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COMMENTS RECEIVED FROM GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS
AND INSTITUTIONS REGARDING TECHNICAL ASSISTANCE TO PROMOTE THE
TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF
INTERNATIONAL LAW

Addendum

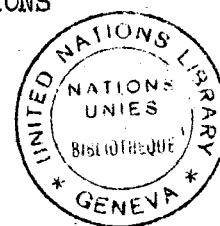


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Part One

OBSERVATIONS FROM GOVERNMENTS OF MEMBER STATES

AFGHANISTAN^{1/}

[Original: English]

25 July 1963

1. Afghanistan is in need of an increased number of Afghan experts in the field of international law. To fulfil this objective Afghanistan has taken the following steps:

(a) Among the staff of the College of Law of Kabul University there are two full and one part-time professors of international law. In addition, under an agreement reached between the University of Kabul and the Faculté de Droits in Paris, a French professor is also engaged in the teaching of international law. Furthermore, there are two Assistant Professors who at present have been sent abroad for higher study.

(b) There are five outstanding students in their final year at the College of Law of Kabul University, and it is the intention of the Government that they should be trained in the field of international law.

2. Training. In the third and fourth years of the College of Law of Kabul University, among other subjects, a complete course on international law and international organization is included. To give further strength to this programme, the College of Law intends to add during the third and fourth years seminars and courses for discussions in the field of international law, and special attention to be paid to students who will be sent abroad for further training.

3. Libraries. Although the libraries of the College of Law of Kabul University, and the Ministry of Foreign Affairs, contain some legal materials, there is not enough for scientific research and basic study of international law. Therefore, Afghanistan is in need of books and materials dealing with legal subjects, and aid in this respect from the United Nations, member nations, or private institutions is welcomed.

^{1/} General observations by Afghanistan are contained in document A/5455. The present observations were submitted in reply to the questionnaire transmitted by the Secretary-General to Member States on 20 March 1963.

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4. Afghanistan is in need of highly qualified professors of international law and would appreciate the help of the United Nations in obtaining their services. These highly qualified professors could also advise the College of Law in the selection of students to be sent abroad for higher study.

5. The Government of Afghanistan believes that during the Decade of International Law, comprehensive and practical texts on international law, for the use of universities and students of law, should be published by a group of eminent international lawyers under the auspices of the United Nations and UNESCO, to be translated in all languages, for the further dissemination and wider appreciation of international law. Afghanistan, on its part, will take steps to translate such texts into its own languages (Persian and Pashto) for the use of its law students.

6. The Government of Afghanistan expresses its warmest support, as it did in the seventeenth session of the General Assembly, in proposing it, the proclamation of a Decade of International Law, as detailed in its note of 1 May 1963.

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ARGENTINA

[Original: Spanish]

16 July 1963

Question 1: Public international law is taught in all Argentine law faculties, including both those at State operated and those at private educational institutions. In some there are special seminars on the subject, which in many cases are part of the course leading to a doctorate in law.

The Faculty of Economic, Political and Social Sciences of the Universidad Nacional del Litoral (National University of the Coast) has a School of Diplomacy which has arranged a number of special courses and seminars on public international law. Other private universities have recently established schools of diplomacy. The National Foreign Service Institute, which comes under the Ministry of Foreign Affairs, is active in this field.

All these institutions exchange their publications, many of which maintain a very high standard. The School of Diplomacy of the Universidad del Litoral publishes the Revista de Derecho Internacional y Ciencias Diplomáticas (Review of International Law and Diplomacy).

Argentina is not participating in any international programme covering grants or exchanges of teachers, although the national universities are carrying out a large-scale fellowship programme under which many of the recipients are sent to study at foreign institutions. It should be noted that education at Argentina's national universities is free.

Question 2: The Argentine Government would fully support the broad objectives of a programme of the kind indicated in the question and considers the exchange of teachers, students and publications on international law with other countries to be of particular value in the dissemination of this important subject of study.

In particular, it would be useful to promote periodic visits by teachers of international law to major world centres for the purpose of bringing their knowledge up to date, and it is most essential to establish a system whereby the country's principal libraries on international law could keep up to date by acquiring the latest books and publications.

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Question 3: The Argentine Government could, on the basis of a previously agreed programme, make the facilities of the national universities available to other countries. There are at present no aid programmes of that nature in connexion with the study of international law.

Question 4: The non-governmental institutions which could assist the training and dissemination programmes of other countries are our private universities, some of which employ noted teachers of international law.

Question 5: The entire programme relating to this matter and to the objectives set out in resolution 1816 (XVII) should, generally speaking, be on a multilateral basis, operating through the various United Nations agencies, principally UNESCO, which has already done work in the field of comparative law. However, bilateral projects should not be ruled out, since they are often more flexible than those of a multilateral nature.

In our opinion, the United Nations agencies should begin by making a comprehensive study of the existing needs of the developing countries in this connexion and then decide which agency is to be responsible for carrying out, or at any rate co-ordinating, the programme.

Once world-wide needs have been ascertained, it will be possible to determine what type of programme can be carried out and what type of country would benefit from it. Some countries have to send students abroad to study international law; other, more advanced, countries merely need to have teachers seconded or exchanged; finally, there are some which need no more than an intensive programme for the exchange of publications. Hence, it is impossible to determine what the United Nations and UNESCO can do in this connexion without first making a careful study of what is needed.

The programme should be financed by contributions from the most economically advanced countries with a view to the further promotion of international peace and security.

Question 6: Individual Governments and the United Nations should make a continuing effort to promote international law as a means of regulating relations between States and other subjects of international law.

The proclamation of a Decade of International Law, similar to the Development Decade, would allow too long a period for the attainment of a permanent objective

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and might well hinder its attainment through loss of momentum. This interesting project should be executed within a shorter period of time, possibly one year, during which all Governments could carry out an intensive campaign, with all means at their disposal, to disseminate knowledge of international law.

