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Chairman: Mr. Edvard HAMBRO (Norway).

In the absence of the Chairman, Mr. Mwendwa (Kenya), Vice-Chairman, took the Chair.

AGENDA ITEM 90

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General (continued) (A/6677 and Add.1, A/6816 and Corr.1, A/C.6/L.631 and Add.1 and 2)

1. Mr. PRANDLER (Hungary) pointed out that the word "Programmes" in the English text of paragraph 8 of draft resolution A/C.6/L.631 and Add.1 and 2 should be "Programme".

2. Mr. RUDA (Argentina) said that in order to be effective, international law must be developed, codified and disseminated as widely as possible, and that the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was therefore becoming increasingly important.

3. The efforts made by the United Nations in 1967 deserved commendation; it had been impossible to do more with the meagre resources available to the Programme. The publication of the book entitled The Work of the International Law Commission^{1/} was a particularly valuable contribution, and a similar publication on the work of the International Court of Justice would be most desirable. The document entitled "Resolutions of legal interest adopted by the General Assembly at its twenty-first session" (see A/6816 and Corr.1, para. 20) was a very useful work, but it should be issued in French and Spanish as well.

^{1/} United Nations publication, Sales No.: 67.V.4.

4. The 1967 regional training and refresher course at Dar es Salaam had been very successful, and it would be useful if the lectures which had been given, particularly the lectures on introduction to international economic and social law, could be disseminated.

5. On the other hand, it should be noted that the requests for the advisory services of experts (*ibid.*, paras. 31 and 32) had related mainly to problems of domestic law, which fell outside the scope of General Assembly resolutions 2099 (XX) and 2204 (XXI); such assistance should be provided only in the field of international law, thus permitting more effective use of the Programme's limited funds.

6. As to the activities of the United Nations to be undertaken during 1968 (*ibid.*, paras. 33-38), the Secretary-General wisely did not propose to take any steps concerning the studies relating to the codification and progressive development of international law and the holding of a regional seminar in Latin America, since those two projects would be undertaken by the United Nations Institute for Training and Research (UNITAR). Thus, the 1968 programme would involve only the award of fellowships, the provision of the advisory services of up to five experts, and the sending of legal publications to twenty institutions.

7. The Secretary-General had taken a very interesting initiative in proposing to discuss with the secretariats of the regional economic commissions the possibility of providing increased legal assistance through those commissions (*ibid.*, para. 36) but the report did not state clearly whether that assistance would supplement the direct provision of experts to Governments. Such assistance through the regional economic commissions could bear on the legal aspects of economic development and international co-operation but not on other questions which were more directly related to international law. For example, if a State requested assistance to organize a legal department or a treaty office in its ministry of foreign affairs, the Office of Legal Affairs of the United Nations, not the regional economic commissions, would be best able to provide that assistance. That being so, the Secretary-General should submit a detailed report next year on his approach to the problem of assistance through the regional economic commissions.

8. The fellowship scheme providing for fifteen United Nations fellowships for persons from developing countries and five UNITAR fellowships for persons some of whom might be from more developed countries was realistic, having regard to existing funds; so was the plan to attach fellows to the legal departments of the United Nations and its associated organizations for three to five months (*ibid.*, para. 37).

9. The activities undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO) during 1967 and those which it would undertake in subsequent years were very interesting and filled an important need, for it was essential to develop international law at the university level. A major contribution to that end was the "General Report on the Teaching of International Law";^{2/} it should encourage the modernization and up-dating of programmes for the teaching of international law, which very often reflected outmoded ideas. In that regard the training of teachers and research workers and the establishment of chairs were of the greatest importance.

10. UNITAR had made a valuable contribution to the objectives of the Programme, and the interest which it was taking in the regional seminar to be held in Latin America in 1968 should be welcomed.

11. In conclusion, he said that the seminars, training and refresher courses and award of fellowships should be continued, and that the United Nations might perhaps try to send legal publications to a larger number of institutions.

12. His delegation would support draft resolution A/C.6/L.631 and Add.1 and 2.

13. Mr. BHANDARE (India) recalled that his Government, which had always considered that the development of international law was vitally important, had in 1967 voluntarily contributed \$5,000 for the Programme.

14. His delegation was pleased to note that the Programme was being actively implemented. It was gratifying that the 1967 regional course at Dar es Salaam had been successful and that a regional seminar was being planned for Latin America in 1968. His delegation hoped that in 1969 a similar seminar would be held in Asia for the benefit of participants from the countries of that region.

