



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/6950  
12 December 1967  
ENGLISH  
ORIGINAL: ENGLISH/SPANISH

Twenty-second session  
Agenda item 90

UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE  
TEACHING, STUDY, DISSEMINATION AND WIDER  
APPRECIATION OF INTERNATIONAL LAW

Report of the Sixth Committee

Rapporteur: Mr. Sergio GONZALEZ GALVEZ (Mexico)

CONTENTS

	<u>Paragraphs</u>
I. INTRODUCTION . . . . .	1 - 4
II. PROPOSAL . . . . .	5 - 7
III. DEBATE . . . . .	8 - 29
A. General observations . . . . .	8 - 12
B. Observations on specific matters contained in the Secretary-General's report (A/6816 and Corr.1) . . . . .	13 - 29
IV. VOTING . . . . .	30
V. RECOMMENDATION OF THE SIXTH COMMITTEE . . . . .	31

## I. INTRODUCTION

1. At its 1564th plenary meeting, on 23 September 1967, the General Assembly decided to include the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General" in the agenda of its twenty-second session and allocated the item to the Sixth Committee.
2. The item was included in the provisional agenda of the twenty-second session in pursuance of paragraph 8 of General Assembly resolution 2204 (XXI) of 16 December 1966. By that resolution the General Assembly, inter alia, authorized the Secretary-General to carry out in 1967 the activities specified in his report<sup>1/</sup> on the implementation of General Assembly resolution 2099 (XX) of 20 December 1965 establishing a programme of assistance and exchange in the field of international law; requested him to report to the General Assembly at its twenty-second session on the preparation and execution of the items of the programme for performance in 1967 and 1968; and asked him to submit, following consultations with the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, recommendations regarding the execution of the programme in subsequent years.
3. The draft report of the Secretary-General, giving an account of the steps taken or proposed by the United Nations, by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and by the United Nations Institute for Training and Research (UNITAR) in furtherance of the objectives of the Programme, was considered by the Advisory Committee at its second session, held between 3 and 19 October 1967. The Advisory Committee adopted a number of recommendations, which the Secretary-General accepted in full. The Secretary-General's report (A/6816 and Corr.1), having been revised to take account of the proceedings of the Advisory Committee, was issued on 28 October 1967 and placed before the Sixth Committee. The Committee also had before it a register of experts and scholars in the field of international law (A/6677 and Add.1) prepared by the Secretariat.

---

<sup>1/</sup> Official Records of the General Assembly, Twenty-first Session, Annexes,  
agenda item 86, documents A/6492 and Add.1.

4. The Sixth Committee considered the item at its 1007th to 1009th meetings, held between 24 and 28 November 1967.

## II. PROPOSAL

5. On 21 November 1967, a draft resolution was submitted by Afghanistan, Ecuador, Ghana, Hungary and the United Republic of Tanzania (A/C.6/L.631). Subsequently, Sierra Leone (A/C.6/L.631/Add.1) and Bolivia (A/C.6/L.631/Add.2) joined the list of sponsors.

6. At the 1009th meeting, on 28 November 1967, it was orally agreed by the representative of Ghana, on behalf of the sponsors of the draft resolution, that the word "including" in the first sentence of operative paragraph 1 should be replaced by the words "and in particular". The text of the draft resolution, as so amended, was identical with that adopted by the Sixth Committee (see paragraph 31 below).

7. Also at the 1009th meeting, the representative of the Secretary-General called the attention of the Sixth Committee to paragraph 73 of the Secretary-General's report (A/6816 and Corr.1) in which the financial implications of the Programme for 1968 were recorded. He confirmed that the adoption of the draft resolution before the Committee would not entail financial implications in addition to those already indicated in paragraph 73.

## III. DEBATE

### A. General observations

8. The representatives who spoke in the debate expressed satisfaction at the successful completion of the first year of activities under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Many of them noted with appreciation the efforts of the Secretary-General and the constructive participation of UNESCO, of UNITAR and of various Member States in the Programme. The co-operation achieved between the United Nations, UNESCO and UNITAR prevented duplication of effort, which would dissipate the resources available for the Programme, and ensured that each of the three organizations concentrated its efforts in the sphere best suited to its competence.

