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

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Draft report

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IV. *Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council*

1. Reference was made to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* during the general exchange of views held at the 297th and 298th meetings of the Special Committee, on 16 February, and at the 3rd meeting of the Working Group of the Whole, on 18 February.
2. During the general exchange of views, delegations commended the Secretariat on its continuing efforts to update the *Repertory* and the *Repertoire* and to eliminate the backlog in their preparation. The significance of the two publications in providing analytical studies of the application and interpretation by the Organization of the Articles of the Charter was recalled. Several delegations noted with concern that the backlog in the preparation of volume III of the *Repertory* had not been eliminated and called upon the Secretary-General to address the issue effectively and as a priority, emphasizing that for the publications to be relevant, they needed to be available. The Secretariat was also encouraged to continue its efforts to make the publications available electronically and to publish the *Repertory* and the *Repertoire* in all official languages of the United Nations at the same time.
3. Support was expressed for the use of the internship programme and for cooperation with academic institutions in the preparation of studies, as well as for the identification of academic institutions that could contribute to such preparation.
4. Recognizing that the Secretariat lacked adequate resources and the capacity to prepare the publications, delegations expressed their appreciation to Member States that had contributed to the trust funds established for the *Repertory* and the *Repertoire*, which had facilitated the progress made in eliminating the backlog with regard to those publications, and they encouraged Member States to make additional contributions or to sponsor experts.



5. At the 3rd meeting of the Working Group, the representatives of the Secretariat gave a briefing on the status of the preparation of the *Repertoire* and the *Repertory*.
6. With regard to the status of the *Repertoire*, it was reported that very significant progress continued to be made in the preparation of the publication, with a focus on the simultaneous completion of the twenty-second and twenty-third supplements, covering the years 2019 and 2020, respectively. More specifically, it was noted that, despite the major disruption caused by the COVID-19 pandemic, the advance version of the twenty-second supplement had been completed and posted online in October 2020, as scheduled, and that the advance version of the twenty-third supplement was on track to be released by October 2021.
7. Developments were then outlined in three areas. First, with regard to publication, it was noted that all published versions of the supplements covering the period from 1989 to 2017 were available online in all six official languages. The twenty-first supplement, covering the year 2018, had been published in English and was expected to be released in the other five official languages by April 2021. An ambitious 22-month schedule had been set from the end of the reporting period to the final publication of the hard-copy version of each supplement.
8. Second, with regard to innovation, it was underlined that modern technologies were being used more extensively to develop a broad range of visual and interactive information data sets on the practice of the Security Council, all of which were available on its website. It was further noted that, in addition to the 2020 edition of the *Highlights of Security Council Practice*, issued in early January 2021, two other data sets had been released: the “Security Council membership dashboard” and the “Women at the Security Council dashboard”. The visualization of information on women and peace and security, the protection of civilians in armed conflict and children and armed conflict had also been enhanced. All data sets had been developed on new data platforms to provide a more engaging and interactive experience.
9. Third, with regard to outreach, efforts had been made to actively promote the *Repertoire* and the various data sets outlined above on social media, in order to raise awareness and improve the availability of knowledge and the quality of data on the work and practice of the Security Council.
10. Gratitude was expressed for the enhanced support of Member States through their voluntary contributions to the trust fund for updating the *Repertoire of the Practice of the Security Council*. Taking into account the decreasing size of the regular budget, it was noted that the resources under the trust fund had enabled the allocation of additional human resources to consolidate an annual publication with an ambitious and predictable schedule. The generous contributions made by China and Saint Vincent and the Grenadines since the previous briefing in 2020 were also noted.
11. Gratitude was also expressed to Denmark, Japan, the Republic of Korea and Sweden for their recent sponsorship of junior professional officers.
12. It was noted that, to sustain the very ambitious strategy with regard to the publication of the *Repertoire*, continued financial support from Member States remained critical, especially given the deepening financial constraints faced by the Organization, which were exacerbated by the very serious liquidity crisis. An urgent appeal had thus been launched to replenish the trust fund, with the aim of securing sufficient funds to modernize and enhance access to the wealth of data contained in the pages of the *Repertoire* and to expedite the editing and quality control of all data generated in its preparation. It was also noted that the progress achieved in previous years, as well as the very significant increase in the number of requests for information received from the Council members and the United Nations Member States at large, had proved that the *Repertoire*, which had been conceived in the

1950s, remained an essential tool for understanding the increasingly dynamic and complex work of the Security Council.

