

Dual Distribution

Third session

REGISTRATION AND PUBLICATION OF TREATIES
AND INTERNATIONAL AGREEMENTS

Report of the Sixth Committee

Rapporteur: Mr. J. Spiropoulos (Greece)

In his report on the registration and publication of treaties (A/613), the Secretary-General gave the General Assembly an account of the progress made and the material and technical difficulties met with in practice during the year in connexion with the registration and publication of treaties and international agreements.

On 24 September 1948 the General Assembly decided to refer this question to the Sixth Committee.

The Committee began to consider the report at its 79th meeting, held on 20 October 1948.

Two separate draft resolutions were submitted to the Committee. The first, put forward by the Belgian delegation, stressed the importance of the publication of treaties and referred to the steps to be taken to ensure that registered treaties or agreements should be published with the least possible delay, and that the translations should reach the highest possible level of accuracy and precision (A/C.6/237). The second, put forward by the United States delegation, drew the attention of Member States to their obligation under Article 102 of the Charter and requested them to take immediate steps to fulfil this obligation (A/C.6/239).

The Committee decided to discuss these two draft resolutions separately and in the order of their submission.

During the discussion on the proposal submitted by the Belgian delegation, the Belgian representative pointed out:

- (a) that it would be desirable that a multilateral treaty should normally be submitted for registration by the depositary;
- (b) that, when amendments were made to a treaty or agreement, the actual text of the instrument relating to such amendments would have to be registered;

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/(c) that

- (c) that it would be desirable to have constant exchanges of information between the Secretary-General and the Treaty Departments of the various Ministries of Foreign Affairs; this would enable the Secretary-General to answer fully and precisely any questions relating to treaties and international agreements, registered or not yet registered, their text, their entry into force, the parties concerned, the reservations made, the amendments added, etc.

The Sixth Committee unanimously adopted the draft resolution submitted by the Belgian delegation.

At its meeting on 21 October 1948 the Committee discussed the draft resolution submitted by the United States delegation (A/C.6/239). After discussion this draft resolution was adopted by 28 votes to 0 with 13 abstentions.

Accordingly, the Committee submits the following resolutions for approval by the General Assembly:

REGISTRATION AND PUBLICATION OF TREATIES AND
INTERNATIONAL AGREEMENTS

A.

Whereas the United Nations Charter requires that treaties and international agreements be not only registered but also published as soon as possible; and

Whereas the practical value, for Governments, scientific institutions and all the circles concerned, of publishing treaties and international agreements also depends in large measure upon the degree of accuracy and precision of the published translations;

THEREFORE THE GENERAL ASSEMBLY INSTRUCTS the Secretary-General to take all the necessary steps to ensure that registered treaties or agreements shall be published with the least possible delay and that the translations shall reach the highest possible level of accuracy and precision.

B.

THE GENERAL ASSEMBLY

HAVING CONSIDERED the report of the Secretary-General on the registration and publication of treaties and international agreements (A/613);

HAVING NOTED that relatively few treaties and other international agreements have been registered to date, and that less than half of the number of States Members of the United Nations have registered any treaties or other international agreements;

/(c) that

CONSIDERING that all Member States have by Article 102 of the Charter assumed ~~the~~ obligation to register with the Secretariat every treaty and every international agreement entered into by them after the coming into force of the Charter;

HAVING NOTED that resolution 172(II) of 14 November 1947 drew the attention of Member States to this obligation;

THEREFORE REQUESTS that each of the Member States take cognizance of its obligation under Article 102 and take immediate steps to fulfil this obligation.