/...

9. The Advisory Committee was commended for the work it had accomplished during its second session and for the useful recommendations it had given to the Secretary-General. The recommendations represented the valuable consensus achieved within the Advisory Committee and formed the basis of the draft resolution before the Sixth Committee.
10. A number of representatives commented on the main objectives of the Programme and the principles which should guide its future course. Several of them stressed that the main objective of the Programme was to make known the fundamental principles of international law with a view to enhancing the role of international law as a major instrument for the maintenance of international peace and security. The Programme should, in their view, reflect the main trends of international law, United Nations efforts towards the codification and progressive development of international law, and the legal thinking of the principal legal systems of the world. Maximum results of the efforts towards this goal could be achieved by enhancing the role of the United Nations as a co-ordinator of the activities of international organizations and of Member States. Other representatives emphasized that the nature and purpose of the Programme was to provide technical assistance in international law and to stimulate further governmental activities in the field and to complement them; the Programme should accordingly concentrate on practical and technical branches of international law which were of concern to the officials in legal services of developing countries and should not involve the Organization in doctrinal controversy. As regards the role of the United Nations in the over-all Programme, there was a widespread agreement that the United Nations should maintain a co-ordinating role, without prejudice to the competence of the organizations co-operating in the Programme.
11. In the course of the debate, many representatives referred to the assistance in international law provided by either official or private bodies on a bilateral basis. Gratification was expressed by some representatives at the fact that these bilateral efforts were now being extended to the multilateral level. Others cautioned that the Programme should concentrate on activities suited to multilateral effort and should not attempt to displace or duplicate bilateral and private efforts.

12. With regard to the method of financing the Programme, many representatives who participated in the debate stressed that voluntary cash contributions should be increased in future years, so that recourse to the regular budget as a source of financing would only be a last resort. Several representatives stated that they wished to reserve their position in principle with respect to such recourse to the regular budget after 1968. The representatives who discussed the possibility of voluntary contributions were in agreement that such contributions must be consistent with the needs and principles of the Programme in the field of international law and must be made in conformity with the normal procedures and practices of United Nations programmes of technical assistance.

B. Observations on specific matters contained in the  
Secretary-General's report (A/6816 and Corr.1)

13. Special attention was drawn in the course of the debate to a number of specific matters falling within the framework of the Programme established under resolution 2099 (XX).

Register of experts and scholars in international law

14. Several representatives noted that the idea of establishing a register of experts and scholars in international law had met with a very favourable reception from Member States. It was hoped that the facilities offered by the register (A/6677 and Add.1) would be fully utilized.

Co-operation with other organizations

15. Possibilities offered by the co-operation between the United Nations and other international organizations active in the field of international law were considered to be profitable. One representative, however, suggested that the organizations in question should be asked not merely for general comments but for specific information on the assistance which they might be able to provide for the achievement of the United Nations Programme, set up under resolution 2099 (XX).

### Publicity

16. A number of representatives expressed their appreciation to the Secretariat for the useful steps it had taken to give publicity to international law and to the legal work of the United Nations. The book entitled The Work of the International Law Commission was particularly useful and the document on General Assembly resolutions of legal interest was considered to be a practical innovation. The hope was expressed that the Secretary-General's efforts as regards publicity would, if possible, be increased in future years; it was urged in this connexion that more equitable use of the working languages of the General Assembly should be made when issuing United Nations publications on legal subjects. Several representatives referred to the possibility of translating important legal works, either from the major languages into less common languages or from the latter into the languages principally used in the United Nations.

### Seminars and training courses

17. There was widespread praise for the success achieved by the 1967 regional training and refresher course held at Dar es Salaam under the joint auspices of the United Nations and UNESCO. Many representatives paid a warm tribute to the Government of the United Republic of Tanzania for its generous offer of host facilities and to the lecturers and other persons who helped organize the first regional course. In the view of some representatives, the participation of specialists from a wide range of countries and the choice of subjects struck a happy balance between traditional and new areas of study and greatly contributed to the success of the event. One representative would have liked lectures, especially those on international economic and social law, to be disseminated. Others questioned the wisdom of using a multilateral programme for direct teaching of international law.