The practical success of the proposed Decade can best be ensured by the actual conduct of States, which are responsible for seeing that international law is fully effective. Their efforts to make their conduct conform to international legal standards are the best contribution they can make to the dissemination of international law and the creation of public confidence in it.

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CAMEROON

[Original: French]

12 July 1963

Question 1: Nil.

Question 2: Assistance from abroad - particularly from English-speaking countries - would be desirable.

The teaching of law in Cameroon at the present time is generally oriented towards the comparative approach. Although international law is not taught, the study of comparative law calls for knowledge of several national legal systems, and the University would like to develop this knowledge by recruiting bilingual lecturers with Anglo-Saxon legal training. Methods of paying for this will have to be worked out. The organization of lectures and seminars along the same lines is also desirable.

As to the teaching of international law as such, the University's needs in connexion with its present programmes are already as much as it can cope with.

Question 3: Nil.

Question 4: Nil.

Question 5: Set up and finance specialized chairs and provide personnel. Provide fellowships.

Question 6: It seems to us that the General Assembly should concern itself with more urgent questions, such as education and economic and social development.

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DENMARK

/Original: English/

23 July 1963

The Danish Government appreciates the efforts to extend the teaching of international law in order to promote the dissemination and knowledge of the same. \

As to the teaching in Denmark of international law it can be mentioned that the Danish higher school only slightly deals with international law, namely in disciplines and as history and the social sciences, but a planned new line, which is supposed to start in 1967, will also include international as well as constitutional law.

Both our universities have international law on their programmes. For the law students one course in international law is compulsory. Besides courses in international law, courses are usually offered in international organization.

However, the courses are given only in the Danish language, and it is possible to admit only a limited amount - and only after individual selection by the universities - of foreign students and scholars to study international law in Denmark and to give them the special assistance necessary unless they are sufficiently acquainted with the Danish language to follow the regular courses.

The Danish Government finds it most useful to establish wider possibilities for scholars of international law to go abroad for research in international law - and also to so-called economically less developed countries. Another practical means to promote the understanding and use of international law, as has been proposed by the University of Copenhagen, might be the preparation by the United Nations of a textbook in international law intended for universal use to obtain as objective a treatise as possible.

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GHANA

[Original: English]

26 July 1963

The Faculty of Law of the University has a well-developed programme of instruction including a three-year, non-professional Bachelor of Arts (Honours) in Law and a two-year, professional Bachelor of Laws degree. A competent teaching staff of about fourteen is mainly Ghanaian, with smaller representation from the United States and Britain. In the academic year 1963-64 when the entire five-year programme is operational, there will be approximately 150 students in the Faculty. Most of these students are Ghanaian; other countries represented are Nigeria, Nyasaland, South West Africa and Cameroon.

Included in the syllabus for the B.A. (Honours) in Law is a course in Public International Law, covering the traditional problems of customary and conventional international law as well as selected aspects of the structure and operation of international organizations. The Law Library includes a basic collection of texts and periodicals dealing with international law. Steps are also being taken to make Balme Library, the general University Library, a United Nations depository.

The Faculty of Law are keenly aware that beyond the needs for basic instructional programmes there is a pressing urgency to create facilities for research in many legal areas relevant to Africa's development. Plans have therefore been formulated within the University for the creation of a Centre for Advanced Legal Studies. The guiding principle in this planning is that such a facility should have a broad West African interest and should draw support not only from Ghanaian sources but also from other Governments and Universities in West Africa as well as Foundations and international agencies.

It is contemplated that the Centre would support and carry out research in many legal areas but with recognized emphases in African law, constitutional law and public international law. The heart of the Centre will be an adequate research library to support the empirical field investigations required in many areas. In addition to a permanent resident research staff, it is hoped that provision can be made for stipends for visiting research scholars, who will be provided with office space and clerical assistance.

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The proposed Centre would cater for the needs of Ghana and would permit the development of programmes for doctoral degrees in law in the University of Ghana. The faculty of Law are deeply committed, however, to the view that the urgent problems of concern to legal scholarship are not circumscribed by the present national boundaries in Africa. If problems are dealt with functionally, research efforts will readily cross such boundaries. While the result of scholarly inquiry cannot be dictated by political considerations, it seems inevitable that the results of soundly planned research will provide the building blocks with which workable structures of international co-operation and integration in Africa will be constructed.

Substantial financial support beyond that available within the University's budget must be found if the proposed Centre is to become a reality. A preliminary approach to an international Foundation will also be made in the near future. Assistance organized and channelled through the United Nations could be vital to the success of the Centre. In addition to monetary grants to be used for the general purposes of the Centre, the following types of assistance might be considered by the United Nations:

- (a) Provision of books and documents for the research library.
- (b) United Nations Fellowships to enable research scholars to carry out their work in the Centre; while many of these scholars would be African, the Fellowships should not be so limited.
- (c) Facilitation of visits by distinguished scholars for relatively short periods; such visitors might offer lectures to a wide range of interested persons in Ghana as well as provide stimulation for the resident Faculty and research staff.
- (d) Sponsorship of Conferences, in which the Centre would participate, involving scholars and public officials from many parts of Africa on the variety of international legal problems raised by African development.
- (e) Assistance in identifying problems with which the research programme of the Centre should be concerned.

The Government of Ghana considers the proclamation of a United Nations Decade of International Law a good idea and would support it in principle.

GREECE

[Original: English]

1 August 1963

Greece is, in principle, interested in obtaining technical assistance to promote the study, dissemination and wider appreciation of international law and would favour exchanges of teachers, students, and publications in this field. Her attitude would be further determined by the eventual decisions of the General Assembly with respect to financial and other matters connected with this problem.

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ISRAEL

[Original: English]

30 July 1963

Teaching

1. (a) In the Faculty of Law of the Hebrew University of Jerusalem, International Law is a compulsory subject for all undergraduate law students. It is taught within the framework of a one-year course (General Introduction to International Law), consisting of three hours per week, which are supplemented by regular tutorials as well as by weekly two-hour seminars extending over two terms.
(b) A number of students have, in the past, chosen International Law as their field of specialization, submitting the extended papers which are required as part of the curriculum, for the law degree at the University. Some of them have also pursued post-graduate studies in International Law, either in Jerusalem or abroad.

