



General Assembly

Distr.: General
8 August 2023

Original: English

Seventy-eighth session

Item 84 of the provisional agenda*

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council

Report of the Secretary-General

Summary

In conformity with General Assembly resolution [77/109](#), the present report provides an outline of the progress made by the Secretariat between 1 July 2022 and 30 June 2023 in updating the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The Assembly is invited to take action in the light of the conclusions drawn in paragraphs 16 and 30.

* [A/78/150](#).



I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution [77/109](#). It provides information on the progress made by the Secretariat between 1 July 2022 and 30 June 2023¹ in updating the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. It examines the respective mandates and workflow in the preparation of these publications, in printed and electronic forms, and gives an overview of the available resources and existing modalities of cooperation with academic institutions, associate experts, temporary staff and consultants, as appropriate. The Assembly is invited to take action in the light of the conclusions drawn in paragraphs 16 and 30.

II. *Repertory of Practice of United Nations Organs*

A. Mandate and preparation of supplements to the Repertory

2. The *Repertory of Practice of United Nations Organs* was originally mandated by the General Assembly in its resolution [796 \(VIII\)](#) of 27 November 1953. Its purpose is to document the Organization's application and interpretation of each individual Article of the Charter of the United Nations, to form a legislative history contributing to the knowledge and understanding of the Charter as applied in the practice of the organs of the United Nations.

3. Bearing in mind the call made upon the Secretary-General, in paragraph 16 of General Assembly resolution [77/109](#), to address, effectively and on a priority basis, the backlog in the preparation of all volumes of the Repertory, in particular volume III, the Codification Division of the Office of Legal Affairs, acting as coordinator for the preparation of the *Repertory*, maintained regular contact with the Faculty of Law at the University of Ottawa and Korea University. Cooperation with the latter ended on 31 December 2022.

4. With regard to Supplement No. 11 (2010–2015), the Faculty of Law at the University of Ottawa has completed the research on and drafting of one study on Article 15 for volume II and two studies for volume III, one on Article 24 and one on Article 25. The research on and drafting of two studies, one on Article 19 and one on Article 103 for volume VI, have also been completed by two consultants, financed in 2022/23 from the trust fund for the elimination of the backlog in the *Repertory of Practice of United Nations Organs*. These studies have been submitted to the author department, the Office of Legal Affairs, and an advance copy thereof has been posted on the *Repertory* website. Lastly, a study on Articles 104 and 105 remains under review by its author department, the Office of Legal Affairs.

5. Progress has been made during the period under review in relation to Supplement No. 12 (2016–2020), owing to the continued assistance of the Faculty of Law at the University of Ottawa, which completed the research and drafting in relation to one study on Article 15 for volume II, four studies on Articles 36, 40, 42 and 54 for volume III, as well as one study on Article 92 and one study on Article 99 for volume VI. Furthermore, the research on and drafting of two studies, one on Article 13 (1) (a) (second part of the sentence) and one on Article 103, have been completed by two consultants financed from the trust fund for the elimination of the backlog in the *Repertory*. Both have been submitted to their author department (various divisions of the Office of Legal Affairs). An advance copy of the study on Article 103 has been posted on the *Repertory* website.

¹ For the previous report of the Secretary-General, see [A/77/303](#).

6. As is customary, the Department of Global Communications and the Dag Hammarskjöld Library played an important role in supporting the research phase for the *Repertory* studies.

7. During the period under review, no volumes were published by the Department for General Assembly and Conference Management. The current status of the publication is thus as follows: 38 volumes have been published,² and 6 have been finalized and submitted for translation and editing.³ Consequently, from among the 63 volumes of which the publication as a whole (original *Repertory* and Supplements Nos. 1 to 12 thereto) should consist, as at 30 June 2023, work remains to be completed on 19 volumes, 4 of which pertain to Supplement No. 10, 6 to Supplement No. 11 and 6 to Supplement No. 12, which are all at different stages of preparation (see paras. 4-6 above). The other three volumes on which work remains to be completed correspond to volume III of Supplements Nos. 7 (1985–1988) and 8 (1989–1994) and Supplement No. 9 (1995–1999).

8. Annex I to the present report contains a list of which Secretariat units are responsible for preparing *Repertory* studies on each of the individual Articles of the Charter. Annex II provides information on the status of the *Repertory*.