15. The activities undertaken under the Programme was progressing. For example, ten international law fellowships had been awarded by the United Nations in 1967 at the request of the developing countries, and in 1968 fifteen fellowships were to be awarded by the United Nations and five by UNITAR. Similarly, fifteen institutions in the developing countries had received United Nations legal publications in 1967, and that number was to be increased to thirty-five in 1968 and to fifty in 1969 (*ibid.*, paras. 28, 63 and 66). It should also be noted that the United Nations Secretariat had compiled a register of experts and scholars in international law (A/6677 and Add.1), and that the Secretary-General planned to explore the possibility of providing the advisory services of experts through the regional economic commissions (A/6816 and Corr.1, paras. 36 and 64).

16. His delegation was encouraged to note that UNESCO was actively co-operating with the United Nations in the implementation of the Programme. Although direct assistance by the United Nations by way of seminars, training and refresher courses

and fellowships was very important, indirect assistance to Member States and their universities was equally important. Therefore, UNESCO's efforts to disseminate international law at the university level were of the greatest importance. In India, for example, many institutions and universities were trying to play their part in the dissemination of international law and would welcome encouragement from UNESCO in the form of the grant of books and reference works on public international law.

17. His delegation noted with interest that UNITAR was carrying out many useful studies in the field of international law and that it was assuming increasing responsibilities in the execution of some of the major items in the Programme. UNITAR's co-operation would also reduce the financial burden on the United Nations.

18. In conclusion, he wished to pay a tribute to the United Nations Secretariat and to UNESCO and UNITAR for all their efforts in implementing the United Nations Programme of Assistance, and said that he would support draft resolution A/C.6/L.631 and Add.1 and 2.

19. Mr. ADJIBADE (Dahomey) commended the Secretary-General's report on the Programme (A/6816 and Corr.1) for its clarity, and said that his delegation was grateful to the Secretary-General, UNITAR and UNESCO for their effective collaboration during the first year of the implementation of the Programme, to which Dahomey continued to attach great importance. His delegation was pleased that the activities undertaken in 1967 supplemented, but did not take the place of, the other bilateral and multilateral programmes in international law by encouraging and co-ordinating them, and by providing special forms of direct assistance. It also thanked those States which had made a special contribution to the attainment of the objectives of the Programme, especially the United Republic of Tanzania and Ecuador. It was gratified that the success of the 1967 regional training and refresher course at Dar es Salaam had been undeniable, despite the absence of the post-fellowship reports by which the participants would have confirmed the results. It hoped that in the future UNESCO and UNITAR would ensure that participants in courses or training schemes under the Programme made such reports, if they had not already done so.

20. Concerning the Secretariat's publications, he regretted that, as paragraphs 19 and 20 of the Secretary-General's report indicated, English had been given a privileged position as compared to Spanish and French in 1967. He hoped that in the future the use of the working languages would be more equitable.

21. His delegation unconditionally supported the Programme and endorsed the recommendations of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

22. Accordingly, it would vote for draft resolution A/C.6/L.631 and Add.1 and 2.

23. Mr. JACOVIDES (Cyprus) said that the Programme was of the utmost importance because, without a proper knowledge and understanding of the specific rules which were covered by the expression

^{2/} R.-J. Dupuy, *International Law*, in the series "The university teaching of social sciences" (UNESCO, 1967), SS/66/VIII.1.13/A.

"international law", there could be no real prospect that those rules would be observed. With regard to the dimensions of the Programme, he pointed out that while the activities undertaken in 1967 were modest, once a good start had been made a greater future lay ahead. He wholeheartedly supported the Secretary-General's suggestion that projects should be carried out to a large extent by UNITAR. His delegation continued to favour the granting of technical assistance, in the field of international law as in the economic field, on a multilateral basis through international organizations rather than on a bilateral basis.

24. He paid a tribute to the United Nations Secretariat, the Advisory Committee, UNITAR and UNESCO for their contributions to the success of the Programme, and expressed his appreciation for the contributions of the United Republic of Tanzania and Ecuador.

25. His delegation would support draft resolution A/C.6/L.631 and Add.1 and 2.

26. Mr. SMEJKAL (Czechoslovakia) said that his delegation wished to be associated with the favourable comments that had been made concerning the Programme. However, he would emphasize that if the Programme was to be properly conceived and satisfactorily executed, the following conditions would have to be fulfilled. First, full account must be taken of the real needs of the beneficiary countries and every effort made to ensure that assistance was compatible with the stabilization of the latter's independence and sovereignty and did not entail measures conflicting with that basic concept. Secondly, it must take due account of the world's principal legal systems—a point on which draft resolution A/C.6/L.631 and Add.1 and 2 reflected no more than a compromise. Thirdly, activities by States and by national and international organizations in that sphere must be encouraged and co-ordinated. Lastly, it was important to keep the Programme within the limits set with regard to its financial implications, since the Secretary-General had not found any satisfactory source of financing outside the regular budget. The Czechoslovak delegation noted that, in the present circumstances, there was no reason to foresee any increase in budgetary resources, that voluntary contributions were still meagre and that UNESCO was hardly in a position to finance any activities other than its own under the Programme.