Research

2. While some facilities for advanced research exist in Israel - making use of the collection of library and documentation resources in the country which is largely adequate for research requirements on certain subjects - it is a fact that on various instances in the past research students and members of the Hebrew University academic staff wishing to undertake research abroad were unable to do so because of a lack of grants and fellowships.

Conversely, the shortage of funds is also preventing the Hebrew University from broadening the scope of teaching and research in International Law.

Library facilities

3. (a) The relatively limited facilities of the University libraries are in part to be attributed to the limited financial means which are at the University's disposal. Nevertheless, every effort is made to keep the Library reasonably supplied with necessary publications, new and old (including periodical literature) in this field.

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(b) A special United Nations Room has been set up at the National and University Library and it contains, apart from a nearly complete collection of the documents and publications of the United Nations and the various specialized agencies, a considerable number of League of Nations publications as well.

(c) A few standard books on International Law and related subjects are to be found at the Tel Aviv branch of the Hebrew University's Law Faculty which has been set up recently and is currently in the process of development.

(d) The National and University Library, Jerusalem, is linked through an exchange of publications scheme with a number of libraries and institutions of higher learning abroad. Among the books exchanged through this scheme there may also be found publications in the sphere of International Law.

(e) The library of the Ministry for Foreign Affairs possesses a large number of books and other materials on International Law topics, as well as a collection of League of Nations, United Nations and specialized agencies documents and publications. This library also contains a useful set of reports of international arbitrations and important serial publications of documents, although this is incomplete, especially for the earlier series.

Publications and visiting lecturers

4. (a) A volume of studies in Public International Law, in the Hebrew language, was published by the Law Faculty of the Hebrew University in 1961, in memory of the late Sir Hersch Lauterpacht. Various articles on International Law subjects have also been published in other periodicals and publications (such as in "Hapraklit", organ of the Israel Bar Association; "Scripta Hierosolymitana", published by the Hebrew University). There are also a number of other books and pamphlets dealing with questions of International Law in the Hebrew language, but financial stringency is a deterring factor in developing this literature. Questions of International Law of general interest are being adequately covered in the general

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Hebrew Encyclopaedia, of which sixteen out of a planned thirty-two volumes have already been published.

(b) A number of visiting lecturers have been invited to deliver lectures on International Law topics under the auspices of the Hebrew University of Jerusalem, and some of these have been subsequently published in book form. The Israel Branch of the International Law Association also arranges for talks by foreign and local lecturers on topical problems of International Law.

5. Consistent with its belief that the development of International Law is an important means for safeguarding international peace, this Government wishes to express its general support in principle for the proposal to proclaim a United Nations Decade of International Law dedicated to the dissemination of International Law. Such a decade could be utilized, inter alia, for an intensified study of International Law, and in particular of the law of the United Nations and other international organizations and institutions, as well as of those branches of International Law which have direct relevance to the maintenance of peace. This Government reserves its right to comment more fully when the proposals regarding the concrete steps which the sponsors of this proposal have in mind are made known.

LEBANON

/Original: French/

31 July 1963

The replies will be given in the same order as the questions.

It must be noted, by way of introduction, that international law is taught only at Lebanon's three Faculties of Law.

The level of instruction is fairly elementary: so far as the French-language Faculty of Law is concerned, the courses are those for the Licence en Droit in accordance with the official syllabus in France, and in the other two Faculties, which are Arabic language (University of Lebanon and Arab University); the courses again are of the same type and in the same tradition.

There is one exception however: the Doctorate courses given at the French-language Faculty of Law naturally include a special course in advanced international law.

In other words, the absence of study and research centres specially devoted to international law in all its aspects is keenly felt in Lebanon, which, by reason of its historical traditions and of the place it occupies in various fields, is naturally inclined to revivify, in the vast sphere of contemporary law, the currents of international life, which constantly nourish it and determine its particular character.

In the light of this dilemma, some suggestions are made in connexion with the replies to the various points of the questionnaire.

Question 1: Unfortunately - as regards what has been done, or rather what has not been done, up to now - the reply can only be what has just been stated. As to the future, nothing is in prospect at the present time; no projects and no plans appear to be in sight. Everything is still to be planned - and carried out!

Question 2: This question, coming after the reply given to the first, calls for a suggestion which, it is to be hoped, will not be academic:

(a) The Lebanese Government, which is engaged in the immense task of reconstructing the State and strengthening its social foundations, could not but embark upon international studies with a view to disseminating a genuinely international spirit, based on the idea of law, among the élite and among all

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classes of its population, which is remarkable for its vitality and permeated with individualism.

(b) Thus, the whole programme of activities outlined in question 2 could be systematically - and above all progressively - applied. However, it presupposes the establishment of adequate machinery. For a start, we would suggest:

- the creation of a university-level Institute of International Studies;
- the formation of a Lebanese International Law Association;
- the publication of a quarterly International Law Review, which from the beginning should be an organ of such standing as to command a hearing in international circles.

It will have to be possible to use all three languages - Arabic, French and English - in these three projects.

(c) In Lebanon the study of international law would have a specific character whose elements would be derived from the contemporary Arab world and its history and from the special features of Lebanon's own history; in particular, an effort would be made to centre research about two axes which are in no way divergent but on reflection would seem to be complementary:

- the systems of international law which have succeeded one another in the Middle East, and in the first place that of Islam;

- the restoration of the Arab countries to the current of international life through the channel of law.

Question 3: As to the first part of the question, in view of what has just been said it does not seem possible, as things now stand, for Lebanon to give assistance to other countries. In a few years perhaps, after the training of specialists with the appropriate intellectual equipment, it might be in a position to disseminate the ideas and methods of international law in neighbouring lands.

Question 4: Assistance - albeit insufficient - could be given to the Arab countries by those who, in Lebanon, have a permanent connexion with the science of international law.

