are working at further expanding cooperation with other academic institutions and in pursuing a diverse geographical spread. In that regard, we had preliminary contact with and relayed information to the Permanent Mission of one delegation from the Asia-Pacific region [Republic of Korea].

11. At this time, I would also like to reiterate my appeal made in previous meetings to any delegations that believe that academic institutions in their country or region may be interested in preparing *Repertory* studies to please be in touch with us.

12. Furthermore, 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. I would also like to invite members of delegations to be in touch with us in that regard.

13. The Codification Division will continue to encourage the Secretariat 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.

14. It is understood that the Secretariat bears the ultimate responsibility for the quality and the final preparation of all the studies.

### **Voluntary Funding**

15. Since the establishment in 2005 of the trust fund for the elimination of the backlog in the *Repertory* (General Assembly resolution 59/44), and up to 31 December 2019, over US\$ 188,000 has been donated to the trust fund, thanks to the generosity of the Governments of Albania, Azerbaijan, Chile, Cyprus, Finland, Greece, Guinea, Iraq, Ireland, Qatar, Lebanon, Luxembourg, Turkey and the United Kingdom. Most recently, Cyprus contributed US\$ 2,220.00 to the trust fund, for which we are very grateful.

16. The balance in the trust fund on 31 December 2018 is approximately US\$ 72,000.00. In view of the concerns brought to your attention earlier, I would like to reiterate the call today for voluntary contributions to the trust fund and for delegations to bring this question to the attention of private institutions and individuals in their countries and regions that might wish to assist.

Thank you, Mme Chair.