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Chair: Mr. Salinas Burgos (Chile)

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The meeting was called to order at 10.05 a.m.

Agenda item 80: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

1. **The Chair** drew attention to the Secretary-General's report on the topic (A/66/505). He invited Ms. Morris, Secretary of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and Principal Legal Officer of the Codification Division, to deliver an informal briefing to facilitate the consideration of the agenda item.

2. *An informal briefing, provided by Ms. Morris, Secretary of the Advisory Committee and Principal Legal Officer of the Codification Division, was followed by a screening of the audio-visual presentation entitled "Dag Hammarskjöld and the Development of International Law".*

3. **Ms. Quezada** (Chile), speaking on behalf of the Rio Group, said that the dissemination of international law was fundamental for ensuring compliance with the rule of law and the purposes and principles of the United Nations, in particular with respect to achieving the peaceful settlement of disputes. Fellowships and courses on international law had a multiplier effect by enabling entire generations of law students from all corners of the world to learn from first-rate legal experts. In view of the challenges described in the Secretary-General's report (A/66/505) that had prevented such courses from being organized regularly, the Programme's secretariat should consider joining forces with regional and subregional bodies with offices in the field, including the Organization of American States, which offered training in public and private international law that was compatible with the purposes of the Programme.

4. Applauding the hard work that the Codification Division had put into establishing and maintaining valuable international law-related websites, he appealed to all Member States to make or increase their voluntary contributions to the Audiovisual Library of International Law, pursuant to General Assembly resolution 65/25.

5. The Codification Division's publication of the United Nations Juridical Yearbook, the Yearbook of the International Law Commission and other publications

and its desktop publishing programme had greatly benefited the academic community. In particular, the published summaries of the decisions taken by the International Court of Justice in all the official languages of the United Nations were often the only way teachers, researchers and students in Rio Group countries could have access to that case law, which was produced only in English and French. That jurisprudence was in constant flux, and familiarity with it was a must for a proper understanding of the evolution of the rules of international law. No effort should be spared in maintaining that collection and in assuring its widest possible dissemination at the national level. He welcomed plans to publish summaries of the judgments and advisory opinions of the Permanent Court of International Justice.

6. In connection with General Assembly resolution 65/25, which had not provided new budgetary resources for the Programme, he noted that there had been a 6 per cent reduction in the funds allocated for the International Law Fellowship Programme for the biennium 2010-2011. A different solution was needed to ensure the implementation of the Programme in the 2012-2013 biennium; she therefore urged Member States, in particular those from the developed world, to increase their voluntary contributions. The suggestions for remedying the situation, as outlined in paragraph 68 of the Secretary-General's report (A/66/505), should also be explored.

7. **Mr. Kamau** (Kenya), speaking on behalf of the African Group, said that the Programme of Assistance had been set up in 1965, principally at the initiative of African States, to promote the rule of law through the teaching and dissemination of international law, especially among lawyers in developing countries.

8. The financial and other resource constraints identified in the report of the Secretary-General (A/66/505) needed to be urgently addressed, because the Programme's fundamental purpose could not be fulfilled without adequate financial resources. Furthermore, African States could not take up their rightful role in international organizations without their own experts having the proper training and access to information. The Codification Division had made commendable efforts to revitalize the Programme of Assistance and to maintain the number of fellowships for the International Law Programme at The Hague Academy through cost-saving measures. The African Group was pleased that two regional courses in

international law had been planned in Addis Ababa in the coming years and commended the Ethiopian Government for hosting them.

9. The Charter of the United Nations was a principal source of international law, and Member States had an obligation to promote and advance international law as provided for by the Charter. The purposes and principles of the United Nations could only be achieved through adequate teaching, study, dissemination and wider appreciation of international law. Adequate resources were needed from the regular budget to sustain the Audiovisual Library of International Law and the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and to enable the Secretariat to publish research papers and other materials on international law, making it easier for Member States with limited Internet facilities to access the latest publications. The African Group therefore encouraged Member States to make voluntary contributions to the Programme of Assistance trust fund.

