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

Report of the Sixth Committee

Rapporteur: Mr. Guillaume PAMBOU-TCHIVOUNDA (Gabon)

### I. INTRODUCTION

1. The item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law" was included in the provisional agenda of the forty-fourth session of the General Assembly pursuant to Assembly resolution 42/148 of 7 December 1987.
2. At its 3rd plenary meeting, on 22 September 1989, 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. For its consideration of this item, the Sixth Committee had before it the report of the Secretary-General (A/44/712), which was introduced by the Legal Counsel at the 43rd meeting, on 16 November (see A/C.6/44/SR.43). The Sixth Committee also had before it a letter dated 19 July 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Zimbabwe to the United Nations addressed to the Secretary-General (A/44/409-S/20743 and Corr.1).
4. The Sixth Committee considered the item at its 43rd, 44th, 46th and 47th meetings, held on 16, 21, 22 and 27 November 1989. The summary records of these meetings (A/C.6/44/SR.43, 44, 46 and 47) contain the views expressed by the representatives who made statements during the consideration of the question.

## II. CONSIDERATION OF PROPOSALS

5. At the 46th meeting, on 22 November, the representative of Ghana introduced a draft resolution (A/C.6/44/L.16) sponsored by Ghana, Kenya, Lesotho, the Libyan Arab Jamahiriya, Malawi, Romania, Turkey, Uganda and Venezuela, later joined by Cyprus, Madagascar and Uruguay. The draft resolution read as follows:

"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 <sup>1/</sup> 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, <sup>2/</sup>

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

"Bearing in mind the objectives of the United Nations Decade of International Law,

"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,

"Reaffirming 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, 40/66 of 11 December 1985 and 42/148 of 7 December 1987, 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

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<sup>1/</sup> A/44/712.

<sup>2/</sup> Ibid., sect. III.

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, on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, 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 1990 and 1991 the activities specified in his report, including the provision of:

"(a) A minimum of fifteen fellowships each in 1990 and 1991, at the request of Governments of developing countries;

"(b) A minimum of one scholarship each in 1990 and 1991 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 1990 and 1991;

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 Programme in 1988 and 1989, in particular for the organization of the twenty-fourth 3/ and twenty-fifth 4/ sessions of the International Law Seminar, held at Geneva from 6 to 24 June 1988 and 12 to 30 June 1989, 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;

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3/ See Official Records of the General Assembly, Forty-third Session, Supplement No. 10 (A/43/10), chap. VIII, sect. E.

4/ Ibid., Forty-fourth Session, Supplement No. 10 (A/44/10), chap. IX, sect. E.

"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 Brazil for its willingness to co-sponsor the regional training and refresher course for Latin America and the Caribbean, held at Brasília from 21 November to 1 December 1988, and for acting as host to 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 Dakar in 1988 and at Bogotá in 1989;

"8. Notes with appreciation the contributions made by the Hague 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, for the International Law Seminar and for the International Law Fellowship Programme sponsored jointly by the

United Nations and the United Nations Institute for Training and Research 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-sixth session on the implementation of the Programme during 1990 and 1991 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 include in the provisional agenda of its forty-sixth session the item entitled 'United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law'."

6. At the 47th meeting, on 27 November, the representative of Mexico introduced amendments to draft resolution A/C.6/44/L.16 (A/C.6/44/L.21), which were sponsored by Chile, Guatemala, Mexico, Nicaragua, Panama and Uruguay, later joined by Bolivia, Colombia, Costa Rica, Ecuador, Kuwait and Spain.

7. At the same meeting, the representative of Mexico, on behalf of the sponsors, orally revised the amendments to draft resolution A/C.6/44/L.16 (A/C.6/44/L.21). The amendments, as revised, read as follows:

(a) Introduce a new seventh preambular paragraph:

"Noting that the publication of the Juridical Yearbook in languages other than French and English contributes to the wider dissemination, study and teaching of International Law,";

(b) Introduce a new eighth preambular paragraph:

"Recalling the provisions of Article 39 of the Statute of the International Court of Justice,";

(c) Introduce a new ninth preambular paragraph:

"Taking into account the circumstances encountered by the recommendations made by the Joint Inspection Unit to publish in languages other than French and English the judgements of the International Court of Justice and in particular the difficulties to which the Court has drawn attention,";

(d) Introduce a new operative paragraph 14:

"Requests the Secretary-General to study alternative means of making the publications of the International Court of Justice available in all the other official languages in addition to French and English within existing appropriations in a way which meets the concerns expressed by the Court and to present the result of his considerations to the General Assembly;"

8. At the same meeting, the amendments to draft resolution A/C.6/44/L.16, as revised, were adopted without a vote. Following the adoption of the amendments, Bolivia, Gabon and the Netherlands joined the sponsors of draft resolution A/C.6/44/L.16 as amended.

9. At the same meeting, the Sixth Committee adopted draft resolution A/C.6/44/L.16, as amended, without a vote (see para. 10).

### III. RECOMMENDATION OF THE SIXTH COMMITTEE

10. 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 5/ 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, 6/

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

Bearing in mind the objectives of the United Nations Decade of International Law,

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

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5/ A/44/712.

6/ Ibid., sect. III.

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.

Reaffirming 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, 40/66 of 11 December 1985 and 42/148 of 7 December 1987, 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,

Noting that the publication of the Juridical Yearbook in languages other than French and English contributes to the wider dissemination, study and teaching of International Law,

Recalling the provisions of Article 39 of the Statute of the International Court of Justice,

Taking into account the circumstances encountered by the recommendations made by the Joint Inspection Unit to publish in languages other than French and English the judgements of the International Court of Justice and in particular the difficulties to which the Court has drawn attention,

1. Approves the recommendations of the Secretary-General contained in section III of his report on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, 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 1990 and 1991 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1990 and 1991, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1990 and 1991 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 1990 and 1991;

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 Programme in 1988 and 1989, in particular for the organization of the twenty-fourth 7/ and twenty-fifth 8/ sessions of the International Law Seminar, held at Geneva from 6 to 24 June 1988 and 12 to 30 June 1989, 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 Brazil for its willingness to co-sponsor the regional training and refresher course for Latin America and the Caribbean, held at Brasília from 21 November to 1 December 1988, and for acting as host to 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

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7/ See Official Records of the General Assembly, Forty-third Session, Supplement No. 10 (A/43/10), chap. VIII, sect. E.

8/ Ibid., Forty-fourth Session, Supplement No. 10 (A/44/10), chap. IX, sect. E.



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 Dakar in 1988 and at Bogotá in 1989;

8. Notes with appreciation the contributions made by the Hague 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, for the International Law Seminar and for the International Law Fellowship Programme sponsored jointly by the United Nations and the United Nations Institute for Training and Research, 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-sixth session on the implementation of the Programme during 1990 and 1991 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. Requests the Secretary-General to study alternative means of making the publications of the International Court of Justice available in all the other official languages in addition to French and English within existing appropriations in a way which meets the concerns expressed by the Court and to present the result of his considerations to the General Assembly;

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

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