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Chair: Mr. Afonso (Mozambique)
later: Mr. Leal Matta (Vice-Chair) (Guatemala)

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The meeting was called to order at 10 a.m.

Agenda item 86: The law of transboundary aquifers (*continued*)

1. **Ms. Antonova** (Russian Federation) said that the draft articles on the law of transboundary aquifers adopted by the International Law Commission were of high quality and served as useful supporting material for countries seeking to conclude bilateral and regional agreements on the sustainable use of such aquifers. Her delegation agreed with the provision, in draft article 3, that each aquifer State had sovereignty over the portion of a transboundary aquifer or aquifer system located within its territory. Her delegation also agreed with the approach taken by the Commission in draft article 4 with regard to the principle of equitable and reasonable utilization. It also agreed that, in weighing different kinds of utilization of a transboundary aquifer or aquifer system, special regard should be given to vital human needs, as provided in draft article 5.

2. However, her delegation was not convinced that it made sense to develop an international convention based on the draft articles, given that the specific factors relevant to each aquifer or aquifer system needed to be taken into consideration, which was only possible in the context of a bilateral or regional agreement. Such factors included geophysical and hydrological characteristics, social, economic and other needs of the States involved, and also the extent to which the interested States engaged in cooperation in the development, protection and conservation of the aquifer or aquifer system.

3. The Committee should take note of the draft articles and recommend that States actively employ the principles set out therein when concluding bilateral and regional agreements. If the Committee determined at a later stage that a universal convention was needed, it would first be necessary to ascertain the convention's relationship to existing multilateral international agreements on the topic, including the Convention on the Law of the Non-navigational Uses of International Watercourses and the Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

4. **Mr. Hernandez Chavez** (Chile) said that his Government was committed to the principle of equitable and reasonable utilization, the obligation not to cause significant harm and the general obligation of aquifer States to cooperate, which underpinned the draft articles on the law of transboundary aquifers and also other agreements concerning international uses of

watercourses, which now formed part of international custom.

5. Chile acknowledged that the principle of sovereignty of aquifer States applied to the geological formation that was a part of the aquifer, as defined in article 2 (a). In exercising their sovereignty, aquifer States must respect the principles concerning the use of the water of said aquifer by all the aquifer States. They must use shared groundwater resources in particular according to the principle of equitable and reasonable utilization and the obligation not to cause significant harm. The application of the principle of equitable and reasonable utilization required taking into consideration all the relevant factors listed in article 5, as they pertained to each aquifer, giving special regard to vital human needs, rather than giving greater weight to one factor or use over another.

6. Most freshwater in the world was contained in groundwater resources, but owing to a lack of technical capacity and scientific understanding of how aquifers functioned, groundwater resources were among the most likely to be overexploited and contaminated. More needed to be done to develop scientific knowledge and information-sharing with regard to transboundary aquifers. In view of the apparent effects of the climate crisis, collaboration and cooperation among States in the maintenance, protection and reasonable use of those resources were especially important.

7. Chile believed in the importance of making progress towards a multilateral framework agreement on the law of transboundary aquifers. In the meantime, it encouraged States that shared those types of resources to use the draft articles as the basis for resource management agreements and, in particular, to fully respect and fulfil the principle of equitable and reasonable utilization, the obligation not to cause significant harm and the general obligation to cooperate.

8. **Mr. Maeda** (Japan) said that the demand for freshwater had dramatically increased in recent decades, in particular in those parts of the world experiencing rapid socioeconomic development. As a large portion of the world's freshwater was located in underground aquifers, which frequently flowed across national borders, and as a number of those aquifers were overexploited, depleted or damaged by pollution, proper management mechanisms were needed. The development of legal instruments that regulated the use of transboundary aquifers was an important task for all Member States that would help to achieve the common goal of sustainable development.

9. The draft articles on the law of transboundary aquifers provided countries with a valuable starting

point for establishing bilateral or regional legal frameworks for managing their aquifer systems. They adequately reflected a wide range of established State practices, were supported by scientific evidence collected by United Nations Educational, Scientific and Cultural Organization (UNESCO), and contained the essential elements of a possible legal framework that could be used as a basis for negotiations on particular bilateral or regional agreements and arrangements.

10. His delegation welcomed the entry into force in 2020 of the Guarani Aquifer Agreement, which was based on the draft articles and was expected to serve as a tool of preventive diplomacy that would avert conflicts over groundwater use. All States should take similar steps to ensure proper management of transboundary aquifers. Although Japan had no transboundary aquifers of its own, as a responsible member of the international community, and as part of its efforts to support sustainable development and the rule of law, it had taken the lead, and would continue to engage constructively, in the Committee's discussions on the Commission's final report on the topic.

11. **Mr. Bouchedoub** (Algeria) said that, owing to desertification, low rainfall and climate change, freshwater in Algeria consisted mostly of aquifers, which were largely publicly owned and protected from over-use and pollution. Algeria supported the approach taken by the Commission in preparing the draft articles on the law of transboundary aquifers, which provided the first comprehensive endeavour to set out principles and standards based on General Assembly resolution [1803 \(XVII\)](#) on permanent sovereignty over natural resources. In view of the growing demand for freshwater and the increasing pollution of aquifers and aquifer systems, the draft articles on the law of transboundary aquifers would help to harmonize the exploitation of aquifers and encourage States to make appropriate national, bilateral or regional arrangements for their sustainable management. The draft articles also provided for mechanisms to strengthen international cooperation, which would help in the promotion of good neighbourly relations, prevention of disputes and preservation of vital sources of drinking water.