B. Availability of *Repertory* studies on the *Repertory* website

9. Studies from 44 complete volumes, including the 6 volumes at the translation and editing stages, are available on the United Nations website for the *Repertory* (<http://legal.un.org/repertory>). Advance versions of several studies on individual Articles for volume III of Supplements Nos. 7 to 9, as well as a large number of studies for Supplement No. 10 that have been finalized and are awaiting the completion of the respective volumes, continue to be made accessible on the website. This is also done for completed studies for Supplement No. 11. 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).

10. Currently, all studies available in English are on the *Repertory* website, and most of them are also available in French and Spanish, while a few are available in only one of these languages. Finalized studies awaiting translation and editing are placed on the *Repertory* website in the language in which they have been prepared (English for most of them and French for some of them). The Secretariat will continue to make available electronically all three language versions of the finalized *Repertory* studies.

C. Cooperation with academic institutions and sponsoring of associate experts

11. The well-established cooperation with the Faculty of Law at the University of Ottawa continued for the thirteenth consecutive year. During the period under review, the Faculty of Law contributed to the preparation of 10 studies (see paras. 4 and 5 above). As indicated above, cooperation with Korea University was discontinued effective 31 December 2022.

² *Repertory* and Supplements Nos. 1 to 6 (1946–1984), for a total of 27 volumes, volumes I, II (in French and Spanish only), IV (in Spanish only), V and VI of Supplement No. 7 (1985–1988), volumes II and VI of Supplement No. 8 (1989–1994), volumes II (in Spanish only), IV (in English and Spanish only) and V (in Spanish only) of Supplement No. 9 (1995–1999) and volume I of Supplement No. 10 (2000–2009).

³ Volume V of Supplement No. 7, volumes IV and V of Supplement No. 8, volumes I and VI of Supplement No. 9 and volume II of Supplement No. 10.

12. 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. In the past six years, the Codification Division has had preliminary contact with four universities: two in the South Pacific region, one in the Latin American and Caribbean region and one in the Western European and other States region. The Codification Division continued to invite academic institutions to which members of the International Law Commission are affiliated to consider contributing to the preparation of studies.

13. Furthermore, consistent with paragraph 14 of resolution 77/109, 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 the *Repertory*, the Codification Division made an appeal to all permanent missions to the United Nations by a note verbale dated 9 December 2022. As at 30 June 2023, the appeal had led to preliminary contacts with representatives of the African region.

D. Trust fund

14. In its resolution 77/109, 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*. Accordingly, a note verbale was sent on 9 December 2022 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. No contribution to the trust fund was received during the period under review (1 July 2022 to 30 June 2023). The fund balance as at 30 June 2023 was \$78,364.

15. During the period under review, a total of three consultants were financed through the trust fund after completing their tasks, namely the research on and drafting of studies on Article 19 for Supplement No. 11, Article 103 for Supplements Nos. 11 and 12, and Article 13.1 (a) (second part of the sentence) for Supplement No. 12 (see paras. 4 and 5 above). The further use of consultants for the preparation of studies pertaining to volumes that are nearing completion is envisaged. Additional contributions to the trust fund are therefore strongly encouraged, so as to allow the Secretariat to continue to eliminate the backlog in the *Repertory*.

E. Action for the consideration of the General Assembly

16. With regard to the *Repertory*, in the light of the foregoing, the General Assembly may wish:

(a) To further encourage Member States to identify academic institutions that have the capacity to contribute to the preparation of studies for the *Repertory* and to provide the contact details of such institutions, and in this regard further welcome the initiative of the Secretariat also to invite members of the International Law Commission to recommend academic institutions that the Secretariat could contact for this purpose;

(b) To note with appreciation the contributions made by Member States to the trust fund for the elimination of the backlog in the *Repertory*;

(c) To reiterate its call for voluntary contributions to the trust fund for the elimination of the backlog in the *Repertory*, so as to further support the

Secretariat in carrying out the effective elimination of that backlog, and the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of the publication;

(d) To call upon the Secretary-General to continue his efforts towards updating the publication and making it available electronically in all its language versions (English, French and Spanish), and encourage the continued updating of the website for the *Repertory*;

(e) To note with concern that the backlog in the preparation of all volumes of the *Repertory*, in particular volume III, although slightly reduced, has not been eliminated, and call upon the Secretary-General to address that issue effectively and on a priority basis, while commending the Secretary-General for progress made in reducing the backlog.

III. *Repertoire of the Practice of the Security Council*

A. Mandate and preparation

17. The *Repertoire of the Practice of the Security Council*, originally mandated by the General Assembly in its resolution 686 (VII) of 5 December 1952, provides a record of the evolving practice and procedure of the Security Council in the framework of the Charter of the United Nations and the provisional rules of procedure of the Council. Most recently, in its resolution 77/109, the Assembly called upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report dated 18 September 1952 (A/2170).