Question 5: Our suggestion could be put in two ways:

- (a) internationally recognized specialists experienced in techniques which could result in the establishment of institutions of the kind proposed under question 2 should be delegated by the United Nations and UNESCO for a relatively short period of time for the purpose of initiating the desired movement;

(b) the proposed institutions should from the start be made a part of the Faculty of Law, Arabic Section, of the University of Lebanon, which in the years ahead will turn out to be the natural training-ground of Lebanese jurists;

(c) these institutions should be financed in equal parts by the United Nations and UNESCO on the one hand and by the Lebanese Government on the other - like the International Committee for Translations of Representative Works, which has been operating in Lebanon since 1948.

Question 6: We cannot but applaud the proposal for the "proclamation by the General Assembly of a United Nations Decade of "International Law" - a great project which would mean for Lebanon a serious and sustained effort to improve its standing in the promotion of international law.

The means, apart from training programmes in international law, by which such a Decade could have practical effects, might be derived from modern information techniques: broadcasts, symposia, school programmes, films, etc. - a considerable undertaking which, especially if it is to extend over several years, would call for very careful planning.

ROMANIA

/Original: French/

2 August 1963

The Government of the Romanian People's Republic considers that the adoption of measures to promote the teaching, study, dissemination and wider appreciation of international law will help to bring about the better knowledge of the norms of international law needed to promote friendly relations and co-operation among States.

Question 1

In the Romanian People's Republic particular attention is given to the study, dissemination and wider appreciation of international law. With a view to creating cadres well grounded in this field, the educational system provides for the teaching of international law in the following higher institutions: faculties of legal sciences, faculties of commerce in institutes of economic sciences, and translators' departments in faculties of philology. International law is also taught in post-university courses for the training of diplomatic personnel.

With a view to intensifying the knowledge of international law acquired in university courses, scientific groups devoted to international law are organized in all faculties of legal sciences where students present papers and discuss problems in their field of study.

To train persons for the Candidate Degree (in international law) there are post-university courses and scientific research programmes (for a period of four or five years, called the "aspirantura" in Romanian) to which are admitted Romanian and foreign graduates in the legal sciences.

At present, young people from various countries are enrolled in post-university courses in international law in the Romanian People's Republic. There are likewise young Romanian graduates studying international law abroad.

The dissemination and wider appreciation of modern international law are fostered by the studies and scientific works published by the many specialists in this field.

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These are published either as separate works in book form, or else in the law journals put out by professional and specialized bodies in the Romanian People's Republic ("Legal Studies and Research", published by the Academy of the RPR, Romanian People's Republic; "University Annals" - Legal Sciences series; "New Justice", published by the Association of Jurists of the Romanian People's Republic, etc.).

These journals are distributed, by exchange, to more than 150 institutes in over forty countries. The countries with which the journals are exchanged include: Algeria, Belgium, Brazil, Bulgaria, Czechoslovakia, Switzerland, France, German Democratic Republic, Federal Republic of Germany, Italy, Yugoslavia, Japan, Mexico, Poland, Netherlands, Sweden, United States, Hungary, USSR, etc.

Question 2

The Romanian People's Republic possesses facilities for the teaching, study, dissemination and wider appreciation of international law, and would like to develop scientific and educational relations in the field of international law with other countries. With this in view, the following arrangements could be made to promote the wider dissemination of international law: exchange of fellows, conferences and international gatherings, exchange of specialists and specialized publications, translation of specialized literature into Romanian and translation of the most important Romanian works on international law into the main world languages.

Question 3

The Government of the Romanian People's Republic could help other countries to develop the study and wider appreciation of international law by granting scholarships in Romania and holding international specialized conferences in Romania.

Internships for young research workers in international law could also be provided in the Romanian People's Republic, and specialists in international law could be sent to universities in under-developed countries.

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Question 4

In the Romanian People's Republic, the Association of Jurists and the Law Research Institute of the Academy of the Romanian People's Republic are non-governmental bodies dealing with problems of modern international law.

Question 5

The United Nations and UNESCO could make a more substantial contribution to the dissemination and wider appreciation of international law.

Under their auspices and with their financial support as well as the financial help of other organizations, scientific relations in and a better understanding of the field of international law could be encouraged. Thus, it would be possible to hold conferences and international meetings, exchange specialists, publish studies and translate important works on international law into the main world languages.

Such activities could be financed by voluntary contributions from Member States.

Question 6

The possible proclamation by the General Assembly of a United Nations Decade of International Law would make a larger contribution to the dissemination and wider appreciation of the subject.

In order to make the United Nations Decade practically useful, a plan might be drawn up comprising recommendations that Governments should hold scientific symposia with the participation of international law specialists from other countries, publish studies on international law in specialized journals, etc.

SIERRA LEONE

[Original: English]

30 July 1963

Question 1: There are no programmes or training etc. in the field of international law. However Fourah Bay College hopes to have a law school which is expected to provide training in international law in the near future.

Question 2: Until the new law school referred to above is started, it is difficult to say what kind of assistance from abroad will be sought.

Question 3: It is unlikely that any help can be offered at present.

Question 4: Fourah Bay College, the University College of Sierra Leone, is one possible source of assistance.

Question 5: This is a matter of policy but the participation of UNESCO etc. in the establishment and development of programmes of training and dissemination of international law depends largely on the availability of funds which should come from Member States of the United Nations. The United Nations ought to direct its resources towards the co-ordination or research work undertaken by the various universities of the world. This may help in promoting a greater measure of uniformity in rules and principles of international law.

Question 6: This is also a matter of policy but such a proclamation must be welcomed by all lovers of peace.

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UNITED STATES OF AMERICA

[Original: English]

22 July 1963

I. General Observations

General Assembly resolution 1816 (XVII) constitutes, in the view of the Department of State, a constructive response to needs of the international community, particularly of the developing States. A principal benefit of the resolution should be, in the first instance, a determination of requirements for the teaching, study, dissemination and wider appreciation of international law. Upon determination of those requirements, resources can be mobilized to meet them.