12. Draft article 3, which provided that each State had sovereignty over the portion of a transboundary aquifer or aquifer system located within its territory, made it clear that aquifers and the resources therein were the sole property of the State in question, without prejudice to the obligation to cooperate with a view to their sustainable preservation and use. It was important to maintain a complementary relationship between, on the one hand, the environment and development and, on the other hand, the right of surrounding States to exploit

aquifers in accordance with international law and the draft articles. States therefore had an obligation to cooperate on the basis of equal sovereignty, territorial integrity, mutual benefit and good faith to manage those resources in an equitable and reasonable manner, avoid harming or polluting the aquifers, mitigate the effects of any such incident, apply the precautionary principle, prohibit any projects that could harm water resources, and publish assessments of the environmental effects of any relevant projects.

13. His delegation welcomed the provision, in draft article 16, calling for technical cooperation with developing States in protecting and managing transboundary aquifers and aquifer systems, particularly by supplying them with necessary equipment, enhancing their capacity to manufacture such equipment, and facilitating their participation in relevant international programmes. His delegation hoped that, further to the Committee's deliberations on the topic, the General Assembly would be able to adopt the draft articles by consensus, in the form of guidelines to which States could refer when concluding bilateral and multilateral agreements on aquifer management.

14. **Ms. Aydin Gucciardo** (Türkiye) said that her Government continued to be of the view that each transboundary aquifer had its own specific characteristics and peculiarities and that it would not be appropriate to apply a single framework agreement to all such aquifers. Work on the topic should be focused instead on general principles, while the draft articles, in their current non-binding form, should continue to be used as guidance by States on a voluntary basis, in line with General Assembly resolution [74/193](#), in which the Assembly had commended the draft articles to the attention of Governments as guidance for bilateral or regional agreements and arrangements for the proper management of transboundary aquifers. Her Government would monitor the evolution of State practice, including regional practices, in the field over the coming years.

15. **Mr. Dogan** (Netherlands) said that the draft articles on the law of transboundary aquifers largely reflected customary international law and existing international law, which included instruments such as the Convention on the Law of the Non-navigational Uses of International Watercourses. His country shared many of its natural resources, including groundwater and transboundary aquifers in particular, with other States or areas beyond its national jurisdiction and viewed the international regulation of the uses of and impacts on transboundary aquifers as a matter of the highest significance.

16. Despite the continued emphasis on the need for proper aquifer management, droughts and a growing demand for water were leading to the unsustainable depletion of aquifers, threatening groundwater reserves and putting ecosystems and life-sustaining water supplies at risk around the world. No substitute existed for transboundary aquifers. His Government therefore agreed with the Commission's view, as expressed in its commentary to the preamble to the draft articles, contained in its report on the work of its sixtieth session (A/63/10), that there existed an urgent need to introduce proper management of groundwater resources. However, it would be preferable to wait until after the Commission had completed its work on other shared natural resources, such as oil and gas, before considering the development of a convention on the law of transboundary aquifers.

17. The adoption of a non-legally binding instrument on the law of transboundary aquifers could be a first step towards the development of an adequate legal regime for the use of shared natural resources. In their current form, the draft articles served as valuable guiding principles for States interested in establishing bilateral or regional legal frameworks, agreements and arrangements aimed at the proper management of transboundary aquifers and transboundary aquifer systems.

Agenda item 76: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/77/515)

18. **Mr. Agyeman** (Ghana), speaking as Chair of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, said that, during the fifty-seventh session of the Advisory Committee, held on 4 October 2022, he had underscored the importance of the activities of the Programme of Assistance at a time when unilateralism was threatening the norms and values of the international order. The Advisory Committee had reviewed the activities of the Programme during the reporting period, as outlined in the report of the Secretary-General (A/77/515). It had also considered the activities proposed for 2023, including the resulting administrative and financial implications, and had welcomed the proposal to place all activities related to the promotion and dissemination of international law, including those of the Programme of Assistance, under the direct supervision of the Under-Secretary-General for Legal Affairs in order to streamline the provision of technical legal assistance.

19. The Advisory Committee had welcomed the report on the International Law Fellowship Programme, held

in The Hague from 4 July to 5 August 2022, which had provided opportunities for organic in-person interactions often resulting in lasting relations among experts from different backgrounds. It had noted that the regional courses in international law had not taken place because of the coronavirus disease (COVID-19) pandemic, although it had been possible to conduct online regional workshops instead. The Advisory Committee had stressed the importance of gender balance and diversity in the languages and legal traditions represented by the faculty of the International Law Fellowship and the regional courses, as well as the need for gender balance and wider geographic representation among training programme participants.