10. **Mr. Pham Vinh Quang** (Viet Nam), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that the Programme of Assistance was a vital component in the progressive development of international law and in building the respective capacities of States. The Programme provided valuable opportunities for the United Nations and its Member States to engage in matters concerning international law through fellowship programmes, seminars, study visits and other platforms. ASEAN was encouraged by the Programme's deeper engagement with Member States, including the holding of a regional course in international law in Addis Ababa in February 2011. Two of its own Members had hosted such regional courses in past years.

11. ASEAN welcomed United Nations efforts to make international law more accessible to a wider global audience through the use of information and communications technologies. Web-based research, web-accessible documents and the digitization of audio and visual files helped bridge the knowledge and information gaps in international law. The awarding of 19 fellowships to the International Law Programme in The Hague was another positive development.

12. Nonetheless, the Programme of Assistance was facing funding problems that seriously impacted its implementation, especially with regard to regional

courses, the Audiovisual Library of International Law, the desktop publishing programme and the technical assistance provided by the Treaty Section on the registration of treaties, depositary practice of the Secretary-General and final clauses. ASEAN welcomed the voluntary contributions of some Member States to the Programme of Assistance and urged others to consider doing the same. It was also important for complementary efforts to be undertaken at the regional level to promote the teaching, study, dissemination and wider appreciation of international law.

13. **Ms. King** (New Zealand) said that the work of the Programme of Assistance was one of the cornerstones of the United Nations efforts to promote international law. Her Government was pleased that regional courses in international law for Asia and the Pacific and for Africa had been organized recently, and it supported the efforts of the Codification Division to further revitalize that important training activity, which provided an invaluable opportunity for young lawyers in government foreign and justice ministries and in university law faculties to receive high-quality training by leading scholars and practitioners in a broad range of subjects in international law.

14. Her Government had recently made a voluntary contribution to the regional courses through the Programme of Assistance trust fund and hoped that the contribution would support the Programme in conducting further regional courses in international law. Noting that the Governments of Ethiopia, Thailand and Mexico had indicated their willingness to host courses in their regions in the coming years, she expressed the certainty that such courses would be of significant benefit to young lawyers fortunate enough to attend and would enhance collective efforts to promote the understanding of and respect for international law. Lastly, she encouraged other States to consider making a voluntary contribution to the Programme.

15. **Mr. Sánchez Contreras** (Mexico) said that his Government applauded the achievements of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, especially the efforts made to preserve materials related to international negotiations, expand the United Nations Audiovisual Library of International Law and make audio and video materials more accessible through the use of new technologies. He also welcomed the efforts made by the Codification

Division to organize regional courses in international law and prepare yearbooks, reports and other publications on the subject.

16. His Government was committed to strengthening all actions and programmes aimed at the dissemination of international law and to supporting the Programme of Assistance. However, it was a matter of concern that lack of funding would impede the implementation of many of the recommendations contained in the report of the Secretary-General (A/66/505).

17. His delegation therefore supported the request made to the Programme's secretariat to continue exploring alternative funding mechanisms, and it stood ready to contribute to efforts designed to generate support and contributions from Member States for the International Law Fellowship Programme.

18. **Ms. Habtemariam** (Ethiopia) said that the scope of international law was expanding and included the rights and obligations of individuals, groups and international organizations, both private and public, as well as international trade, environmental protection and human rights. That fact made it necessary to expand the teaching, study and dissemination of international law, and efforts in that regard within the framework of the Programme of Assistance in the coming years were therefore most welcome.

19. As a member of the Advisory Committee, Ethiopia had demonstrated its commitment by hosting the regional course in international law for the African region in February 2011 and looked forward to hosting a second regional course in 2012. The course provided lawyers from the developing and least developed countries the opportunity to learn about contemporary issues in international law. Regional courses should be further expanded to address the growing needs for dissemination and teaching in that field.