While this survey is most effectively undertaken by the United Nations and the United Nations Educational, Scientific and Cultural Organization, it does not follow that the implementation of programmes to satisfy the requirements which the survey reveals should in all, or even in most, cases be undertaken by those organizations. To the extent available, national governmental and private resources should, in the view of the Department of State, be fully employed.

It is to be hoped that, in response to the stimulus of the Secretary-General's inquiry, there will result a wide-spread and sustained improvement in the teaching, study, dissemination and appreciation of international law. There is a need, particularly in the developing States, for the training of a cadre of international lawyers who will staff the legal offices, and inform the policies, of the world's Foreign Offices. There is the necessity of wider dissemination of international law and broader participation in its progressive development. Possibilities for the growth of United Nations publications in international law are discussed in the annexed answers to the questionnaire. The problem of promotion of the teaching, study, dissemination and wider appreciation of international law is, however, not a problem confined to the United Nations or to developing countries. In other countries as well, there is room for considerable progress.

Among steps which might well be considered is the publication of digests of international law which would, among other things, survey the state practice of the Government concerned. The digests of international law which have been successively published by the Department of State since 1877 have been a pioneer

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and progressive effort whose latest expression is Whiteman's Digest of International Law. In the view of the Department of State, the publication of digests by other Governments would be a signal contribution to making available to international legal scholarship and practice the raw material of international law. In this connexion, the Department is gratified to note that there is now in a stage of advanced preparation a British Digest of International Law. It should be noted, in a related vein, that there is published in the United Kingdom, under the auspices of the International and Comparative Law Quarterly, a periodic survey and comment on "The Contemporary Practice of the United Kingdom in the Field of International Law", an example which has been followed by the American Journal of International Law in its quarterly publication of "The Contemporary Practice of the United States Relating to International Law". Such surveys of contemporary practice might equally be published in other countries.

The Department's comments on a programme of United Nations international legal publications are set forth in its answers to the questionnaire. It may be added that, apart from United Nations publications, consideration might well be given to the expansion and reproduction of existing, standard works of international law. For example, International Law Reports, formerly known as the Annual Digest and Reports of Public International Law Cases, which begin with the year 1919, might profitably be pushed back to cover the years beginning with 1900. Steps to reproduce distinguished publications like The British Year Book of International Law, which have been out of print, are to be welcomed, and might well be extended to cover other works, particularly those which are not now available to the law libraries of developing countries.

The concern of The Hague Academy of International Law, with which American philanthropic interests have been identified from its beginnings, with the training of nationals of developing States is particularly to be commended. It is a source of gratification that a foundation bearing the name of Dag Hammarskjöld is associated with this programme of the Academy. Consideration might additionally be given to the initiation of a winter session of the Academy which might be especially designed to assist in meeting the needs of nationals of developing countries.

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II. Reply to the Secretary-General's Questionnaire

1. PROGRAMMES OF TRAINING AND DISSEMINATION IN THE FIELD OF INTERNATIONAL LAW

Programmes of training, student and faculty exchange, international conferences, and publication in the field of international law are conducted principally by private and state colleges and universities, by private professional societies, and individuals, and are supported by the resources of such colleges, universities, and individuals and by grants from private educational foundations.

A. Training

Training in international law is offered at three levels: (1) at the undergraduate level, in political science departments of colleges and universities; (2) at the graduate level, in political science departments of universities; and (3) as part of professional training at law schools.

Approximately 250 colleges and universities offer courses in international law in their political science departments. Approximately fifty additional institutions offer combined courses in international law and organization. The undergraduate student seeking a bachelor's degree in arts, and sometimes in sciences, often takes one or two courses in international law. Methods of training include lectures, seminars, and individual research.

Graduate students of political science may concentrate their studies in international law. Such training is primarily designed for persons who are engaged in or who intend to pursue careers in the diplomatic service or in teaching. The graduate student's programme is generally adapted to his particular research interests and concentrates on individual study, supplemented by seminars and conferences with professors. Universities with notable graduate programmes in international law include: American University, University of California, Columbia University, Cornell University, Duke University, Fletcher School of Law and Diplomacy, Georgetown University, University of Michigan, Princeton University, University of Southern California, Stanford University, University of Virginia, and University of Washington.

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Approximately eighty state and private law schools offer courses in international law. International law courses are normally available to both candidates for a degree of bachelor of laws (LL.B.) and candidates for graduate law degrees. (In the United States, candidacy for an LL.B., the professional law degree, requires possession of a bachelor's degree in arts or sciences or its equivalent.) Most law schools offer LL.B. degree candidates only a small number of international law courses, although at some institutions a more complete and concentrated international law programme is offered. Concentration in international law is available to candidates for the LL.M. or S.J.D. degree at most large law schools. Law schools are currently giving increased emphasis to public international law. Broad international law programmes attempt to relate public and private international law and the international dimensions of municipal law. Courses, seminars, and teaching materials deal with public international law, legal problems of international organization, international transactions, problems of doing business abroad, comparative law, and conflict of laws. At least fourteen law schools have comprehensive international law programmes: University of California (Berkeley), University of Chicago, Columbia University, Cornell University, Harvard University, University of Pennsylvania, Southern Methodist University, Stanford University, University of Texas, Tulane University, and Yale University. Harvard Law School offers an especially comprehensive programme of International Legal Studies, which includes more than a score of courses in public international law, international organization, international transactions, comparative law and conflict of laws. Its Programme in International Taxation, which emphasizes the problems of developing countries, has published a series of studies of the tax systems of a number of States, and trains foreign government officials in tax administration. Other law schools with substantial international law programmes include: University of California (Los Angeles), Duke University, George Washington University, Georgetown University, University of Illinois, Rutgers University, Syracuse University, and the University of Washington. Most foreign students attend law schools in the United States as graduate students, and are free to concentrate their studies in international law. Many law schools maintain scholarship programmes for foreign scholars, and programmes to support research in international law by scholars of whatever nationality, whether student or faculty.