20. With regard to the United Nations Audiovisual Library of International Law, 41 lectures had been recorded and the Secretariat had worked to improve the gender balance and linguistic diversity of the lecturers. The Advisory Committee had suggested that the Library use new technologies, particularly social media, to ensure wider dissemination of its content and had expressed support for the revamping of the Library's website to make it more user-friendly.

21. The Advisory Committee had noted the publication of the *United Nations Juridical Yearbook* (2016) and of the *Reports of International Arbitral Awards*, vol. XXXIV. It had also noted that the recipient of the 2020 Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea had further deferred taking up her fellowship until 2023 because of the COVID-19 pandemic. The Advisory Committee had also expressed support for the funding of the activities of the Programme of Assistance from the regular budget, while also highlighting the importance of voluntary contributions in expanding and enhancing those activities. In that connection, he wished to reiterate the appreciation of the Advisory Committee for the contributions received from Czechia, Finland, Poland, the Philippines, Qatar, Saudi Arabia, Slovakia and the United Kingdom. The Advisory Committee also acknowledged the in-kind contributions of Member States and was particularly grateful to the host countries of the training programmes.

22. **Mr. de Serpa Soares** (Under-Secretary-General for Legal Affairs and United Nations Legal Counsel) said that, during the period when the Programme of Assistance had been seriously underfunded, he had thrown his weight behind the initiative to finance its activities from the regular budget, and he would continue to support those activities and their expansion. In response to the COVID-19 pandemic, the Office of Legal Affairs had organized virtual events to meet a strong demand for courses in international law, but it

would make every effort to return to in-person training as soon as possible. The International Law Fellowship Programme had already resumed in its traditional format, and the regional courses in international law would follow suit in the coming months.

23. Like the Chair of the Advisory Committee, he too thanked the Member States for their voluntary contributions, which continued to play an important role in the expansion of the Programme's activities. In addition to the contributions from the Member States cited by the Chair of the Advisory Committee, since the end of the reporting period, much appreciated additional contributions had been received from Czechia, Ireland, Italy and Saudi Arabia.

24. During the fifty-seventh session of the Advisory Committee, he had presented his vision and plans for enhancing the training efforts of the Office of Legal Affairs in 2023. Concentrating the oversight of all activities related to the promotion and dissemination of international law under his direct supervision would allow the Office to improve training support to Member States strategically.

25. **Mr. Llewellyn** (Acting Secretary of the Advisory Committee) said that the training programmes of the Programme of Assistance were once again being conducted in person. The International Law Fellowship Programme, held in The Hague in July and August 2022, had included participation by fellows in the public international law session organized by The Hague Academy of International Law, as well as a guided visit to the Peace Palace and a briefing by the Registrar of the International Court of Justice. The Office of Legal Affairs was currently organizing the regional course in international law for Asia-Pacific, to be held later in 2022. The regional courses for Africa were scheduled for February and March 2023, and the regional courses for Latin America and the Caribbean, for May 2023.

26. In 2020 and 2021, it had not been possible to hold the International Law Fellowship Programme in its traditional format because of the COVID-19 pandemic. Instead, the Office of Legal Affairs had conducted an online regional workshop on the peaceful settlement of international disputes for each of the three regions. All applicants had been provided with a remote, self-paced learning curriculum based on lectures and materials in the Audiovisual Library of International Law.

27. The Audiovisual Library offered free, high-quality training to an unlimited number of persons around the world. It provided access to over 600 online lectures and had been consulted by almost 3 million users. Since September 2021, 41 new lectures had been recorded, with attention to gender balance and linguistic and

geographic diversity. In addition to having published the *Reports of International Arbitral Awards*, vol. XXXIV, and the *United Nations Juridical Yearbook* (2016), the Codification Division had made progress on preparations for the publication of *The Work of the International Law Commission*, 10th ed., vols. I and II, the *United Nations Juridical Yearbook* (2017 and 2018), as well as revised editions of the *United Nations Legislative Series*, vols. 25 and 26, which would contain documents on responsibility of States for internationally wrongful acts and provisional application of treaties.

28. **Ms. Hicuburundi** (Division for Ocean Affairs and the Law of the Sea) said that the General Assembly, in its resolution 76/72, had expressed its appreciation for the important contribution made by the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea to capacity-building in developing countries and the promotion of the law of the sea. As at October 2022, the Fellowship had been awarded to 15 women and 18 men, who were now making significant contributions in their respective countries and regions. Many had returned to New York, where they were active in important forums and processes related to ocean affairs and the law of the sea. The 2020 Fellowship had been awarded, but in the light of COVID-19 restrictions, including the inability to hold most in-person activities, the recipient had preferred to defer participation and would take up the fellowship in 2023. In the interim, she had been given access to a virtual training series offered by the Division for Ocean Affairs and the Law of the Sea.

29. It was more important than ever for developing countries to build and maintain the capacity to participate actively in ocean-related processes, including the implementation of the United Nations Convention on the Law of the Sea and related instruments; efforts to achieve the Sustainable Development Goals, particularly Goal 14 (Conserve and sustainably use the oceans, seas and marine resources); and the implementation of the commitments under the Paris Agreement, which noted the importance of ensuring the integrity of all ecosystems, including oceans. It was therefore critical that the necessary funding be made available so that the Hamilton Shirley Amerasinghe Memorial Fellowship could continue to be awarded. She recalled that it had not been awarded for several years between 2007 and 2016, owing to a lack of funding, and that in 2017 a partial award had been made, as there had not been enough funding for the standard award. She wished to thank those Member States that had made voluntary contributions to support the Fellowship and urged States and other relevant stakeholders to continue to make contributions.