27. It was grateful to the United Republic of Tanzania and Ecuador for having offered facilities, respectively, for the regional course at Dar es Salaam in 1967 and for the seminar to be held at Quito in 1968. It also welcomed the publication of the register of experts and scholars in international law.

28. For its part, Czechoslovakia offered to provide institutions in developing countries regularly with twenty copies in French and English of The Bulletin of Czechoslovak Law, under the Programme established in accordance with General Assembly resolution 2099 (XX). The Czechoslovak Government also proposed to offer five ordinary fellowships for the study of international law at Prague University.

29. Mr. THERATTIL (United Nations Institute for Training and Research) thanked the members of the Sixth Committee, on behalf of UNITAR, for their support and suggestions, which would be of great help in the execution of programmes. He drew attention to paragraphs 53 and 54 of the Secretary-General's report, which showed the extent of the efforts and resources devoted by UNITAR to assistance in the field of international law. In addition to the participation of its own secretariat members, the Institute had received assistance and co-operation from legal advisers of foreign ministries and from eminent experts in the field of international law. It also hoped to receive, as an extension of that co-operation, comments and information from scholars in all parts of the world.

30. In the organization of the Quito regional seminar, planned for December 1968, UNITAR had consulted the Advisory Committee and many legal scholars of Latin America. It had been greatly encouraged by the wide agreement expressed in the Sixth Committee and the Advisory Committee concerning the plans for the seminar and it gladly invited further suggestions on the subject. UNITAR was especially grateful to the Ecuadorian authorities and institutions for their contribution to the organization of that event.

31. Lastly, UNITAR was in constant contact with the United Nations Office of Legal Affairs and wished to thank the Secretariat for its co-operation.

32. Mr. SAMMUT (Malta) said that his delegation had studied the Secretary-General's report with great interest and had been impressed by the extent of the achievements it recorded. However, in view of the relatively small-scale assistance provided under the Programme, it doubted whether there was any real justification for maintaining it as an activity distinct from other United Nations programmes of technical assistance. Consequently, it could only support those portions of the draft resolution (A/C.6/L.631 and Add.1 and 2) which expressed satisfaction with the results achieved.

33. Mr. MOLINA LANDAETA (Venezuela) welcomed the results that had been achieved through the implementation of the Programme and thought that the prospects for 1968 were very encouraging, despite the inadequacy of available resources. The excellent report by the Secretary-General covered the work achieved in the field in most satisfactory detail. The Venezuelan delegation was pleased to note the achievements described in the report; however, it would emphasize the need for a Spanish version of the document entitled "Resolutions of legal interest adopted by the General Assembly at its twenty-first session" (see A/6816 and Corr.1, para. 20) and of the UNITAR studies referred to in the report (*ibid.*, paras. 50 and 51.) It would also be appropriate to have a Spanish version of the "General Report on the Teaching of International Law" published by UNESCO in English and French during 1967.

34. Lastly, the Venezuelan delegation wished to express its appreciation to UNESCO and UNITAR for their assistance in the implementation of the Programme and commended the Governments of the United Republic of Tanzania and Ecuador for the co-

operation they had afforded and would afford, respectively, in connexion with the training and refresher course and the seminar.

35. The draft resolution (A/C.6/L.631 and Add.1 and 2) called for certain comments. For instance, the Spanish text of operative paragraph 1, authorizing the Secretary-General to carry out in 1968 the activities specified in his report, ended with the phrase "incluidas las siguientes" (including the provision of), which might suggest that the activities enumerated were different from those proposed by the Secretary-General. If the sponsors of the draft resolution had merely wished to highlight some of the activities mentioned in the report, the term "incluidas" was inappropriate.

36. Secondly, operative paragraph 1 (c) provided for the distribution of a set of United Nations legal publications to up to twenty institutions in developing countries; however, paragraph 63 of the Secretary-General's report indicated that by 1968 the United Nations would have supplied a set of publications to 35 institutions in developing countries. The draft resolution would therefore appear to restrict the scope of the measure proposed by the Secretary-General while authorizing him to carry out the activities specified in his report.

37. He would therefore ask the sponsors of the draft resolution to dispel his delegation's doubts on that point. Venezuela's main concern was that the resolution adopted should accurately reflect the efforts made by the Secretary-General and the Advisory Committee who, once again, were to be commended and encouraged.

