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Draft report

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Addendum

Programme questions: proposed programme budget for 2026

(Item 3 (a))

Programme 6 Legal affairs

1. At its 5th meeting, on 14 May 2025, the Committee considered programme 6, Legal affairs, of the proposed programme plan for 2026 and programme performance in 2024 ([A/80/6 \(Sect. 8\)](#)).

Discussion

2. Delegations expressed appreciation and strong support for the work of the Office of Legal Affairs who coordinated and consulted widely with all parties, including Member States on legal matters. It was recognized that the Office was vital to the functioning of the United Nations and its staff were commended for delivering its mandate with the highest standards of professionalism. Delegations congratulated the Office for its proposed programme plan and expressed the hope that it would be fully implemented in 2026.

3. Delegations welcomed the support to be provided by the Office to the Preparatory Committee for the United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity; the Preparatory Commission for the Entry into Force of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction and the Convening of the First Meeting of the Conference of the Parties to the Agreement; and the support provided to the International Law Commission and the United Nations Commission on International Trade Law (UNCITRAL). The important role of the International Law



Commission in the progressive development and codification of international law was noted and the need for allocating appropriate time for its deliberations to deliver on its mandate was stressed.

4. The view was expressed that the Office should take practical measures to improve equitable geographical representation which would enable the Office to draw on diverse experiences and best practices so as to better carry out its work.

5. With reference to the role of the United Nations Legal Counsel as the focal point of UN-Oceans (General Assembly resolution [68/70](#)), a delegation inquired about the strategy for 2026 and how the Office would leverage the possibilities of the inter-agency coordination mechanism in support of the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction.

6. With respect to paragraph 8.I.11, support and appreciation was expressed for the Office's work to further the progressive harmonization, modernization and unification of international trade law, and clarification was sought regarding future support to be provided to Member States in the preparation of universally acceptable legislative and non-legislative texts. With respect to paragraph 8.I.12 on the law of treaties, a delegation sought clarification on the actions undertaken to promote wider knowledge of the law of treaties, including through capacity-building activities and workshops.

7. With respect to evaluation activities, the evaluation conducted in 2024 was noted and a delegation recognized the strengthened evaluation culture in the Office. In connection with alumni networks, clarification was sought on how the Office planned to promote strategic relationships with academic host institutions, including maintenance of up to-date alumni and host institution databases to better prepare and implement capacity-building activities.

8. With respect to subprogramme 1, Provision of legal services to the United Nations system as a whole, a delegation noted that paragraphs 8.I.24 (b), 8.I.25 (d), and item E. of table 8.I.6, made reference to the provision of support to United Nations criminal tribunals, their oversight bodies and other international accountability mechanisms. The delegation opined that the text implied that the Office was mandated to support an unlimited number of mechanisms, which it disagreed with, and sought clarification on what "other accountability mechanisms" were, and suggested that the phrase should be deleted.

9. With reference to table 8.I.6 and category E deliverables, the inclusion of the phrase "legal advice to 18 United Nations entities on the interpretation and implementation of the Relationship Agreement between the United Nations and the International Criminal Court" was questioned, as not all Member States of the United Nations were members of the International Criminal Court and parties to the Rome Statute. Clarification was sought on whether the International Criminal Court and the United Nations were viewed as separate entities.

10. A delegation expressed its regret on the absence of specific references to the Office's work in assisting the Committee on Relations with the Host Country. The view was expressed that General Assembly resolution [79/130](#), provided a mandate to the Secretary-General to launch an arbitration procedure under section 21 of the United Nations Headquarters Agreement, and that the Office played a key role in that regard. A delegation further opined that the relevant section of the programme plan should include specific steps aimed at resolving the problems faced by the Permanent Missions of the United Nations, including measures to prepare for arbitration.

11. With regard to subprogramme 2, General legal services provided to United Nations organs and programmes, clarification was sought on Result 3, and the progress made to incorporate standard contractual provisions into contracts signed by the United Nations to reduce risks.

12. With regard to subprogramme 3, Progressive development and codification of international law, delegations acknowledged the work of the Office in the codification of international law and servicing the International Law Commission.