13. Concerning the status of the *Repertory*, a briefing was given on notable developments since the issuance of the most recent report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (A/75/145), with a focus on two main areas.

14. First, with regard to new studies in preparation, it was reported that progress had been made in relation to three supplements, Supplements Nos. 10, 11 and 12. In relation to Supplement No. 10 (2000–2009), research and drafting work had been carried out by the Faculty of Law of the University of Ottawa, in support of the study on Articles 104 and 105 of the Charter, which was in preparation in the Office of the Legal Counsel. In relation to Supplement No. 11 (2010–2015), it was noted that the same Faculty had begun work on the study relating to Article 11, and that the consultant hired by the Department of Economic and Social Affairs to prepare a study on Article 58 had completed her assignment. The study in question was being finalized by the Office of Intergovernmental Support and Coordination for Sustainable Development of that Department. In relation to Supplement No. 12 (2015–2020), the same Faculty had completed the research and drafting work required to prepare three studies, on Articles 8, 33, and 51, respectively.

15. Second, with regard to the participation of academic institutions in the research and drafting of studies for the *Repertory*, gratitude was expressed to the Faculty of Law of the University of Ottawa for its support. Gratitude was also expressed to Korea University, the member of the International Law Commission affiliated with that University and the delegation of the Republic of Korea for the valuable and generous offer to contribute to the preparation of studies for the *Repertory*, starting in March 2021.

16. In addition to those developments, it was also underlined that, further to the appeal by the General Assembly for Member States to consider sponsoring associate experts to work on the *Repertory*, which had been relayed to all delegations in a note verbale of 19 January 2021, two delegations, one from the Asia-Pacific region and the other from the Latin American and Caribbean region, had recently requested additional information on that initiative.

17. The attention of delegations was also drawn to the call for contributions to the trust fund to eliminate the backlog in the preparation of the *Repertory*. In that regard, it was noted that, as at 30 January 2021, the available balance in the fund was \$79,623.

18. Delegations were once again invited to increase the interest of academic institutions in their countries or regions in participating in the preparation of studies for the *Repertory*, while taking into account the importance of geographical diversity in that respect.

19. Following the reports by the representatives of the Secretariat, the Secretariat was again requested to eliminate the backlog in the publication of the *Repertory*, considering that all of its volumes were affected. The Secretariat reiterated its commitment to do that, while noting the scarcity of available resources.

20. The Special Committee recommends that the General Assembly:

(a) Commend the Secretary-General for the progress made in the preparation of studies for the *Repertory of Practice of United Nations Organs*, including the use of the internship programme of the United Nations and cooperation with academic institutions for this purpose, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council*;

(b) 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 to invite members of the International Law Commission to recommend academic institutions that the Secretariat could contact for that purpose;

(c) Note with appreciation the contributions made by Member States to the trust fund for the elimination of the backlog in the *Repertory* and 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*;

(d) 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; 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 two publications;

(e) Call upon the Secretary-General to continue his efforts towards updating the two publications and making them available electronically in all their respective language versions, and encourage the continued updating of the website for the *Repertory*¹ and the *Repertoire*;²

(f) 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;

(g) Reiterate the responsibility of the Secretary-General for the quality of the *Repertory* and the *Repertoire*, and with regard to the *Repertoire*, 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](#)).

¹ <http://legal.un.org/repertory>.

² www.un.org/securitycouncil/content/repertoire/structure.