38. Mr. LAMPTEY (Ghana) replied to the representative of Venezuela on behalf of the sponsors of draft resolution A/C.6/L.631 and Add.1 and 2. In his opinion, the word "including" used in the English text of operative paragraph 1 accurately reflected the thinking of the sponsors; however, there might be a case for amending the Spanish version of the draft. With regard to sub-paragraph (c), he explained that the twenty sets of publications mentioned in the draft resolution would be in addition to the fifteen sets supplied in 1967, thus making up the total of thirty-five sets referred to in paragraph 63 of the Secretary-General's report.

39. Mr. ALCIVAR (Ecuador) suggested that the word "incluidas" should be replaced by the word "especialmente" in the Spanish version of operative paragraph 1 of draft resolution A/C.6/L.631 and Add.1 and 2.

40. Mr. RYBAKOV (Union of Soviet Socialist Republics) said that the Venezuelan representative's observation concerning the Spanish version of operative paragraph 1 of the draft resolution applied equally to the Russian version. He suggested that the phrase "including the provision of" should be deleted and the word "following" inserted before the word "activities".

41. Mr. MOLINA LANDAETA (Venezuela) endorsed the suggestion of the Ecuadorian representative and proposed that in operative paragraph 1 (c) of the draft resolution, the word "other" should be inserted between the words "twenty" and "institutions".

However, he did not intend to press for the adoption of this modification.

42. Mr. STAVROPOULOS (Under-Secretary, Legal Counsel) pointed out that the adoption of the USSR representative's suggestion would have the regrettable effect of limiting the extent of the authorization given to the Secretary-General, and suggested that in operative paragraph 1 of draft resolution A/C.6/L.631 and Add.1 and 2 the word "including" should be replaced by the phrase "and in particular".

43. Mr. RYBAKOV (Union of Soviet Socialist Republics) endorsed the Legal Counsel's suggestion.

44. Mr. LAMPTEY (Ghana) accepted the suggestion on behalf of the sponsors of the draft resolution.

45. Mr. STRAVROPOULOS (Under-Secretary, Legal Counsel), speaking on the financial implications of the draft resolution, referred the members of the Committee to paragraph 73 of the Secretary-General's report and said that the adoption of the draft resolution would not involve any additional expenditure.

46. The CHAIRMAN put draft resolution A/C.6/L.631 and Add.1 and 2, as orally amended, to the vote.

The draft resolution, as orally amended, was adopted unanimously.

47. Mr. ALCIVAR (Ecuador) expressed his Government's gratitude to those delegations which had approved the decision to hold the regional seminar on international law planned for 1968 at Quito, and to the Under-Secretary, Legal Counsel, and the staff of UNITAR, the institution under whose auspices the seminar was to be held.

AGENDA ITEM 25

Installation of mechanical means of voting: report of the Secretary-General (continued) (A/6862, A/6870, A/C.6/L.632)

LETTER DATED 23 OCTOBER 1967 FROM THE PRESIDENT OF THE GENERAL ASSEMBLY TO THE CHAIRMAN OF THE SIXTH COMMITTEE (continued) (A/C.6/380)

48. Mr. GONZALEZ GALVEZ (Mexico) said that draft resolution A/C.6/L.632, of which his delegation was a sponsor, followed from the letter addressed to the Chairman of the Sixth Committee by the President of the General Assembly (A/C.6/380), referring the question of the installation of mechanical means of voting to the Sixth Committee because of the amendment to the rules of procedure of the General Assembly proposed by the Permanent Mission of Mexico to the United Nations in its note (A/6862). As the operative part of the draft resolution indicated, the sponsors had not wanted to prejudge the decision that the Fifth Committee might take on the possible installation of a mechanical system in the conference rooms.

49. The CHAIRMAN said that the words "the question of" should be inserted before the words "the installation" in the operative part of draft resolution A/C.6/L.632.^{3/}

^{3/} A revised text of the draft resolution was subsequently circulated (A/C.6/L.632/Rev.1), incorporating this amendment.

50. Mr. MOLINA LANDAETA (Venezuela) said that his delegation had some doubts about the exact meaning of the distinction between "recorded vote" and "non-recorded vote" drawn in the draft amendment to the rules of procedure of the General Assembly and wished to have more time to study the text.

51. Following an exchange of views in which Mr. PRANDLER (Hungary), Mr. ENGO (Cameroon),

Mr. ZEMANEK (Austria), Mr. DARWIN (United Kingdom) and Mr. MOLINA LANDAETA (Venezuela) took part, the CHAIRMAN said that the Committee seemed to want more time to consider the draft resolution and that the vote on that text would accordingly be postponed until the following day.

The meeting rose at 12.50 p.m.