18. In paragraph 11 of resolution 77/109, the General Assembly commended the Secretary-General for the progress made towards updating the *Repertoire*. In paragraph 15, the Assembly called upon the Secretary-General to continue his efforts towards updating the *Repertoire* and making it available electronically in all its language versions.

19. During the reporting period, pursuant to the mandate provided by the General Assembly, the Secretariat continued to make progress in the preparation of the Supplements to the *Repertoire*. The focus of the work of the Secretariat over the past year was the preparation of the twenty-fourth and twenty-fifth Supplements to the *Repertoire*, covering the years 2021 and 2022, respectively.

20. The Secretariat completed the twenty-fourth Supplement to the *Repertoire* in October 2022. The advance version of the Supplement has been posted on the website of the Security Council, while the published version is expected to be made available online and in hard copy in the third quarter of 2023. The individual parts of the twenty-fifth Supplement are being posted online in their advance version as they are completed. The Secretariat is aiming to make the entire advance version of the twenty-fifth Supplement available online by October 2023, as newly elected members of the Council commence observing its proceedings. In line with the methodology for contemporary coverage of the practice of the Council and subject to available resources, the Secretariat has commenced research and drafting work for the twenty-sixth Supplement, covering the year 2023.

21. The aim of this schedule for the preparation of the *Repertoire* is to ensure that the information on the practice of the Security Council is made available to States Members of the United Nations and the public as soon as possible. In order to ensure the sustainability of the contemporary approach to the coverage of Council practice, the Secretariat continued to optimize its resources through efficiency-enhancing initiatives. In line with the Secretary-General's strategy on new technologies and his

Data Strategy for Action by Everyone, Everywhere, the Secretariat continued to advance the development of a web-enabled database to facilitate the recording and analysis of the Council's practice and thereby also increase efficiency in the preparation of the *Repertoire*.

B. Availability of *Repertoire* studies on the Security Council website

22. The Secretariat continued to make available advance and published versions of the Supplements to the *Repertoire* on the website of the Security Council (www.un.org/securitycouncil/content/repertoire/structure) immediately upon their completion. The Supplements are searchable and systematized both chronologically and by topic.

23. In the past year, the Secretariat continued to expand the use of technology to present the practice of the Security Council on the website. To this end, the Secretariat launched a new dashboard providing a historical and analytical overview of Arria-formula meetings, including information on the meeting themes and organizers since 1992. In addition, the Secretariat introduced a new layout, maps and functions to the Field Missions Dashboard, which was launched in 2019 and provides a comprehensive overview of the mandates of United Nations peacekeeping operations and special political missions.

24. In line with established practice since 2011, the Highlights of Security Council Practice covering 2022 was published in early January 2023. With a redesigned platform, the publication provides a comprehensive overview of trends relating to Council meetings and informal engagements, its agenda, the decision-making process and voting patterns, as well as the work of its subsidiary organs. The Secretariat also continued to issue "UN Security Council in review", a monthly newsletter providing Member States and the public at large with updates on the latest procedural and substantive trends in the Council. Several data sets of the Security Council Practices and Charter Research Branch remained available on the Peace and Security Data Hub, a free public library on peace and security that was launched jointly by the Department of Political and Peacebuilding Affairs and the Department of Peace Operations and that features data sets from across the United Nations system. The Secretariat also continued to promote the information tools on social media to increase awareness and strengthen knowledge about and the quality of data on the Security Council.

25. The Secretariat continued to fulfil and enhance its advisory role through the provision of information in response to questions relating to the procedural and constitutional practice of the Security Council and its subsidiary organs. During the reporting period, the Secretariat received a substantial number of queries from Member States, officials of the United Nations system and representatives of other international organizations, non-governmental organizations, academic institutions, scholars, researchers and the private sector. In addition, the Secretariat provided in-depth research and analysis for internal policy development and engaged in several outreach programmes aimed at familiarizing new Council members with the evolving procedure, practice and working methods of the Council.

C. Publication in language versions (print and electronic)

26. Pursuant to General Assembly resolution [55/222](#), the published versions of the eleventh to the twenty-third Supplements to the *Repertoire*, covering the period from 1989 to 2020, have been made available online in all six official languages. The Secretariat has shortened the timeline for the preparation of each Supplement, from the end of the reporting period to the publication of the final version in English, from 22 to 20 months and is aiming to reduce it further if resources become available. As

a result, the twenty-third Supplement, covering the year 2020, was published in English in July 2022 and in April 2023 in the other five official languages. The twenty-fourth Supplement, covering the year 2021, is expected to be published in English in the third quarter of 2023 and in the other five official languages in the second quarter of 2024. Going forward, the objective of the Secretariat is, at a minimum, to maintain the 20-month timeline.

