

REFERENCE: LA 41 TR/230

The Legal Counsel presents his compliments to the Permanent Representatives to the United Nations and has the honour to convey the following in relation to Article 102 of the Charter of the United Nations.

Following the note verbale to you in January 2002 (LA 41/TR/230 of 24 January 2002) in relation to the obligation pursuant to Article 102 of the Charter of the United Nations for Member States to register treaties and international agreements with the Secretariat, and in view of the increasing importance of treaties in the development of international law and the international legal order, the Legal Counsel wishes to further remind Member States to submit all treaties and international agreements concluded by them for registration with the Secretariat of the United Nations. Should any State require assistance in undertaking the relevant actions, the Secretariat may be in a position to provide such assistance, consistent with the strategies for actions described in the road map towards the implementation of the United Nations Millennium Declaration (A/56/326, Section II A), the Action Plan developed by the Secretariat on the basis of the report “An Era of Application of International Law” and the report of the Inter-Departmental Group approved by the Secretary-General (<http://www.un.org/law/technical/technical.htm>).

The Legal Counsel also recalls his notes LA 41/TR/230 of 24 January 2002, LA 41TR/230 of 22 April 1996, LA 41TR/230 of 2 April 1997 and LA 41/TR/230 of 16 April 2001, and has the honour to remind the Member States of the following:

Translations

Efforts continue to eliminate the publication backlog of the United Nations *Treaty Series* (UNTS) which currently stands at approximately two years compared with eleven years in 1996. Subject to the speedy availability of translations, the backlog will be eliminated entirely by 2003. The attention of Member States is drawn to the General Assembly resolutions A/RES/482 (V) of 12 December 1950 and A/RES/54/28 of 17 November 1999, addressing the question of translations. Paragraph 6 of the latter resolution urged “...*States and international organizations, in particular depositaries, to continue assisting the Secretariat in its efforts to expedite the registration of treaties and their publication by providing it with paper copies of treaties, or electronic copies, including maps, for registration and wherever possible, translations of treaties in English or French*”. These views were also reflected in General Assembly resolutions A/RES/52/153 and A/RES/53/100. Formal (or even, courtesy) translations in English and French, or in any of the other official languages of the Organization, provided by a State submitting treaties and other international agreements for registration, would assist greatly in bringing the publication of the UNTS up to date and contribute considerably to the saving of costs.

Submission in electronic format

In light of the refinements to the computerization programme undertaken by the Treaty Section of the Office of Legal Affairs of the United Nations and with a view to further streamlining the registration and desktop publishing processes, Member States, when submitting treaties for

registration to the Secretariat, are strongly encouraged to “...provide, where available, a copy of the text of any treaty in disk or other electronic format...” as requested in paragraph 8 of General Assembly resolution A/RES/53/100 of 8 December 1998 (see also A/RES/52/153 and A/RES/54/28). The preferred media for this purpose are computer diskette, compact disc (CD) or e-mail attachment.

Treaties submitted should be in WordPerfect 6.1 for Windows, Microsoft Word 2000 for Windows or as a text file (the generic ASCII text) or image (TIF) format.

Each treaty submitted in electronic format for registration should also be accompanied by one certified true copy on paper in accordance with the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations. The certifying statement accompanying such a submission must state that both the electronic copy and the paper copy of the treaty are true and complete. The paper copy must be machine readable and legible for use by the Optical Character Recognition (OCR) mechanism employed in the UNTS desktop publishing process. It must be clean, sharp, with clear character definition and uncut. It is reminded that the submission of treaties in electronic format will clearly contribute to cost savings, enhance efficiency and expedite the registration and publication processes.

All electronic submissions by e-mail should be transmitted to TreatyRegistration@un.org

Member States which are not in a position to submit treaties in electronic format should continue to submit one certified true copy and two additional copies on paper, as required under article 5(2) of the General Assembly Regulations to give effect to Article 102 of the Charter.

Treaty publications on the Internet

The Legal Counsel is also pleased to inform the Member States that electronic copies of the *Statement of Treaties and International Agreements*, published monthly, and of all depositary notifications are available at <http://untreaty.un.org>

The Treaty Section will continue to discharge its mandate under Article 102 of the Charter and the relevant General Assembly regulations. Furthermore, consistent with the wishes of the Member States as reflected in General Assembly resolution A/RES/51/158 of 16 December 1996 and subsequent resolutions, the Treaty Section has already placed in excess of 2,100 volumes of the UNTS, the status of Multilateral Treaties Deposited with the Secretary-General and many other publications on the Internet and will continue to explore new methods for expediting the registration and publication processes with a view to finally eliminating the historical publication backlog in 2003. It is noted that the realization of this objective is dependent also on the active cooperation of the Member States, especially with regard to courtesy translations in English and French.

The Legal Counsel greatly appreciates the continued cooperation of Member States in these matters.


21 January 2003