13. Several delegations reiterated their support for the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, the United Nations Regional Courses in International Law, and the International Law Fellowship Programme. It was noted that the programmes strengthened national legal capacities and ensured the effective and informed participation of all states in building and developing international law.

14. With respect to the United Nations Audiovisual Library of International Law and the Programme of Assistance, a delegation expressed its deep appreciation to the subprogramme for the efficient and professional implementation of the programme. It was emphasized that the Programme of Assistance had helped in strengthening national capacities in international law and in the establishment of vital networks of contacts in the international law field. The contribution of the Programme of Assistance for promoting the rule of law and enabling full, equal and equitable access to the international legal system was also recognized by delegations.

15. While matters relating to parts of the programme dealing with resources were not within the mandate of the Committee for Programme and Coordination, a delegation referred to the uncertainty regarding access to regular budget funds in 2024 and observed that this had an impact on the International Law Fellowship program, and the updating of the Audiovisual Library, which prevented the recording of lectures as the Secretariat could not recruit a video producer and webmaster. In that regard, the delegation requested an update including on the Audiovisual Library. The delegation also requested information on the strategy for 2026, with respect to the projected dissemination of materials on international law through the Audiovisual Library and major legal publications, including in other regions such as Asia Pacific.

16. With regard to subprogramme 4, Law of the sea and ocean affairs, delegations expressed appreciation for the work of the subprogramme, and its important role in the adoption of the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction and in supporting the process of its ratification by Member States, which represented one of the greatest achievements of multilateralism in the last decade. The work of the Office as the interim secretariat of the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction was recognized, and the subprogramme was commended for the successful conduct of the first substantive session of the Preparatory Commission.

17. The work of the subprogramme on capacity-building for developing States was recognized, particularly in relation to the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction. A delegation observed the importance of increasing the participation of landlocked developing countries in capacity-building activities in the framework of the law of the sea and ocean affairs, and the Office was requested to provide more information in that regard.

18. With respect to paragraph 8.I.63 (d), a delegation expressed the view that measures for the promotion of a better understanding of the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction were premature, as the treaty had not yet entered into force. The delegation further opined that assistance to developing countries in strengthening their capacity to participate in the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction should be undertaken at the request of those States. With respect to paragraph 8.I.64 (a), the delegation also questioned how the activities of the subprogramme would contribute to increasing the number of States parties to the Convention on the Law of the Sea and its implementing agreements.

19. Reference was made to paragraph 8.I.69 and the performance measures reflected in table 8.I.16 under 2023 and 2024, and clarification was requested on the reference to “gaps ... in the effective implementation of international law”.

20. With reference to result 3, it was observed that the subprogramme would support the publication of the third World Ocean Assessment in 2025 and a question was raised on whether there were plans in 2026 to build on the outcomes of the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, to be held in 2025.

21. With respect to subprogramme 5, Progressive harmonization, modernization and unification of the law of international trade, delegations acknowledged the work of the subprogramme as secretariat of UNCITRAL, and its work on the harmonization and development of international trade law that governs international commercial transactions and strengthening technical cooperation and promoting the participation of developing countries in the law-making activities of UNCITRAL. The subprogramme’s work in supporting Working Group three, on investor State dispute settlement, and Working Group 5, on insolvency, were particularly noted.

22. Efforts undertaken to promote more active participation of developing countries in the Commission’s normative and cooperative activities was highlighted. Clarification was sought on whether additional measures to facilitate a more equitable and substantive participation of developing countries in the work of UNCITRAL was envisioned. A delegation emphasized the importance of having simultaneous broadcasting of the meetings taking place in Headquarters in New York to facilitate greater participation from capitals.

23. With regard to subprogramme 6, Custody, registration and publication of treaties, clarification was sought on the steps taken to support the Sixth Committee in the forthcoming debate on “The role of technology in shaping treaty-making practice”.