20. **Ms. De** (India) said that one of the international community's principal goals was to establish sound international legal norms to govern international relations. Better knowledge of international law strengthened peace and security and promoted friendly relations between States. She noted with appreciation the plans to hold several regional courses in the near future, which would provide a unique opportunity for participants to focus on contemporary issues affecting their regions. Noting the resource constraints facing the Programme of Assistance in the 2012-2013 biennium, as described in the Secretary-General's report

(A/66/505), her Government supported the idea of meeting the financial requirements of Programme activities from the regular budget.

21. **Ms. Millicay** (Argentina) said that the Programme of Assistance served as a tool not only for the promotion of international law and the rule of law, but also for capacity-building, particularly in developing countries. The United Nations had several publications and resources which were vital for research and learning in the field of international law and were used by public officials, professionals and students in many Member States. The Audiovisual Library, in particular, provided academics around the world with access to the invaluable historical archives of the United Nations.

22. Argentina, which in 2008 had hosted the regional workshop for Latin America of the International Tribunal for the Law of the Sea on dispute settlement issues under the 1982 Law of the Sea Convention, hoped that such workshops would promote not only the peaceful settlement of disputes and acceptance of the jurisdiction of the Tribunal, but also universal understanding of that branch of international law.

23. While it was regrettable that no Hamilton Shirley Amerasinghe Memorial Fellowship had been awarded in 2007, 2008 and 2009 owing to insufficient funding, it was encouraging to see that one had been awarded in 2010 thanks to the financial support provided on an ad hoc basis from the Trust Fund for the Promotion of International Law. Nonetheless, lack of funding for the Fellowship continued to be a matter of concern and all Member States should support efforts to maintain the tradition of granting the award on an annual basis.

24. Although specific information on training activities on the law of the sea was provided in the report of the Secretary-General on oceans and the law of the sea (A/66/70), a short presentation on the Fellowship should be made to the Sixth Committee in order to attract financial contributions to the Trust Fund.

25. Lastly, she asked whether there were any plans to make the Audiovisual Library of International Law more accessible to Spanish-speaking countries.

26. **Ms. Morris** (Office of Legal Affairs) said that the United Nations did its best to promote multilingualism, but that budgetary constraints and limited resources prevented it from providing training in all languages.

27. **Mr. Válek** (Czech Republic) said that his Government had always considered the Programme of Assistance to be closely linked to the rule of law, as there could be no universal compliance with international law without the dissemination of knowledge on the subject. The Programme was seen as the core activity of the United Nations, as it was aimed at strengthening the purposes and principles on which the Organization was based. All of the activities described in the Secretary-General's report (A/66/505) should be maintained, including the expansion of the Audiovisual Library of International Law, to which his Government had contributed financially. He welcomed the revitalization of the regional courses in international law and expressed the hope that such a course would be organized in his region as well.

28. As a member of the Advisory Committee on the Programme of Assistance, his Government was well aware of the continued need for voluntary contributions to maintain the Programme. He commended all States that had made contributions to keep it running and said that the possibility of using the revenue generated by the sale of Codification Division publications should be seriously considered.

29. **Mr. Zemet** (Israel) said that international law was the cornerstone of peace and security and played a key role in facilitating relations between States. His Government wholeheartedly supported all efforts to enhance the dissemination and wider appreciation of international law, in particular through the Programme of Assistance. He commended the Codification Division for the Programme's accomplishments and stressed the importance of regional seminars and the Audiovisual Library of International Law in the effort to enhance international law education for scholars and officials across the globe. He expressed confidence that sufficient funding would be found to facilitate the adequate functioning of those activities.