30. **Ms. Ijaz** (Pakistan), speaking on behalf of the Group of 77 and China, said that, for more than 50 years, the Programme of Assistance had helped to strengthen international peace and security and promote friendly relations and cooperation among States, with the training of generations of specialists, particularly from developing countries, in the field of international law. The Group was pleased that the necessary budget resources had been allocated to enable the Programme to run over the past year and was grateful to the Member States that had made financial or in-kind contributions. It was essential to ensure continued funding for the Programme, given its importance in promoting the increased participation of developing countries at the multilateral level.

31. The Group welcomed the online regional workshops on the peaceful settlement of international disputes organized and facilitated by the Codification Division during the COVID-19 pandemic, and noted that it had once again been possible to hold the International Law Fellowship Programme in its traditional format in 2022. Regarding the Audiovisual Library, the importance of providing free, high-quality training to an unlimited number of individuals could not be overstated. The Group commended the Codification Division for conducting off-site recording sessions in order to promote broader geographical and linguistic representation among lecturers, and for implementing the podcast project to facilitate access to lectures for users with limited high-speed Internet. The Group applauded the efforts of the Office of Legal Affairs to promote knowledge of international law in an inclusive manner and encouraged it to continue its outreach activities to ensure that Member States could access and use the available resources.

32. **Mr. Ghorbanpour Najafabadi** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that, as a means of promoting friendly relations and cooperation among States, the Programme of Assistance was one of the Organization's most important tools. The activities of the Programme enhanced knowledge of international law, promoted the rule of law at the national and international levels, and fostered intercultural dialogue and understanding.

33. While the Non-Aligned Movement attached particular importance to capacity-building, especially in developing countries, the Codification Division should also continue to provide as much free, high-quality training as possible to a larger range of instructors around the world. It should also make every effort to ensure that the Programme's courses and fellowships benefited future decision-makers. While virtual learning

should never replace in-person training, the Division should develop contingency plans for virtual regional courses in the event of future need.

34. Regarding the Audiovisual Library, the Non-Aligned Movement welcomed the initiative to conduct off-site recording sessions. Future recordings might include presentations to the Sixth Committee by the Special Rapporteurs of the International Law Commission, as well as lectures in a wider variety of languages. It was also important to increase the geographical diversity of the lecturers, both in Library recordings and at the regional courses, and to ensure that the world's principal legal systems were represented. With regard specifically to the regional courses, course curricula should address regional needs but might also include the general topic of synergies between international law and international relations.

35. The Non-Alignment Movement wished to highlight the role of the United Nations information centres, which contributed to the dissemination of international law by providing access to United Nations online resources in multiple languages. The Non-Aligned Movement reaffirmed its commitment to the Programme of Assistance and urged the Member States to ensure that the Programme's activities were well funded through the regular budget and voluntary contributions.

36. **Ms. Lahmiri** (Morocco), speaking on behalf of the Group of African States, said that, by increasing recognition and knowledge of international law, the Programme of Assistance helped to ensure international peace and security and promote friendly relations and cooperation among States. It also strengthened the rule of international law by providing capacity-building that facilitated the equal participation of Member States in international affairs. The Group noted with appreciation the various activities recently undertaken under the Programme of Assistance, which were of paramount importance for Africa and had elicited high interest among African lawyers, government officials and experts.

37. The Group was grateful to the Codification Division for designing and implementing the remote curricula as an interim means of capacity-building. Nevertheless, as in-person learning remained preferable, the Group welcomed the resumption of the International Law Fellowship Programme – which, it was pleased to note, had achieved gender parity in 2022 – as well as the planned relaunch of the Programme's other activities. The Group also welcomed the provision of continuing education for alumni, which should continue and be further developed.

38. Predictable funding was critical for the effective implementation of the Programme. The Group encouraged all Member States to support the provision of resources for the Programme from the regular budget and commended those States that had made voluntary or in-kind contributions. The Secretariat should continue to publicize the Programme and periodically invite stakeholders to make voluntary contributions, with a view to improving funding predictability and expanding the activities of the Programme.

39. **Ms. Popan** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Albania, Montenegro, the Republic of Moldova, Serbia and Türkiye; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Andorra and Monaco, said that her delegation appreciated the invaluable work of the Programme of Assistance, which had helped significantly to enhance national capacities in international law and expand training opportunities for participants around the world. It was invaluable to expand training opportunities with a focus on participants from developing countries and to have the regional courses focused not only on the core topics of international law, but also on contemporary issues with a specific focus on the regions themselves.

40. The European Union commended the Codification Division for swiftly moving the regional courses to online platforms in order to minimize the negative impact of the COVID-19 pandemic, but it was pleased to learn of the planned relaunch of the regional courses with in-person attendance. It also welcomed the establishment of the alumni network and hoped that the online educational activities and interactive sessions for alumni would continue. The European Union welcomed the recording of 41 new lectures for the Audiovisual Library. In its view, the Library would benefit from a more modern, user-friendly platform, and all of the Programme's activities should be offered in languages other than the six official languages of the United Nations. There should be more geographical, linguistic and gender diversity among scholars and participants, and Member States should encourage more women to apply for the courses offered by the Programme.

