



Seventeenth session
Agenda item 73

QUESTION OF THE PUBLICATION OF A UNITED NATIONS
JURIDICAL YEARBOOK

Report of the Sixth Committee

Rapporteur: Mr. José María Ruda (Argentina)

1. At its 943rd plenary meeting, held on 12 December 1960, the General Assembly adopted resolution 1506 (XV), by which it decided to place the question of the publication of a United Nations juridical yearbook on the provisional agenda of its seventeenth session, and invited Member States to submit to the Secretary-General, not later than 1 June 1962, written comments and observations on the form and contents of the proposed yearbook.
2. The comments received from Governments in pursuance of this resolution were published in documents A/5169 and Corr.1 and Add.1.
3. At its 1129th meeting, held on 24 September 1962, the General Assembly decided to include the question of the publication of a United Nations juridical yearbook in the agenda of its seventeenth session and referred it to the Sixth Committee for consideration and report.
4. The Sixth Committee considered the question at its 749th, 752nd and 776th meetings, held respectively on 30 October, 2 November and 7 December 1962. In addition to the documents containing comments received from Governments (see paragraph 2 above), the Committee had before it a Secretariat document (A/C.6/L.499) containing an analysis of these comments and a note by the Secretary-General giving the background of the question (A/5190).
5. At its 749th meeting, held on 30 October 1962, the Sixth Committee decided to set up a Working Group to consider the financial aspects of the publication of a

United Nations juridical yearbook and the nature of the documents to be inserted in it. At its 752nd meeting, held on 2 November 1962, it decided that the Working Group should consist of the delegations of the following countries: Afghanistan, Australia, Ceylon, Chile, Ghana, Hungary, Netherlands, Panama, Poland, United Arab Republic and United States of America.

6. Under the chairmanship of Mr. El-Erian, the representative of the United Arab Republic, the Working Group held three meetings at which it formulated a certain number of suggestions concerning the content and form of the yearbook. These suggestions were submitted to the Sixth Committee in a report circulated under the symbol A/C.6/L.521 and Corr.1 (English only).

7. The Sixth Committee considered the report of the Working Group at its 776th meeting, held on 7 December 1962. It had before it a note by the Secretary-General (A/C.6/L.522) on the financial implications of the scheme for a yearbook proposed in the report of the Working Group.

Proposal and amendment

8. At the same meeting the Sixth Committee had before it a draft resolution (A/C.6/L.523 and Corr.1 (English and French only), Corr.2 (Spanish only), and Corr.3 (French only)) submitted jointly by the countries composing the Working Group: Afghanistan, Australia, Ceylon, Chile, Ghana, Hungary, Netherlands, Panama, Poland, United Arab Republic and United States of America.

9. The representative of the United States of America submitted an oral amendment proposing that the word "discussions" should be inserted after the word "recommendations" in part I (b) of the annex to the draft resolution. The amendment was accepted by the sponsors of the draft.

Discussion

10. During the debate, various opinions were expressed on the scheme for a yearbook contained in the annex to draft resolution A/C.6/L.523.

11. Some representatives expressed the view that part I (b), relating to the publication of a comprehensive index to, and where necessary text of, decisions, recommendations or reports of legal character by the United Nations and the

specialized agencies should be amended so as to include discussions which were not the subject of a report. They pointed out that legal questions were often discussed by some organs of the United Nations and the specialized agencies during debates on non-legal questions. The inclusion of such discussions in the yearbook would make it more complete without substantially increasing its size. That was the purpose of the proposal to amend the sub-paragraph in the manner already indicated in paragraph 9 of this report.

12. With regard to part I (e) of the scheme, which provides for the publication of the text of selected legal opinions of the Secretariat of the United Nations and the specialized agencies, it was pointed out that the greatest caution must be exercised in selecting such opinions for publication in the yearbook.

13. Some representatives expressed the view that, in publishing the yearbook, it was essential to try to avoid including in it documents which could easily be found in other publications.

14. In reply to questions put to him by certain representatives as Chairman of the Working Group, Mr. El-Erian, the representative of the United Arab Republic, gave the following explanations of some provisions of draft resolution A/C.6/L.523.

15. The term "inter-governmental organizations" in operative paragraph 1 of the draft resolution should be taken to include the specialized agencies and the International Atomic Energy Agency.

16. According to part I, paragraph (c), of the scheme for a yearbook annexed to the draft resolution, the resolutions adopted by international conferences convoked under the auspices of the United Nations and the specialized agencies would be included in the yearbook only if the Secretariat considered them suitable by reason of their nature and length.

Vote

17. The Sixth Committee voted on the draft resolution (A/C.6/L.523) as amended orally by the United States of America (see paragraph 9 above), and adopted it unanimously.

Recommendation of the Sixth Committee

18. The Sixth Committee therefore recommends that the General Assembly should adopt the following draft resolution:

Question of the publication of a United Nations
Juridical Yearbook

The General Assembly,

Recalling its resolution 1451 (XIV) of 7 December 1959, by which it decided that a United Nations Juridical Yearbook which would include documentary materials of a legal character relating to the United Nations should be published,

Having examined the question again at its seventeenth session,

1. Decides that the United Nations Juridical Yearbook shall contain the documentary materials concerning the United Nations and the inter-governmental organizations in relationship with it, which are listed in the annex to this resolution;

2. Requests the Secretary-General to undertake the publication of the Juridical Yearbook in the three working languages of the General Assembly, and to publish in 1964 the first volume, which should include materials relating to the year 1963 and should not exceed 256 pages in length.

ANNEX

- Part I - Legal activities of the United Nations and the specialized agencies
- (a) documents concerning the status of the United Nations and the specialized agencies
 - (b) comprehensive index to, and where necessary text of, decisions, recommendations, discussions or reports of legal character by the United Nations and the specialized agencies (judgements and advisory opinions of the International Court of Justice and reports of the International Law Commission will only be indexed)
 - (c) text of treaties concerning international law concluded in the United Nations, the specialized agencies, and international conferences convoked under the auspices of the United Nations and the specialized agencies
 - (d) index with brief description of decisions of administrative tribunals of the United Nations and the specialized agencies
 - (e) text of selected legal opinions of the Secretariat of the United Nations and the specialized agencies
- Part II - Index with brief description of decisions of international and national tribunals on questions relating to the United Nations and the specialized agencies
- Part III - Bibliography of works and articles of legal character relating to the United Nations and the specialized agencies