18. As regards the organization and conduct of future regional seminars and training courses, a number of representatives expressed the view that it was improper to include in the topics for such seminars and courses in a technical assistance programme issues which were the subject of political controversy. It was stated that only by concentrating on the practical and technical aspects of international law would the participants derive the greatest benefits from those

activities within the limited time available. Other representatives, however, considered that the structure of contemporary international law should be reflected in regional seminars and training courses; for this purpose a comprehensive representation of the main legal systems and the inclusion of basic substantive problems of international law as topics were necessary in the organization and conduct of these regional items. Some representatives stressed that professional ability and subject-matter were the only proper criteria for representation on the faculty of technical seminars and training and refresher courses.

19. Many representatives noted with great satisfaction the holding of the third Geneva Seminar in International Law, which offered the participants an opportunity to broaden their knowledge of international law. Several representatives referred to the Geneva Seminar and said that their Governments had decided to grant scholarships to participants from developing countries for the Seminar to be held in 1968.

20. Warm appreciation was expressed by many representatives to the Government of Ecuador and the Central University of Quito for their offer of host facilities for the 1968 regional seminar to be held in Latin America.

#### Fellowships

21. A number of representatives commended the manner in which the Secretary-General had organized the fellowship programme. A combination of theoretical instruction at the Hague Academy and practical instruction at the legal offices of the United Nations and its associated bodies was considered to be very effective. Some of them expressed particular appreciation to the legal offices of those organizations which provided practical training for the fellows and hoped that, despite the difficulties involved, they would continue to provide that valuable service. Another representative mentioned with appreciation a series of special lectures organized for the benefit of the fellows by the Registry of the International Court of Justice and by the Netherlands Foreign Ministry.

22. On the other hand, one representative thought that the present system of the fellowship programme was open to serious doubt since the time spent at The Hague, three to six weeks, was much too short, and considered that too great an emphasis was placed on the practical experience obtained at the various legal offices; in

/...

addition the travel costs of sending all the fellows to The Hague seemed unnecessarily high. As an alternative, he suggested that the fellows should be offered an opportunity to do research for a full academic year at a university of their own choice, where they could obtain the best possible guidance in the specific field of international law; this would not preclude the possibility for a few fellows to pursue practical training in the various legal departments of the United Nations and its associated agencies. This suggestion was generally supported by two other representatives.

23. In support of the present system of the fellowship programme, it was pointed out that the fellowship holders from developing countries could not be released from their important posts for appreciable lengths of time and that the truly international nature of the Hague Academy and the presence in The Hague of the International Court of Justice were major considerations which favoured the sending of the fellows there.

24. Some representatives expressed the hope that the number of fellowships each year would be gradually increased and greater financial opportunities would be afforded for this particular item of the Programme. Another representative criticized the award of a fellowship by UNESCO to a candidate from a particular country.

#### Provision of United Nations legal publications

25. Several representatives considered that the scheme for the provision of United Nations legal publications to institutions in developing countries was most valuable. It was hoped that practical measures would be devised to broaden the scheme.

#### Advisory services of experts

26. Some representatives noted that there existed in developing countries a high demand for advisory services of experts in various specialized and technical branches of law. While they welcomed the Secretary-General's initiative in proposing to discuss with the secretariats of the regional economic commissions the possibility of providing increased legal assistance through those commissions, it was pointed out that the increasing need for the services of legal experts applied to experts in branches other than international law. Furthermore it was not clear



whether the legal experts who might be made available through the regional economic commissions would be able to provide assistance in the matters directly related to international law. For example, a request for assistance in organizing a legal department or a treaty division in a foreign ministry.

#### Participation of UNESCO

27. A large number of representatives praised the valuable contribution of UNESCO to the successful initiation of the United Nations Programme of Assistance during 1967. Representatives thanked UNESCO for organizing jointly with the United Nations the regional training and refresher course at Dar es Salaam and for publishing in English and French a book entitled Survey of the Teaching of International Law, which, one representative said, might appropriately be published also in Spanish. This publication, a representative observed, should encourage the modernization and updating of programmes for the teaching of international law; he stressed that it was essential to develop international law at the university level; and in this regard, the training of teachers and research workers and the establishment of international law chairs, all of which UNESCO was planning, were of the greatest importance.