30. **Ms. Kaewpanya** (Thailand) said that the award of fellowships to candidates from developing countries and the organization of regional courses had helped enhance the knowledge and expertise of practitioners and added great value to the work and credibility of the Programme. Her Government strongly supported the objectives of the Programme of Assistance and reflected that commitment through its contributions to the Organization's regular budget, engagement in South-South cooperation and hosting a regional course in 2012, paving the way for Thailand to become a

permanent centre for such courses. It had also made a modest contribution of US\$ 3,000 to the Audiovisual Library of International Law. Her Government had offered to host the annual session of the Asian-African Legal Consultative Organization in 2013.

31. It was crucial for adequate resources to be provided to the Programme of Assistance from both the assessed and voluntary contributions of all Member States. Her Government was concerned that, despite increasing demand for international law training, it had not been possible to provide fellowships or to organize regional courses on a regular basis, owing to a lack of financial resources. Member States had a responsibility to remain mindful of the Programme's funding requirements and ensuring its smooth functioning.

32. **Mr. Hill** (United States of America) said that his Government was pleased to be a member of the Advisory Committee for the Programme of Assistance, which made a great contribution to educating students and practitioners throughout the world in international law. That knowledge furthered the rule of law at the national and international levels and gave new generations of lawyers, judges and diplomats a deeper understanding of the complex instruments that governed an interconnected world. He expressed appreciation for the creative ways in which the Codification Division had been able to keep important programmes going despite limited resources.

33. **Ms. Taratukhina** (Russian Federation) commended the efforts of the Codification Division to maintain the fellowship programme at the Hague Academy of International Law and organize regional courses on international law. The study and systematization of the preparatory materials associated with various international treaties should be continued as part of the expansion of the Audiovisual Library of International Law. The work of the Treaty Section of the Office of Legal Affairs in offering assistance concerning participation in multilateral treaties, registration of treaties with the Secretariat and depositary practices was highly valued. Her Government believed that Programme activities for the 2012-2013 biennium should be carried out in accordance with the recommendations contained in the Secretary-General's report (A/66/505) and be funded through regular budgetary allocations and actively solicited voluntary contributions.

34. **Mr. Bin Mohamad** (Malaysia) said that his delegation was pleased to see that, after many years of inaction, regional courses in international law had been held in Asia and Africa in 2010 and that Thailand had agreed to host the next regional course for lawyers from developing countries. He commended the African Union for its generous contribution to sponsor the regional courses in Africa, and applauded the fact that 19 fellowships had been awarded in 2011 under the International Law Fellowship Programme.

35. His delegation welcomed the cost-saving measures taken by the Codification Division to ensure that a maximum number of fellowships were awarded. However, despite those efforts, the Programme of Assistance as a whole still faced financial difficulty. Member States should therefore continue to make voluntary contributions to the Programme.

36. In that connection, Malaysia had contributed US\$ 50,000 in 2010 to the United Nations Institute for Training and Research (UNITAR) Fellowship Fund to enable participants from developing countries to attend some of the courses offered by UNITAR. Lastly, his delegation supported the idea of allocating revenue generated from the sale of legal publications prepared by the Codification Division to the Programme of Assistance.

37. **Ms. Kakee** (Japan) said that her delegation welcomed the regional courses in international law that had been held in Ethiopia and the Republic of Korea in 2010. She commended the accessibility and exceptional quality of the Audiovisual Library of International Law, which her Government had done its utmost to disseminate to international lawyers and professors across the country through a promotional video. Japan had always made contributions to fund and disseminate information about the Library, and urged other Member States to do likewise.

38. **Mr. Kotze** (South Africa) said that the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was a core United Nations activity that should be supported as an important tool for promoting the rule of law at the national and international levels. It was regrettable that it had not been possible to organize regional courses on a regular basis owing to a lack of financial resources. Nonetheless, his delegation was pleased that the Government of Thailand had indicated its willingness

to host a regional course in Asia in 2012; that the Government of Mexico had expressed interest in hosting a regional course in Latin America and the Caribbean in 2013; and that the Hague Academy of International Law might expand its cooperation with the Codification Division to include those regional courses.