41. The European Union supported the redeployment of one post of Principal Legal Officer from the Codification Division to the Office of the Under-Secretary-General for Legal Affairs in order to achieve easier and more concentrated managerial oversight. It also welcomed the current financing arrangement for the International Law Fellowship Programme, the regional courses and the Audiovisual Library, with funds coming

not only from voluntary contributions but also from the regular budget.

42. **Mr. Ke** (Cambodia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that the Codification Division was to be commended for holding the International Law Fellowship in its traditional format for the first time since the beginning of the COVID-19 pandemic, while continuing to provide remote learning opportunities for applicants to the three regional courses. However, ASEAN wished to stress the importance of resuming all activities in person in 2023 and welcomed the ongoing preparations for the regional courses. ASEAN commended the Division for organizing online interactive sessions for alumni on lectures in the Audiovisual Library and noted with appreciation that it was continuing to update the online repository, which should be useful for current training programme participants as well. ASEAN strongly supported financing the Programme from the regular budget and encouraged States to make voluntary contributions to further expand and enhance its activities.

43. **Ms. Laukannen** (Finland), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that rules-based international cooperation was crucial in order to tackle such problems as global warming, biodiversity loss, conflicts and poverty. The Russian illegal war of aggression in Ukraine had led some to question the relevance of international law. While that law could not prevent the commission of internationally wrongful acts, it provided a standard against which the conduct of States was measured. The strong response of the world to the war of aggression had shown the importance and strength of international law and a rules-based international order. Such an order depended largely on the professionalism and commitment of people acting on behalf of States.

44. Through the Programme of Assistance, generations of government lawyers, judges and diplomats from around the globe had been able to gain a deeper understanding of international law in the current interconnected world, which had benefited the international community as a whole. Since 1965, the Programme of Assistance had made a significant contribution to achieving the goals of the United Nations by providing scholars and practitioners with access to international law training and other resources on international law. The Nordic countries commended the continued engagement of the Office of Legal Affairs in pursuing its mandate regarding the Programme of Assistance.

45. The Audiovisual Library was an invaluable resource that continued to bring high-quality training free of charge to an unlimited number of individuals and institutions around the globe. The Nordic countries welcomed the efforts of the Office of Legal Affairs to facilitate access to lectures for users without reliable Internet connections and noted with appreciation the additional measures taken by the Library in response to the COVID-19 pandemic, which had highlighted the value of the Library's resources. The Nordic countries commended those Member States that had made contributions to the Programme and encouraged all States to consider doing so in order to sustain its ongoing activities and development.

46. *Mr. Leal Matta (Guatemala), Vice-Chair, took the Chair.*

47. **Mr. Toh** (Singapore) said that his country was a firm supporter of the Programme of Assistance, which contributed to greater adherence to international law. His delegation was pleased that in-person training had resumed, and looked forward to the success of the regional courses in the coming months. The Audiovisual Library had been a particularly valuable resource during the reporting period. His delegation welcomed the ongoing revamping of the Library's website. To help make the content even more user-friendly, a search engine should be added, and lecturers should be encouraged to provide slides or other visual aids to be uploaded to the website.

48. Despite the challenges created by the pandemic, Singapore continued to contribute to the teaching, study, dissemination and wider appreciation of international law through its capacity-building initiatives. In 2022, the National University of Singapore had conducted the fourth iteration of the ASEAN Law Academy Advanced Programme, and the Singapore Cooperation Programme had offered courses on topics such as global health, maritime issues, aviation, climate change and governance, which had attracted government officials from nearly 60 countries and representatives of regional organizations. Most recently, Singapore had hosted the United Nations Commission on International Trade Law (UNCITRAL) Academy. As a member of the Advisory Committee, Singapore would continue to contribute constructively to the work of the Programme of Assistance.

49. **Ms. Solano Ramirez** (Colombia) said that the Colombian Constitution incorporated the basic principles of international law in recognition of their importance not only for international peace and security but also for the progress of Colombia as a State. Her country's recognition of the value of trust, its

compliance with its agreements and its acceptance of the supremacy of international law, had allowed it to maintain excellent relations with other States and international organizations.

50. The International Law Fellowship Programme, the regional courses in international law, the Audiovisual Library and the other initiatives of the Programme of Assistance were of invaluable benefit to the States and multilateralism. With regard to the regional course for Latin America and the Caribbean, Colombia was grateful for the fellowships granted to Colombian jurists, who had subsequently contributed to the strengthening of national capacities and the training of other jurists in international law. Regarding the Audiovisual Library, it continued to recommend that more Spanish-language publications be made available, since Spanish was an official language of the United Nations and one of the most widely spoken languages in the world.

51. **Ms. Grosso** (United States of America) said that knowledge of international law was key to furthering the rule of law at all levels. Since its establishment in 1965, the Programme of Assistance had made an indispensable contribution to the education of students and practitioners of international law and merited ongoing support. As a member of the Advisory Committee, the United States thanked those countries and organizations that had made in-kind and financial contributions to the Programme.