24. Regarding the Independent Investigative Mechanism for Myanmar, several delegations expressed their strong support for the work of the Mechanism and noted that promoting accountability for atrocities and other abuses committed in Myanmar both before and after the February 2021 military coup demonstrated Member States’ commitment to human rights and support for ending the culture of impunity and supporting justice. It was noted that preventing new atrocities and other abuses, addressing the needs of victims and survivors, and ensuring those responsible for atrocities and other abuses were held accountable were essential to addressing the ongoing crisis in Myanmar and helping Myanmar return to a path toward an inclusive, peaceful and prosperous State. Delegations welcomed and recognized the Mechanism’s flexibility and effectiveness in its efforts to address the challenging circumstances and the Mechanism was congratulated on the progress made.

25. With respect to the programme performance in 2024, a delegation noted and welcomed the enhancement of investigations through the use of evidentiary materials as reflected in figure 8.II.I. The delegation also welcomed the ongoing work reflected in results 2 and 3, including the increased engagement with victims, survivors and civil society, and the increased access to evidence and the amount of information available.

26. Regarding the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, delegations expressed their support and appreciation for the work of the Mechanism in ensuring accountability, including its victim-centred approach. It was observed that since the Mechanism was created, it had made great progress in implementing its

critically important mandate to collect, consolidate, preserve, and analyse evidence of violations of international humanitarian law and human rights violations and abuses committed in Syria over the last decade, building upon the work members of Syrian civil society provided to it. A delegation welcomed the ongoing work of the Mechanism to building a central repository and its efforts to work with the Syrian authorities in the changed context in Syria.

27. It was noted that the Mechanism had become vital in providing prosecutors and investigators with information and evidence needed to pursue criminal accountability, thereby achieving a measure of justice for the many victims. A delegation noted its strong support for ensuring that such information would be made available to assist in new prosecutions, where jurisdiction exists.

28. While matters relating to parts of the programme dealing with resources were not within the mandate of the Committee for Programme and Coordination, a delegation observed that the work of documenting atrocities, collecting evidence and pursuing justice was resource-intensive and required sustained financial support, and called upon Member States to maintain full funding for the Mechanism's work, including through the United Nations regular budget.

29. It was noted with satisfaction that the Mechanism now served some 16 competent jurisdictions and had expanded its reach and impact in supporting efforts to hold perpetrators accountable. It was further noted that the Mechanism was deepening and intensifying its trusted partnerships with civil society in the Syrian Arab Republic, Member States and international organizations, thereby fostering collaboration and solidarity in the pursuit of justice.

30. The view was expressed that the Syrian people should be heard, and that every individual Syrian victim should have the opportunity to seek justice. A delegation emphasized that accountability and justice were essential to the international community's efforts to ensure that a lasting, United Nations facilitated political process in the Syrian Arab Republic could take hold. It was observed that the Mechanism remained at the forefront and was integral to ensuring accountability. The same delegation stated that without such work, the stable, just and enduring peace that the Syrian people deserved would remain elusive.

31. The view was expressed that the continued inclusion of the Mechanism under programme 6, Legal affairs, was regrettable, and that the two Mechanisms were political instruments that did not have consensus and were artificially linked to the programme. A delegation recalled its proposal to consider the two Mechanisms under a separate programme and noted that such an approach would allow for the full consideration of the programme plan of the Office of Legal Affairs.

32. It was further emphasized that the establishment of the Mechanisms were in violation of international law, that the adoption of the resolution by the General Assembly was a departure from the limits of its statutory powers and the absence of a resolution of the Security Council adopted pursuant to Chapter VII of the Charter of the United Nations was noted. It was opined that these concerns applied to both Mechanisms. The view was expressed that in the context of acute shortage of resources in the United Nations, funding these mechanisms through the programme budget was regrettable.

33. A delegation noted that there remained a wide divergence of view among Member States on the establishment and functioning of the two Mechanisms included under programme 6, Legal affairs, and requested clarification on the reasons for the inclusion of the two Mechanisms under programme 6.

Conclusions and recommendations

34. The Committee recommended that the plenary or the relevant Main Committee or Main Committees of the General Assembly, in line with Assembly resolution [79/247](#), consider the programme plan for programme 6, Legal Affairs, of the proposed programme budget for 2026 under the agenda item entitled “Programme planning” at the eightieth session of the Assembly.