39. He commended the efforts of the Codification Division to contribute to the education of students and practitioners of international law worldwide and looked forward to the Division's consideration of the possibility of issuing a publication relating to the responsibility of States for internationally wrongful acts. He also welcomed the continued distribution of United Nations publications to institutions in developing countries.

40. The Audiovisual Library of International Law represented a major contribution to the teaching and dissemination of international law, providing as it did an opportunity for all, regardless of location, to benefit from the knowledge of eminent experts. Member States were therefore urged to contribute in support of what was a remarkable initiative.

41. **Mr. Pavlichenko** (Ukraine) said that the efforts of the Codification Division to maintain the Programme of Assistance despite the substantial lack of funding were much appreciated, as were the cost-saving measures taken with regard to the International Law Fellowship Programme. His delegation welcomed efforts being made to resume the regular practice of regional courses and to expand and improve the Audiovisual Library of International Law.

42. His Government was a strong supporter of the Assistance Programme as an important source of knowledge in international law for the international community, especially for developing countries and countries with emerging economies, but it was concerned by the chronic lack of available resources for its activities. It therefore encouraged Member States not only to make voluntary contributions but also to take steps to ensure the continuation of the Programme, including appropriate funding from the regular budget and even the use of alternative funding mechanisms such as revenues generated from the sale of legal publications prepared by the Codification Division.

43. **Ms. Ní Mhuircheartaigh** (Ireland) said that the training and dissemination methods used by the

Programme of Assistance had been defined by innovation and the use of modern technologies. The Audiovisual Library of International Law, in particular, combined top-class academic resources with multimedia historical archives to bring international law to life, thereby contributing to a greater understanding of international law and the history and development of the United Nations itself.

44. Her delegation was pleased with the resumption of the regional courses in international law and with the cost-saving measures adopted to help increase the number of participants in the International Law Fellowship Programme. Ireland had made modest but consistent voluntary contributions to the Programme of Assistance over the years; it urged other Member States to consider doing likewise.

45. **Ms. Quezada** (Chile) said that the study and dissemination of international law was vital in modern society and should be supported. In that regard, Chile had made voluntary contributions in the past to fund the law of the sea fellowships and had also made a US\$ 10,000 contribution to the Programme of Assistance in 2011. It would also be hosting the External Programme of the Hague Academy of International Law for Latin America in October 2011, which would enable 40 young participants from the region to further their knowledge of international law.

46. **Mr. Moghavvem** (Islamic Republic of Iran) said that the Programme of Assistance had made important contributions to the appreciation of international law and its role in international relations. The launching of the Audiovisual Library of International Law was a good example of how the Programme made full use of available resources, including modern technologies, to discharge its mandate and expand its audience. His delegation welcomed the Codification Division's initiative to organize regional courses in international law, which provided high-quality training by leading scholars and practitioners on a broad range of core subjects of international law, as well as specific subjects of particular interest to developing countries in a given region.

47. Lastly, his delegation emphasized the need for sustainable and adequate resources from both the regular budget and voluntary contributions in order to enable the Programme to continue its work.

48. **Mr. Onowu** (Nigeria) said that the Programme of Assistance had made commendable efforts to ensure

that training activities were available to lawyers from developing countries, including the regional course held in Ethiopia in 2010. The Programme was a vital tool for enhancing State capacity and expertise in important areas of human development and therefore deserved support. His Government welcomed the efforts made to preserve, digitize and disseminate audiovisual materials in order to foster understanding of the role of the United Nations in the progressive development and codification of international law.

49. His delegation urged Member States to reinforce the Programme's funding position and to even consider using revenues generated from the sale of legal publications to that end.