D. Resources

27. The progress made in the preparation and publication of the *Repertoire* and the maintenance of its website in all official languages would not have been possible without the continuing support of Member States. Voluntary contributions to the trust fund for the updating of the *Repertoire* remained critical to sustaining the progress made to date and for improving accessibility to information on the practice of the Security Council. During the reporting period, the Secretariat launched a new appeal for funding to replenish the trust fund, so as to maintain a predictable publication schedule for the *Repertoire*, prevent the creation of a backlog and strengthen the infrastructure for data collection, analysis and visualization.

28. Extrabudgetary resources have enabled the Secretariat to retain the services of temporary staff and a United Nations Volunteer to assist in the preparation of the *Repertoire*. Since the previous report, contributions to the trust fund have been received from Albania, Ireland, Japan, Mexico, Norway and Switzerland. In addition, in 2022, Japan and Sweden sponsored associate experts in the Security Council Practices and Charter Research Branch, who made substantial contributions to advancing the work on the *Repertoire*.

29. In order to sustain the progress achieved to date, the Secretary-General calls upon Member States to further support the work of the Secretariat in updating the *Repertoire* through voluntary contributions to the trust fund and the sponsoring of associate experts.

E. Action for the consideration of the General Assembly

30. With respect to the *Repertoire of the Practice of the Security Council*, in the light of the foregoing, the General Assembly may wish:

- (a) To note the progress made towards updating the *Repertoire*;
- (b) To note with appreciation the contributions made by Member States to the trust fund for the updating of the *Repertoire*, as well as other contributions, including the sponsoring of associate experts to assist in the updating of the *Repertoire*;
- (c) To reiterate its call for voluntary contributions to the trust fund for the updating of the *Repertoire*, so as to sustain the annual publication schedule, and the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of the publication;
- (d) To call upon the Secretary-General to continue his efforts towards updating the publication and making it available electronically in all its language versions;
- (e) To reiterate the responsibility of the Secretary-General for the quality of the *Repertoire* and to call upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report dated 18 September 1952 (A/2170).

Annex I

Secretariat units bearing primary responsibility for the preparation of *Repertory* studies on individual Articles of the Charter of the United Nations^a

<i>Department</i>	<i>Repertory volume</i>
Office of Legal Affairs	Volume I: Articles 1 to 7 Volume II: Articles 13 (1) (a), 18, 19 and 22 Volume VI: Articles 92 to 99, 102 to 105 and 108 to 111
Department of Political and Peacebuilding Affairs	Volume II: Articles 10, 12, 13 (1) (a), 14 and 16 Volume III: Articles 23 to 39 and 107 Volume V: Articles 73 to 85, 87 and 88
Department of Peace Operations	Volume III: Articles 40 to 54 and 106
Office for Disarmament Affairs	Volume II: Article 11
Department for General Assembly and Conference Management	Volume II: Articles 9, 15, 20 and 21 Volume IV: Articles 60, 61, 62 (3) and (4), 65 to 69 and 72 Volume V: Articles 86 and 89 to 91
Department of Management Strategy, Policy and Compliance	Volume II: Article 17 Volume VI: Articles 100 (1) and 101
Department of Management Strategy, Policy and Compliance with Office of Legal Affairs	Volume VI: Article 100 (2)
Department of Economic and Social Affairs	Volume II: Articles 8 ^b and 13 (1) (b) and (2) Volume IV: Articles 55 (a) and (b), 57 to 59, 62 (1), 63, 64, 70 and 71
Office of the United Nations High Commissioner for Human Rights	Volume II: Article 13 (1) (b) Volume IV: Articles 55 (c), 56 and 62 (2)
Office for Outer Space Affairs	Volume II: Article 13 (1) (a)

^a This distribution is the result of several decisions of the Interdepartmental Committee on Charter Repertory taken at various times since 1996 and is subject to review by the Committee.

^b The Department of Management Strategy, Policy and Compliance (Office of Human Resources) is responsible for the preparation of studies on Article 8 for the period up to and including 1996. For the period from 1997 onward, that responsibility falls to the Department of Economic and Social Affairs.