52. Her delegation welcomed the resumption of in-person courses and fellowship events and once again commended the Codification Division for its nimble adaption to the limitations of the COVID-19 pandemic. The remote self-paced courses and regional online workshops could be built on to reach an even broader audience. Her delegation also appreciated the continuing improvements in the accessibility and content of the Audiovisual Library, which was a more valuable resource than ever.

53. **Ms. Zamran** (Malaysia) said that, by helping to disseminate knowledge of international law, the Programme of Assistance promoted international peace and security and, thus, the very purposes of the Charter of the United Nations. Her delegation again commended the Codification Division for exploring innovative ways to pursue the Programme's objectives despite the challenges posed by the pandemic, and it welcomed the upcoming resumption of the regional courses, which provided an opportunity for in-depth exchanges and the creation of long-lasting bonds. Malaysia had benefited greatly from those courses and would continue to encourage participation in them.

54. Her delegation was pleased to note the continued organization of the online interactive sessions for alumni, as well as the significant efforts which the Codification Division had made to facilitate access to lectures in the Audiovisual Library for users with limited high-speed Internet. It commended the Division for increasing the number of subjects covered in the Library's Mini-Series of lectures on core topics of international law, as well as the linguistic diversity of the lectures.

55. Her delegation continued to support the funding of the Programme's activities from the regular budget, and it thanked the Member States and institutions which had made supplementary monetary or in-kind contributions to the Programme. It noted the proposal to redeploy one post from the Codification Division to the Office of the Under-Secretary-General for Legal Affairs and welcomed the Division's plans to increase the number of fellowships offered in 2023. Malaysia was honoured to participate in the Advisory Committee and would continue to support the activities of the Programme.

56. **Mr. Ancona Bolio** (Mexico) said that the challenges confronting the international community made disseminating knowledge of international law more important than ever. As a member of the Advisory Committee for the 2020–2023 period, Mexico had been highly satisfied with the work of the Codification Division in 2022. In the context of the pandemic, and despite limited resources, the Division had managed to maintain and renew the Programme of Assistance so as to reach an even wider audience. At the domestic level, in recognition of the importance of working jointly with international organizations and civil society to increase knowledge of international law, Mexico organized regular seminars, workshops and competitions in international law around the country, and remained committed to creating new initiatives to achieve the goals of the annual General Assembly resolutions on the Programme of Assistance.

57. One of the most important lessons of the pandemic was that virtual resources and instruction were an invaluable supplement to in-person education. His delegation welcomed the new tools available in the Audiovisual Library and urged further exploration of online learning platforms and hybrid instruction strategies. It also noted other initiatives such as the alumni platform, the use of interns and research assistants to develop material for the Library, and the inclusion of more topics in the Library's Mini-Series. However, it was still vital to achieve gender parity and more balanced geographical and legal system representation among both faculty and participants. It was also important to improve the linguistic balance of

the programmes and online content, to diversify course content and to increase the number of fellowships offered.

58. Mexico was convinced of the transformative potential of the Programme of Assistance. By making high-quality content available free of charge, the Programme helped to build legal capacities in developing countries.

59. **Mr. Abdelaziz** (Egypt) said that the activities of the Programme of Assistance had proved useful in supporting the rule of law at the international level. His delegation was pleased that the International Law Fellowship Programme had been held in person in The Hague from 4 July to 5 August 2022. The Secretariat was to be commended for finding virtual alternatives to the regional workshops that had not been held owing to the COVID-19 pandemic. Nevertheless, his delegation looked forward to the resumption of in-person workshops, which offered more benefits for participants than online training. His delegation was grateful to those States that had made voluntary contributions to the Programme and supported all efforts to fund it from the regular budget.

60. **Ms. Flores Soto** (El Salvador) said that the regional courses offered ample opportunities for developing international law capacities, which were important for sustainable development. Her delegation hoped that it would be possible to return to an in-person format in 2023, because in-person training facilitated the exchange of good practices and information among participants. It once again called for attention to be placed on gender balance and equitable geographic representation in the selection of course participants and faculty. It also called on the Member States to make much-needed voluntary contributions to the Programme of Assistance and thanked those which had done so in 2022.

61. The International Law Fellowship Programme and the Audiovisual Library had contributed to the training of government officials from the various legal systems and regions of the world. Her delegation applauded the increase in the number of subjects in the Library's Mini-Series on core topics, as well as the attention given to linguistic diversity in further developing its offerings, including the provision of simultaneous interpreting for lectures that had subsequently been made available on the Library website.

62. **Mr. Mora Fonseca** (Cuba) said that the Programme of Assistance greatly contributed to the promotion of the rule of law at the national and international levels and fostered a deeper understanding of the substantive norms of international law. Such

understanding improved compliance with international law, promoted international peace and security and fostered friendly relations and cooperation among States. Indeed, many jurists, academics and public officials from developing countries had benefited enormously from its offerings. However, participants from many small and developing countries could not take part in the courses and fellowships offered unless all of their expenses were covered. In the case of Cuba, the economic, commercial and financial embargo that had been imposed against it by the United States for almost 60 years was an obstacle to participation. It was therefore important for the activities under the Programme to be funded from the regular budget.

