



General Assembly

Distr.
GENERAL

A/42/833
30 November 1987

ORIGINAL: ENGLISH

Forty-second session
Agenda item 127

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

Report of the Sixth Committee

Rapporteur: Mr. Kenneth MCKENZIE (Trinidad and Tobago)

I. INTRODUCTION

1. The item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General", was included in the provisional agenda of the forty-second session of the General Assembly pursuant to Assembly resolution 40/66 of 11 December 1985.
2. At its 3rd plenary meeting, on 18 September 1987, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. In connection with the item, the Sixth Committee had before it the report of the Secretary-General (A/42/718), which was introduced by the Legal Counsel at the 54th meeting, on 20 November. The Sixth Committee had also before it a note by the Secretary-General (A/C.6/42/4).
4. The Sixth Committee considered the item at its 54th and 58th meetings, on 20 and 25 November. The summary records of these meetings (A/C.6/42/SR.54 and 58) contain the views of the representatives who spoke during the consideration of the item.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/42/L.18

5. At the 58th meeting, on 25 November, the representative of Ghana introduced a draft resolution entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law" (A/C.6/42/L.18) sponsored by Ghana, the Libyan Arab Jamahiriya, the Netherlands and Venezuela, later joined by Mali and Romania.
6. At the same meeting, the Sixth Committee adopted draft resolution A/C.6/42/L.18 without a vote (see para. 8).
7. In connection with paragraph 14 of the draft resolution, the Chairman of one of the regional groups indicated that his group had agreed to propose as candidates for membership the same States of the regional group that were at present members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. The representative of Ghana, as Chairman of the Advisory Committee, pointed out that, as none of the other regional groups had indicated their candidates, he would take it upon himself to elicit from the various regional groups the remaining candidates before the consideration of the item by the General Assembly was completed. If this were not possible, it would be necessary, he added, to entrust the President of the General Assembly with the task of appointing the members of the Advisory Committee in consultation with the regional groups.

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. 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,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law ^{1/} and the recommendations made by the Secretary-General and adopted 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,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

^{1/} A/42/718.

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Recalling its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979 and 40/66 of 11 December 1985, in which it also expressed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law, sponsored jointly by the United Nations and the United Nations Institute for Training and Research, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

1. Approves the recommendations of the Secretary-General contained in section III of his report, 1/ in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;

2. Authorizes the Secretary-General to carry out in 1988 and 1989 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1988 and 1989, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1988 and 1989 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the Fellowship Fund;

(c) Assistance in the form of a travel grant for one participant from each developing country who will be invited to the regional courses to be organized in 1988 and 1989; and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in paragraphs 10, 11 and 12 below;

3. Expresses its appreciation to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 1986 and 1987, in particular for the organization of the twenty-second 2/ and twenty-third 3/ sessions of the International Law Seminar, held at Geneva from 20 May to 6 June 1986 and from 1 to 19 June 1987, respectively, and for the participation of the Office of Legal Affairs of the Secretariat and its Codification Division in the conduct of the fellowship programme in international law, sponsored jointly by the United Nations and the United Nations Institute for Training and Research, as well as for the activities related to the award of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea;

4. Expresses its appreciation to the United Nations Institute for Training and Research for its participation in the Programme, particularly for its efforts in the organization of regional courses and in the administration and organization of the fellowship programme in international law, jointly sponsored and conducted by the United Nations and the Institute;

5. Expresses its appreciation to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, in particular for the efforts it has made to support the teaching of international law;

6. Also expresses its appreciation to the Government of Thailand for its willingness to co-sponsor the regional training and refresher course for Asian and Pacific countries, held at Bangkok from 24 November to 4 December 1986, and to the Economic and Social Commission for Asia and the Pacific for providing facilities for the course;

7. Further expresses its appreciation to the Hague Academy of International Law for the valuable contributions it has made to the Programme by enabling international law fellows under the sponsorship of the United Nations and the United Nations Institute for Training and Research to attend its annual international law courses and by providing facilities for seminars organized under the fellowship programme in international law in conjunction with the Academy courses and for its constructive efforts in organizing the regional training and refresher courses held at Buenos Aires in 1986 and at Beijing in 1987;

2/ See Official Records of the General Assembly, Forty-first Session, Supplement No. 10 (A/41/10), paras. 267-273.

3/ Ibid., Forty-second Session, Supplement No. 10 (A/42/10), paras. 255-261.

8. Notes with appreciation the contributions made by the League Academy of International Law to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of and, if possible, an increase in their financial contributions in order to enable the Academy to carry on with the above-mentioned activities;

9. Urges all Governments to encourage the inclusion of courses on international law in the programmes of legal studies offered at institutions of higher learning;

10. Requests the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

11. Reiterates its request to Member States and to interested organizations and individuals to make voluntary contributions towards the financing of the Programme, in particular for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and for the International Law Seminar, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

12. Urges in particular all Governments to make voluntary contributions with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course organized by the United Nations Institute for Training and Research, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

13. Requests the Secretary-General to report to the General Assembly at its forty-fourth session on the implementation of the Programme during 1988 and 1989 and, following consultations with the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, to submit recommendations regarding the execution of the Programme in subsequent years;

14. Decides to appoint thirteen Member States as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 1988;

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