Annex II

Status of the *Repertory of Practice of United Nations Organs* (30 June 2023)

Volumes published and made available on the <i>Repertory</i> website (http://legal.un.org/repertory)	Volumes submitted for publication and made available on the <i>Repertory</i> website	Studies made available on the <i>Repertory</i> website (pertaining to volumes not submitted for publication)	Studies in preparation or in review
---	--	--	-------------------------------------

Note: The organization of studies in volumes, as indicated below, relates to Supplements Nos. 6 to 12. It varies for the original *Repertory* and Supplements Nos. 1 to 5.

<i>Volumes, Articles</i>	<i>Original Repertory</i>	<i>Supplements</i>											
		<i>I</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6 1979– 1984</i>	<i>7 1985– 1988</i>	<i>8 1989– 1994</i>	<i>9 1995– 1999</i>	<i>10 2000– 2009</i>	<i>11 2010– 2015</i>	<i>12 2016– 2020</i>
Volume I							I	I	I	I	I	I	I
Articles 1, 2 (1) to (3), (5) and (6), 3 and 5 to 7													
Article 4													
Articles 2 (4) and (7) and 8													
Volume II							II	II	II	II	II	II	II
Articles 9, 10, 13 (1) (a) (first part of the sentence), (1) (b) and (2), 16 to 18 and 20 to 22													
Articles 11 and 19													
Articles 12, 13 (1) (a) (second part of the sentence), 14 and 15													
Volume III							III	III	III	III	III	III	III
Article 23 (1) (second phrase) and (2)													
Articles 23 (1) (first phrase) and (3), 26, 28 to 32, 37 and 38													
Articles 24, 25 and 29													
Articles 27, 34, 36, 39, 40, 42 and 50													
Articles 33, 35 and 41													
Articles 43 to 47													
Article 48													

<i>Volumes, Articles</i>	<i>Original Repertory</i>	<i>Supplements</i>											
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6 1979– 1984</i>	<i>7 1985– 1988</i>	<i>8 1989– 1994</i>	<i>9 1995– 1999</i>	<i>10 2000– 2009</i>	<i>11 2010– 2015</i>	<i>12 2016– 2020</i>
Article 49													
Articles 51 to 54													
Volume IV							IV	IV	IV	IV	IV	IV	IV
Articles 55 (a) and (b), 57, 62 (2) and 63													
Articles 55 (c) and 56													
Article 58													
Articles 59 to 61, 62 (1), (3) and (4) and 64 to 72													
Volume V							V	V	V	V	V	V	V
Article 73													
Articles 74 to 85, 87 and 88													
Articles 86 and 89 to 91													
Volume VI							VI	VI	VI	VI	VI	VI	VI
Article 94													
Articles 92, 96 and 99													
Articles 93, 95, 97, 98, 102 and 106 to 111													
Articles 100 and 101													
Article 103													
Articles 104 and 105													

Studies prepared from 1954
to 1980

Studies prepared from 1996 to 30 June 2023

Annex III

Status of the *Repertoire of the Practice of the Security Council* (30 June 2023)

Supplements published and posted on the Security Council website at www.un.org/securitycouncil/content/repertoire/structure	Advance version available on the Security Council website	Parts in preparation

A. Status of the completed *Repertoire* Supplements

<i>Supplement</i>	<i>Status</i>	<i>Languages</i>
Original <i>Repertoire</i> and Supplements I–IX, covering the period 1946–1984		English, French
Supplements X (1985–1988) and XI (1989–1992)		Arabic, Chinese, English, French, Russian, Spanish ^a
Supplement XII (1993–1995)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XIII (1996–1999)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XIV (2000–2003)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XV (2004–2007)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XVI (2008–2009)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XVII (2010–2011)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XVIII (2012–2013)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XIX (2014–2015)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XX (2016–2017)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XXI (2018)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XXII (2019)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XXIII (2020)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XXIV (2021)		English

^a As mandated by the General Assembly in resolution 55/222, these Supplements and future Supplements to the *Repertoire* are to be published in all official languages of the United Nations.

B. Status of the *Repertoire* Supplements in preparation

	<i>I</i> Overview	<i>II</i> Provisional rules of procedure	<i>III</i> Purposes and principles of the Charter	<i>IV</i> Relations with other United Nations organs	<i>V</i> Functions and powers of the Security Council	<i>VI</i> Pacific settlement of disputes	<i>VII</i> Actions with respect to breaches of the peace	<i>VIII</i> Regional arrangements	<i>IX</i> Subsidiary organs: Committees/ other bodies	<i>X</i> Subsidiary organs: peacekeeping and peacebuilding
Supplement XXV (2022)										
Supplement XXVI (2023)										