50. **Ms. Gasu** (Ghana) said that the Codification Division had been diligent in fulfilling its responsibilities regarding the Programme of Assistance despite financial constraints. The training course offered in Addis Ababa in February 2010 had allowed 32 young lawyers from English-speaking African countries to further their understanding of a broad range of subjects in the field of international law.

51. Nonetheless, it was distressing to note that, despite the growing demand for international law training, financial constraints threatened the Programme's ability to promote the rule of law through the teaching and dissemination of international law. Indeed, there was a risk that the second course, scheduled to take place in Addis Ababa in 2012, might be cancelled if voluntary contributions were not received.

52. Her delegation therefore called on Member States to urgently address the challenges facing the Programme, especially the financial and other resource constraints identified in the report of the Secretary-General (A/66/505). Member States that were in a position to do so should make voluntary contributions to the trust fund established to support the activities of the Programme of Assistance, although the Programme should be financed principally from the regular budget in order to remain sustainable.

53. **Mr. Zappala** (Italy) said that the Programme of Assistance was a core United Nations activity that helped to promote the fundamental goals of the Organization, because the study, teaching, dissemination and wider appreciation of international law was instrumental in preventing conflicts and fostering the peaceful settlement of disputes. His

delegation commended the Codification Division for using new technologies and adopting cost-saving measures to ensure the Programme's financial sustainability. It was important for the Programme to be funded adequately in order to continue serving the international community.

54. **Mr. Idris** (Eritrea) said that the Programme of Assistance was an important and essential activity in the field of international law that strengthened international peace and security and promoted friendly relations among States. Moreover, it helped to promote the rule of law through the teaching and dissemination of international law, particularly for lawyers in developing countries, including his own.

55. His Government was convinced that the Audiovisual Library of International Law was a useful tool for fostering a better understanding of the role of the United Nations in the field of international law and would continue to support it. The Programme should receive adequate funding from the regular budget to supplement the voluntary contributions from Member States.

56. **Mr. Karanouh** (Lebanon) said that the Programme of Assistance contributed to strengthening international law and the rule of law, and he commended the efforts of the Office of Legal Affairs, in particular its Codification Division. The establishment and ongoing development of the United Nations Audiovisual Library of International Law was in itself an achievement to be sustained and supported. The Library was a valuable repository of international law for legal practitioners, academics and even diplomats. In Lebanon, the number of those using its services had quadrupled in only two years. The regional courses in international law and the International Law Fellowship Programme were also welcome because they provided opportunities for practitioners in developing countries to broaden their knowledge of contemporary issues of international law. The legal publications prepared by the Codification Division were likewise particularly important, and the hope was that they would be made available in Arabic, wherever possible.

57. Given the inevitable need for additional resources to expand and develop the Programme's activities, he joined in calling on States and all other stakeholders to provide material or in kind support for that purpose. Also worth exploring were alternative means of

resolving the funding shortage, such as training individuals at the regional and local levels who could then impart their knowledge to practitioners in their own countries.

58. International law was the common denominator uniting all countries alike, stemming as it did from their belief in the need for a global framework that would guarantee their sovereignty, independence and security, the stability of relations among them on a basis of justice and equality, and respect for basic human rights. As a member of the Advisory Committee, Lebanon would continue its support for the Programme of Assistance.

59. **Mr. Sul Kyung-Hoon** (Republic of Korea) said that his delegation commended the efforts of the Codification Division to strengthen and revitalize the Programme of Assistance and to promote the rule of law. With the growing demand for international law training and dissemination, it was important to enhance the Programme's efficiency through the use of new technology. The Programme should also be streamlined in order to make better use of its limited resources, as exemplified by the Audiovisual Library of International Law, which delivered low-cost, high-quality online training on a global scale.

60. His Government was firmly committed to the objectives of the United Nations Programme of Assistance. It should be borne in mind, however, that any training activities organized under the Programme must be tailored to the specific needs of its target audience.

The meeting rose at 12.55 p.m.