28. Several representatives welcomed the significant decision reached at the consultative meeting of experts convened in July 1967, when it had been agreed that UNESCO would foster an interdisciplinary approach to international law and pay particular attention to the necessity of developing the newly emerging branches of international economic and social law.

#### Participation of UNITAR

29. Many representatives noted with appreciation that UNITAR was assuming increasing responsibilities in the execution of some of the major items of the Programme, for example, the conduct of the 1968 regional seminar in Latin America, the preparation of studies relating to the codification and progressive development of international law and the award of fellowships. One representative stated that the items chosen for discussion at the regional seminar were practical and of topical interest. As regards a series of studies relating to international law being undertaken by UNITAR, several representatives said that they looked forward

to hearing more of the results of the studies. A representative hoped that such studies would be published also in Spanish. Representatives welcomed the award of five international law fellowships in 1968, which were to be administered jointly with the United Nations international law fellowships.

#### IV. VOTING

30. At its 1009th meeting held on 28 November 1967, the Sixth Committee adopted unanimously the seven-Power draft resolution (A/C.6/L.631 and Add.1 and 2), as orally revised (see para. 6 above). The representative of Malta explained his delegation's vote.

#### V. RECOMMENDATION OF THE SIXTH COMMITTEE

31. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

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

The General Assembly,

Recalling its resolutions 2099 (XX) of 20 December 1965 and 2204 (XXI) of 16 December 1966 regarding the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law,

Noting with appreciation the report of the Secretary-General on the implementation of the Programme<sup>2/</sup> and the recommendations made to the Secretary-General by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

Emphasizing that, in ensuring the execution of the Programme, the United Nations should bear in mind the need to continue its efforts to encourage and co-ordinate the activities of the States and international organizations concerned in assisting the promotion of the teaching, study, dissemination and wider appreciation of international law,

---

<sup>2/</sup> A/6816 and Corr.1.

Considering that in the conduct of the Programme it is desirable to use as far as possible the resources and facilities which may be made available by the international organizations concerned, Member States and others, in accordance with the procedures and rules of United Nations technical assistance programmes or other relevant rules, and consistent with the purposes and direction of the Programme,

Considering that, in the organization and conduct of regional seminars and training and refresher courses, due regard should be paid to reflecting United Nations efforts towards the codification and progressive development of international law and, in so far as appropriate, the legal thinking of the principal legal systems of the world,

1. Authorizes the Secretary-General to carry out in 1968 the activities specified in his report, and in particular the provisions of:

- (a) Fifteen fellowships at the request of Governments of developing countries;
- (b) The advisory services of experts, if requested by developing countries, within the framework of existing technical assistance programmes or from such voluntary contributions as may be received for that purpose;
- (c) A set of United Nations legal publications to up to twenty institutions in developing countries;

2. Notes with thanks the offer of Ecuador to provide facilities for the regional seminar to be held in Latin America in 1968;

3. Expresses its appreciation to the United Nations Educational, Scientific and Cultural Organization for its participation in the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and, in particular, for its co-operation in the conduct of the regional training and refresher course held in Africa in 1967;

4. Expresses its appreciation to the United Nations Institute for Training and Research for its activities in the field of international law and, in particular, for its decision to conduct regional seminars in international law, beginning with the conduct of a regional seminar to be held in Latin America in 1968, and for undertaking to conduct studies relating to the codification and progressive development of international law within the framework of the United Nations;

5. Reiterates its invitation to Member States, interested bodies and individuals to make voluntary contributions towards the financing of the Programme and expresses its appreciation to those Member States which have made voluntary contributions for this purpose;

6. Approves in principle, subject to further consideration by the Advisory Committee before the twenty-third session of the General Assembly, the Secretary-General's recommendations regarding the execution of the Programme after 1968;

7. Requests the Secretary-General to report to the General Assembly at its twenty-third session on the implementation of the Programme during 1968 and, following consultations with the Advisory Committee, to submit recommendations regarding the execution of the Programme in 1969;

8. Decides to include in the provisional agenda of its twenty-third session an item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

-----