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B. Student and Faculty Exchange and International Conferences

1. Law Schools

Every law school with an active international law programme is involved in student and faculty exchange programmes. Certain illustrative programmes are summarized below:

The University of California (Berkeley) and the University of Cologne, Germany, have a co-operative programme for exchange of teachers and scholars and for joint research.

Columbia University maintains a co-operative programme with the University of Leyden, the Netherlands, under which Columbia professors participate in programmes on American Law at the University of Leyden. A research project on Public International Development Financing relates to the legal aspects of development financing.

The University of Chicago offers a programme for students holding law degrees from countries of the British Commonwealth and a programme leading to a graduate degree from Chicago or the home university of the foreign student. A research and teaching project concerns the laws of new nations in Africa.

Cornell University. Scholars representing various legal systems participate in seminars concerned with general principles of law recognized by major legal systems.

Duke University. The Commonwealth Studies Centre is engaged in studies of the law and institutions of the member countries of the British Commonwealth. The World Rule of Law Centre conducts research and engages in publication on legal problems of world order.

Harvard University. As noted above, the Programme in International Taxation concentrates on the training of foreign officials. Particularly large numbers of foreign students study at Harvard Law School, and members of the faculty have lectured in various countries, including India, Japan, Poland, United Arab Republic, United Kingdom and the USSR. Students of the Law School operate an exchange programme for placement of American law graduates with foreign law firms and placement of foreign law graduates with American firms.

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Southern Methodist University operates co-operative programmes with the University of Chile Law School, the Institute of Comparative Law, and the School of Law at the National University of Mexico.

Stanford University operates a programme directed particularly towards India, Pakistan, and Ceylon, and brings government lawyers and law teachers from those countries to Stanford for training in United States law.

The University of Washington has inaugurated a programme relating to Japanese legal studies and has also engaged in co-operative programmes with the University of British Columbia, Canada.

The University of Wisconsin is studying land reform problems in Latin America and trains Latin American officials in legal as well as other aspects of land reform.

Several programmes are operated jointly by a number of law schools. The Project for the Staffing of African Institutions of Legal Education and Research (SAILER), under the auspices of the Institute of International Education, recruits teachers in the United States to serve on the staffs of African law schools. The Maxwell School of Public Administration at Syracuse University administers a co-operative programme which, on request, sends lawyers to serve in certain government positions in developing countries. Harvard University, the University of Michigan, and Stanford University have engaged in a joint programme with Japanese universities involving the exchange of students, teachers and judges.

2. Professional Societies and Foundations

The following is a partial list of activities of American professional societies and foundations relating to programmes of training and dissemination in the field of international law:

The American Society of International Law has established study programmes under which research fellowships are awarded for studies of international problems of federalism, legal aspects of space activities, and the legal environment for foreign investment.

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The American Bar Association Committee on World Peace Through Law has convened four regional conferences of lawyers to consider legal problems of international order, and, in July, 1963, a large number of lawyers from some 100 countries came together at Athens in a Conference on World Peace Through Law.

The Asia Foundation finances travel and other expenses of Asian lawyers and scholars studying in the United States, attending conferences, or observing scholarly and professional programmes, and has sponsored conferences of law teachers from Asian countries. The Foundation has also provided some American scholars for teaching assignments in Asian countries. Through a grant to the American Society of International Law, the Foundation has made it possible for Asian students in the United States to attend meetings of the Society.

Carnegie Corporation of New York. Among recent grants in international law studies are grants to the American Society of International Law, and to Columbia University for the work of the U.S. Commission on International Rules of Judicial Procedure.

Carnegie Endowment for International Peace. Among recent activities of the Endowment are: A survey of the teaching of international law abroad; sponsorship of meetings of international law scholars from the Americas to consider methods of improving teaching and research in international law in the Americas; and sponsorship of conferences of Asian teachers of international law.

The Ford Foundation has been a major supporter of programmes in international law studies. Most of its grants to law schools have included funds for fellowships for students and scholars from other countries. The Foundation has provided support for institutions in other countries, such as the Indian Law Institute and Indian School of International Studies (for visiting professors in International Law), Burma Law Institute, the Egyptian Society of International Law, the University of Istanbul, University of Cologne, the Hague Academy of International Law, and the International Law Association, and has supported American organizations such as the American Society of International Law, the American Law Institute (for a Restatement of U.S. Foreign Relations Law), the American Bar Association Committee on World Peace Through Law, the American Bar Foundation, and

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the American Association for the Comparative Study of Law. The Foundation has administered a programme of Law Faculty Fellowships which enables law teachers to undertake research on problems of foreign, comparative, and international law. The Ford Foundation has also given financial support to the publication of International Law Reports, which are edited in England by Mr. E. Lauterpacht, and to the publication of a British Digest of International Law.

The Rockefeller Foundation has provided funds to American law schools for fellowships for students from Africa and has supported research projects sponsored by the International Law Association.

C. Publications

The leading periodical publication in the United States on public international law is the American Journal of International Law, published by the American Society of International Law. This publication is exchanged with seventy legal publications in other countries. The Society also publishes International Legal Materials, a collection of current legal documents. Under recent grants, the Society has made gift memberships and subscriptions to individual scholars and libraries in Asia, Africa and Latin America. The leading periodical publication on comparative law is the American Journal of Comparative Law, published by the American Association for the Comparative Study of Law. Law reviews or law journals of law schools include articles on international law, and student international law societies at colleges and universities publish bulletins which include scholarly articles. Among other publications are reports of the proceedings of professional meetings, symposia, and conferences held under the auspices of professional societies, universities, and research organizations. A substantial number of books in the field of international law are published annually in the United States. Source material for international legal scholarship and practice, is, in addition, published by the Department of State, for example, in its Treaties and Other International Acts, documentary collections, and Digests of International Law, the latest version of which, Whiteman's Digest of International Law, commenced publication in 1963.