63. **Mr. Amaral Alves De Carvalho** (Portugal) said that his delegation hoped that progress towards the resumption of the activities of the Programme of Assistance would continue in 2023. While the Programme was widely recognized within the international community as a means of strengthening international peace and security and supporting friendly relations and cooperation among States, it was crucial for States to continue their efforts to raise awareness of it in universities and among government officials. Its courses and initiatives were in ever-increasing demand and provided access to training and resources to many who might otherwise be excluded.

64. Portugal was grateful to the regional commissions for hosting the regional courses in international law and commended the Codification Division for its outstanding work and administrative and financial efficiency, including its maintenance and expansion of the Audiovisual Library at relatively low cost. The COVID-19 pandemic had shown that distance learning tools such as the Library had a positive impact on individuals, communities and nations and helped to overcome inequalities. Portugal welcomed the Division's efforts to increase the linguistic and geographic inclusiveness of the Library's materials, including by adding lectures and other training opportunities in languages other than the six official languages of the United Nations.

65. His delegation was pleased that the General Assembly had once again included funding for the Programme in the regular budget; however, that funding would not cover all the costs associated with the Programme. While voluntary contributions offered added support, it would be useful to explore new and creative funding mechanisms, such as the establishment of partnerships with non-governmental organizations, universities, research institutes and law firms. As a member of the Advisory Committee, Portugal would continue to promote the dissemination of international

law as a means of building the fair, free and peaceful world envisaged in the Charter of the United Nations.

66. **Ms. Chearbhaill** (Ireland) said that, although the funding of the Programme of Assistance was now under the regular budget, her delegation strongly encouraged all Member States to make voluntary contributions, as they were clearly still needed. Ireland was committed to the rule of law and believed that better knowledge of international law would promote international peace and security and friendly relations among nations. It considered the Programme a core component of the United Nations and supported it through recurrent annual contributions.

67. The regional courses were an important tool to improve national capacities in international law in developing countries, while the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea helped to disseminate specialized knowledge of oceans and maritime law. Ireland commended the Codification Division for its effective work in organizing and offering online workshops as a temporary replacement for the regional courses during the COVID-19 pandemic and hoped that the recipient of the 2020 Fellowship on the Law of the Sea would be able to take up the fellowship in person in 2023.

68. The Audiovisual Library was an invaluable resource that extended the scope and reach of the Programme. Her delegation acknowledged the ongoing efforts to broaden the linguistic and geographical diversity of its contributors and supported the Advisory Committee's proposal for the development of a modern, user-friendly website.

69. **Mr. Kanu** (Sierra Leone) said that the tools developed to confront the challenges of the COVID-19 pandemic should be enhanced to support the Programme's dissemination function. Sierra Leone welcomed the utilization of the alumni network to provide online continuing education and access to resources, as well as the provision of a remote learning option to replace the regional courses on an interim basis.

70. The gender imbalance among the candidates for the regional course for Africa had been considerable and there had been a much smaller but significant gender gap among participants in the online regional curriculum for Africa. In contrast, roughly the same number of men and women had participated in the International Law Fellowship Programme in The Hague, and they appeared to represent a reasonable geographic distribution. Nevertheless, it was important for the Codification Division, the Advisory Committee and Member States to examine ways to achieve gender

balance and equity, which might require a disproportionately high number of women, and to continue to make geographic balance a priority. His delegation joined the Advisory Committee in emphasizing the need to ensure diversity of legal traditions and gender balance among Programme faculty.

71. Sierra Leone would continue to support all initiatives to provide capacity-building and improve the accessibility of international law resources. It reiterated its support for sustainable financing through the regular budget and thanked the Member States and international organizations whose voluntary contributions helped to enable the continued successful implementation of the Programme.

72. **Mr. Nyanid** (Cameroon) said that his delegation welcomed the attention given to developing countries in the organization of the regional courses in international law. In that connection, Cameroon would like to see a course given in all the subregions of Africa, and stood ready to host one such course. To alleviate the repercussions of the COVID-19 pandemic, and given that comparatively few Africans benefited from the various activities of the Programme of Assistance, the number of participants in the 2023 regional course for Africa should be increased by the number who would have participated in the cancelled 2022 course. To achieve gender parity in the training programmes, quotas should be established for women in general and for African women in particular.

73. By helping aspiring jurists to achieve their dreams, the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea also helped to build a well-informed legal community. Cameroon hoped to see many more such initiatives and thanked the Member States that had contributed to the Memorial Fellowship fund.

74. His delegation hoped that it would be possible to hold the 2023 regional course for Africa in person, given the in-depth exchanges and long-lasting personal bonds that in-person training facilitated. Particular attention should be given to ensuring an equitable representation of continents, cultures and legal traditions in all of the Programme's activities. His delegation encouraged the Codification Division to position the Programme as a think tank to continue examining new topics in international law, including by shedding light on grey areas of that law. The Division might also wish to consider adopting a clinical approach to the teaching of international law, in which students, working in teams, handled actual cases under the direct supervision of faculty and professionals. Combining practice and

theory would offer a useful perspective and would make international law accessible to more people.