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2. OBTAINING ASSISTANCE AND GOVERNMENT EXCHANGES

The Department of State believes that General Assembly resolution 1816 (XVII) is primarily directed to the needs of developing States with respect to the teaching, study, dissemination and wider appreciation of international law. Accordingly, the United States Government does not seek, in pursuance of that resolution, to obtain assistance in promoting the execution of the programmes referred to in Question 1. Moreover, as indicated in answer to Question 1, programmes of training and dissemination of international law in the United States are carried on primarily by state (as distinguished from federal) and private universities, non-governmental professional societies, and foundations. Exchanges with other countries in order to promote the execution of the programmes described above can best be arranged directly with such state and private universities, professional societies, and foundations. The United States Government favours the most active participation and co-operation by United States institutions and nationals in such exchanges.

3. FURNISHING ASSISTANCE TO OTHER COUNTRIES

Among the needs in this sphere of certain of the developing countries are two: (1) the training of persons professionally competent in international law to advise foreign ministries, and (2) the education of private members of such national communities to cope with problems of international law and transactions and, more generally, to play their full role among an informed citizenry. These needs in turn require more, and more highly trained, teachers in international law and relations and related fields, education of students so that they may be in a position to benefit from such teaching, and improved library facilities. It is in areas such as these that the United States Government or private American institutions may be of assistance to developing States in the promotion of their programmes of training in and dissemination of international law.

The United States Government has existing aid programmes which could be used to make arrangements for the kinds of training envisaged by General Assembly resolution 1816 (XVII), notably the provision of teachers of international law. The international programme of the Bureau of Education and Cultural Affairs of the Department of State provides grants to individuals and institutions of learning.

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By mutual consent of the Governments concerned, the Department of State conducts each year educational and cultural exchanges involving approximately 2,000 United States citizens and 6,000 citizens from more than 120 foreign countries and territories. Grants are awarded for purposes of consultation and observation in specialized fields, and for study, teaching, university lecturing, and advanced research. Under this programme, American lawyers have conducted seminars and lectures in international law abroad.

4. NON-GOVERNMENTAL SOURCES OF ASSISTANCE

Reference is made to the answer to question 1, which sets forth non-governmental and state sources of assistance, notably colleges and universities, professional societies, and foundations.

5. UNITED NATIONS, UNESCO AND RELATED AGENCIES

An appropriate and valuable function of the United Nations, UNESCO, and other related agencies is precisely the inquiry undertaken by this questionnaire. A detailed survey of the needs of developing countries, as reflected in their responses to question 2, will facilitate the satisfaction of those needs through private, national and international efforts. The United Nations may wish to conduct further surveys from time to time, to ascertain what progress is being made in training in and dissemination of international law.

The United Nations programme of providing operational and executive personnel constitutes a readily adaptable avenue of technical assistance to developing States in the sphere of international law. United Nations provision of legal advisers requested and approved by host States for assistance in improving the legal services of their foreign ministries might well be established as an element of that programme. Such on-site training and assistance involves no absence of valuable national officials of developing countries from their governmental duties and, accordingly, is of double benefit to developing States.

A programme of advanced training in international law and organization, of an interne character, might be provided by the Office of Legal Affairs at United Nations Headquarters, in which a small number of selected foreign ministry personnel would serve temporarily with that Office. After a period of work,

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observation, and training, possibly supplemented by advanced university instruction, or training at The Hague Academy of International Law, lawyers from developing countries would return to the service of their Governments with increased professional knowledge and skill.

The publications of the United Nations and the specialized agencies make a notable contribution to the literature of international law. These extremely valuable publications must be sustained, and, in some cases, consideration should be given to their development. The Pleadings, Oral Arguments and Documents of the International Court of Justice should be published in both English and French, as are its Reports of Judgments, Advisory Opinions and Orders. Equally, the contents of the Yearbook of the International Law Commission should be published in both languages. The Reports of International Arbitral Awards should be pushed back to cover awards earlier than those rendered since the First World War. The indices to the United Nations Treaty Series should be brought up to date. The new Juridical Yearbook of the United Nations should not only cover current years, but all past years of United Nations history, particularly in its index to discussions and decisions of an international legal character in the United Nations and the specialized agencies. The Repertory of Practice of United Nations Organs should be kept as current as possible.

At the same time, steps should be taken to ensure that all States which have gained independence since the founding of the Organization have been provided with appropriate official documentation. Every foreign office library should, for example, possess a set of the volumes of the Documents of the United Nations Conference of International Organization, San Francisco, 1945, as well as selected official publications of the years when each State was not a Member of the Organization.

In the view of the Department, such programmes of survey, training and publication are particularly well suited to the United Nations system. Programmes which, in the view of the Department, the United Nations should avoid, are those which offer undue benefit to highly trained nationals of developed countries, and those which lead to competition in the propagation of particularistic approaches to international law. Programmes of United Nations action should not impinge upon or displace existing activities of national Governments and non-governmental

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institutions and foundations. Co-operative effort between programmes recommended by the Secretary-General and those carried forward by existing institutions, like The Hague Academy of International Law, should be carefully considered in accordance with resolution 1816 (XVII), which requests a study of possible assistance through the United Nations system "and other channels".

United Nations survey and publishing activities should continue to be financed as they currently are. The provision of legal advisers to foreign ministries, and the training of foreign office officials at United Nations Headquarters, should be financed in accordance with existing technical assistance arrangements. Possibilities of financial support by foundations for certain clearly defined projects should, however, be explored, and the Secretary-General should be authorized by the General Assembly to approach such foundations to that end.

6. POSSIBLE PROCLAMATION OF A UNITED NATIONS DECADE OF INTERNATIONAL LAW

In the view of the Department of State, the proclamation by the General Assembly of a United Nations Decade of International Law would be unprofitable. There is a danger that such a proclamation would give rise to undue expectations by attaching a rubric such as "Decade of International Law" to a programme which will, at least in so far as elements of it may be financed by United Nations sources, be modest, and whose processes will be unspectacular. More than this, the problems of a more effective international law transcend those of a decade.