75. His delegation commended the establishment of alumni networks and supported the continued funding of the Programme from the regular budget. It urged Member States, organizations, institutions and individuals to make monetary or in-kind contributions. His delegation also supported the proposed redeployment of one post of Principal Legal Officer from the Codification Division to the Office of the Under-Secretary-General for Legal Affairs in order to concentrate the managerial oversight of the activities related to the promotion and dissemination of international law.

76. **Mr. Hitti** (Lebanon) said that, as a member of the Advisory Committee, Lebanon supported the Programme of Assistance, which remained a vital tool for advancing a rules-based international order. Given the irreplaceable nature of in-person training, his delegation was pleased by the gradual resumption of in-person activities. It commended the Codification Division for the steps it had taken to adapt to the COVID-19 pandemic, and also welcomed its efforts to improve access to the Audiovisual Library in developing countries, in keeping with the Programme's primary objective of promoting international law in the developing world.

77. More should be done to bring the Programme of Assistance to the attention of universities and relevant non-governmental organizations through further use of social media and by enlisting the assistance of Programme alumni. It was also important to ensure gender balance and to give greater attention to linguistic and geographical diversity. In particular, there should be more lecturers from the Middle East and North Africa region.

78. His delegation continued to support the funding of the Programme's activities from the regular budget, which offered more predictability. However, as voluntary contributions remained important, it was grateful to the Member States which had made such contributions.

79. **Ms. Zhao** Yanrui (China) said that, since its inception, the Programme of Assistance had supported the teaching, study and application of international law and played a crucial role in capacity-building, in particular in developing countries. China attached great importance to the teaching and study of international law and had always actively supported the Programme, including through the provision of financial support. In 2022, her Government would contribute \$27,000 to the Programme.

80. Her delegation commended the Codification Division for its use of remote learning curricula and online regional workshops during the COVID-19 pandemic, which had allowed the Programme to function as smoothly as possible. It was also pleased to note that the Division was continuing to enrich the content of the Audiovisual Library and to compile and publish legal publications. In that effort, the Division must uphold the principles of objectivity and neutrality, optimize its work processes, increase transparency and avoid any controversy. China stood ready to cooperate with other parties to continue to support the Programme of Assistance, thus contributing to the teaching, study and dissemination of international law and enhancing capacity-building in developing countries.

81. **Ms. Nze Mansogo** (Equatorial Guinea) said that the Programme of Assistance provided an essential tool for attaining one of the primary objectives of the Charter: to establish conditions under which justice and respect for the obligations under international law could be maintained. Training jurists and diplomats from all countries through the Programme was the best way to promote respect for international law, enhance the rule of law and strengthen international peace and security. Regarding the period under review, her delegation commended the Codification Division for conducting the International Law Fellowship Programme and the online regional workshops and for continuing to make international law resources available online, free of charge. It urged the Division to make every effort to publish the legal materials in the Audiovisual Library in all official languages and, like other delegations, believed that the Programme of Assistance should be funded from the regular budget.

82. **Mr. Bae Jongin** (Republic of Korea) said that States could boost the impact of the resources available through the Programme of Assistance by increasing awareness of them in academic circles and making use of them when training their civil servants and diplomats. His Government's efforts to promote the dissemination of public international law included an annual moot court competition and an award for the best thesis on a relevant topic. In-person lectures and courses had already resumed at the Seoul Academy of International Law and would resume at the Yeosu Academy of the Law of the Sea later in 2022.

83. Promoting in-depth exchanges and long-lasting bonds was challenging in a virtual setting. Thus, his delegation welcomed the holding of the International Law Fellowship Programme in person in 2022. However, continuing to evaluate the experiences with online learning during the COVID-19 pandemic and exploring ways to build on what had been learned could

further strengthen the Programme. Thought should also be given to ways of broadening the Programme's audience, especially with respect to the Audiovisual Library. Shorter formats, such as the Mini-Series, could be used to introduce the general public to the basics of international law. Preparing lectures in more languages would also be useful, as would addressing technical inequalities by providing greater offline accessibility and, where possible, capacity-building in information and communications technology. Lastly, a conscious effort should be made to take the diversity of legal traditions into account in the design and development of initiatives, with a view to addressing geographical imbalances.

84. **Ms. Mengesha** (Ethiopia) said that the regional course in international law for Africa had been held in Addis Ababa since 2011. Ethiopia valued the contribution of that course to the teaching, study, dissemination and application of international law through capacity-building across a wide spectrum of professions, and as platforms for strengthening professional networks. It looked forward to continuing to host the course and would continue to provide the support needed to ensure its success. Ethiopia also stood ready to assist in efforts to enhance and expand the Programme of Assistance, and it thanked the Member States that had made monetary contributions to the Programme. Her delegation commended the Codification Division for its ongoing publishing activities and its efforts to improve the Audiovisual Library. It also appreciated the efforts made to ensure the continuation of the Programme during the COVID-19 pandemic. However, in-person training was indeed irreplaceable; her Government therefore looked forward to receiving the next cohort of regional course participants.

The meeting rose at 12.50 p.m.