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Part Two

OBSERVATIONS FROM INTERNATIONAL
ORGANIZATIONS AND INSTITUTIONS

LEAGUE OF ARAB STATES

[Original: English]

15 July 1963

I have much pleasure in informing you that, apart from the Arab League member States' reactions to the questions addressed to them, these States have, on joining the Arab League and signing the joint defence agreement, demonstrated their wish to carry into effect the purpose of the above resolution to disseminate international law and enhance its prestige.

The Arab League is a regional organization having specific general principles, chief among which are the consolidation of peace in this part of the world, and co-operation among member countries in the fulfilment of the aims enumerated in the League charter which are identical to those embodied in the United Nations Charter in general and to the provisions of Article 52 relating to regional organizations in particular.

The Arab League charter and the treaty of joint defence and mutual economic co-operation include a number of principles of general international law which are universally recognized and fully accord with international custom under the auspices of the United Nations Charter.

The Arab member States undertake to observe these principles in their reciprocal relations within the framework of the Arab League.

Some of these principles are:

First: Prohibition of war and prevention of recourse to force to settle disputes arising among member States. This is duly emphasized by article 5 of the charter, and the League Council is authorized under article 6 to decide the necessary measures to be taken to stop aggression.

Article I of the treaty of joint defence and economic co-operation stipulates that member States are willing to maintain peace and try to remove by peaceful means causes for international differences both in their mutual relations and in their dealing with other countries.

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Article 2 of the treaty of joint defence and economic co-operation allows member States to take steps to repel aggression and offer assistance to the country exposed to attack to restore peace and security in pursuance of the terms of Article 52 of the United Nations Charter, and notify the Arab League Council and the United Nations Security Council of the repulsion of aggression and the measures taken.

Second: International Arbitration: Article 5 of the charter stipulates international arbitration as a means of solving international disputes which may arise among member States of the Arab League. It also stipulates that the arbitration verdict passed in the event of resort to the League Council remains valid and legally binding.

Third: International Judicature: The Arab League charter provides for the setting up of an Arab Court of Justice to deal with disputes among member countries (article 11 of the charter).

Fourth: Co-operation with international bodies established to ensure peace and security and regulate economic and social relations (article 3 of the charter).

In addition to the terms of the Arab League charter and the treaty of joint defence and economic co-operation, the League has concluded a number of conventions and treaties which serve the international law and disseminate its terms among the nations. Of these agreements, I would cite the following examples:

1. Agreement relating to Writs and Letters of Request

This aims at facilitating litigation and ensuring equality between litigants by the adoption of a unified system of serving writs. It also aims at simplifying legal commission proceedings in Arab League member countries to enable the Court to take whatever steps it may think appropriate to ensure justice.

2. Reciprocal Enforcement of Judgements Agreement

The object of this agreement is to unify the means of carrying into effect the final judgements passed by the law courts of one member State for execution in another.

3. Extradition Agreement

This agreement deals with delivery by one member State to another of fugitives from justice to allow them to collaborate closely together in the eradication of

crime and the pursuit of criminals. It is the conviction of member States that if this is a "must" in territories situated far apart from each other it is much more so among adjoining countries especially at this very time of exceedingly rapid means of communications.

4. Nationality Conventions

The purpose of these two conventions is to ensure uniformity in the provisions of nationality legislation in force throughout Arab League member States to remove any contradictions in such legislation, avoid dual nationality and reduce to an absolute minimum cases of lack of nationality.

5. Convention on the Privileges and immunities of League of Arab States and its Appendix

This convention is drawn up in pursuance of the terms of article 14 of the Arab League charter with intent to define and arrange privileges and immunities accorded to the Arab League, its employees, State delegates and experts. Besides, this emphasizes the idea of world organizations and their recognition in the sphere of international relationship which necessitates the granting of such privileges and immunities as are required to guarantee their impartiality and enable them to carry out their functions.

6. Resolution on Passports

The point in this resolution is to unify all sorts of passports presently in use in the Arab League member States in so far as colour, size and contents are concerned, also the privileges and immunities enjoyed by holders of diplomatic and special passports, pending the time when citizens of the Arab world are able to move freely throughout Arab League member States without having to carry any passports whatsoever.

7. Conventions on Arab International Organization for Social Defence against Crime

Through the medium of its three Bureaux, namely the Crime Combat Bureau, the Criminal Police Bureau and Narcotics Bureau, this Organization endeavours to study the causes for crime and means of fighting it, handling of criminals and ensuring smooth collaboration among the Criminal Police throughout the Arab countries, and combating narcotics.

In sending to you this brief account of the role the Arab League plays to foster and raise the prestige of principles of international law in its international relations, the Secretariat-General hereby expresses its willingness to take part in all spheres to which you may invite it for the dissemination and wider admiration of international legal principles.

As to the ultimate paragraph of your letter, I would inform you that the Arab League does not at present possess the means whereby to participate actively in this programme, though probably its member States may do so.

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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND
CULTURAL ORGANIZATION

/Original: French/

18 July 1963

Our budget for the financial year 1963-64 contains no provision which would enable us in the near future to make a contribution to the programme of assistance which you wish to submit to the General Assembly of the United Nations.

I am, however, happy to be able to inform you that the Director-General has decided to initiate a publication dealing with the teaching of international law. This publication will set forth the results of an international inquiry which has been entrusted to a competent non-governmental organization. It will be undertaken with the collaboration of a number of rapporteurs selected from among the nationals of countries belonging to different schools of scientific thought and will include studies on the teaching of international law in the countries considered.

A rapporteur of internationally-recognized scientific standing will draw general conclusions from the national reports. He will endeavour to trace the development of the teaching of international law and will analyse the problems it sometimes raises. A highly useful outline of the organization and programmes of various institutions of higher education which are considered representative might be given in an annex. The inquiry will be begun before the opening of the United Nations General Assembly but cannot be completed before 1964.

The Director-General will, moreover, most assuredly give his closest attention to the conclusions and decisions reached by the General Assembly in regard to the programme of assistance that are submitted to him for his consideration.
