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

Report of the Secretary-General

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## I. INTRODUCTION

1. The United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was established by the General Assembly under its resolution 2099 (XX) of 20 December 1965 and has been continued under relevant resolutions repeated annually until 1971 and biennially thereafter. 1/
2. In its most recent resolution, namely, resolution 36/108 of 10 December 1981 the General Assembly, inter alia, authorized the Secretary-General to carry out in 1982 and 1983 the activities specified in the report which he submitted at the thirty-sixth session (A/36/633), while expressing its appreciation to the Secretary-General for his efforts to promote training and assistance in international law within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, and to the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Institute for Training and Research (UNITAR) for their participation in the Programme.
3. In paragraph 11 of that resolution, the General Assembly requested the Secretary-General to report to the Assembly at its thirty-eighth session on the implementation of the Programme during 1982 and 1983 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years.
4. In accordance with the request of the General Assembly, the present report deals with the implementation of the Programme during 1982 and 1983 and submits recommendations regarding the execution of the Programme in subsequent years. The report, as in previous years, gives an account of the steps taken or planned by the United Nations itself as well as a description of those of UNITAR and UNESCO.

## II. EXECUTION OF THE PROGRAMME DURING THE BIENNIUM 1982-1983

### A. Activities of the United Nations

#### 1. Co-operation with other organizations

5. Several international organizations and institutions 2/ have continued to participate as observers in various meetings of United Nations bodies dealing with progressive development of international law and its codification. For instance, such international organizations and institutions participate as observers in the work of the Sixth Committee, the International Law Commission, the United Nations Commission on International Trade Law and other committees created for the purpose of drafting international instruments.

#### 2. Geneva International Law Seminar

6. During the thirty-fourth session of the International Law Commission, the

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United Nations Office at Geneva and the Office of Legal Affairs in New York organized the eighteenth session of the International Law Seminar for advanced students and young government officials who normally deal with questions of international law in the course of their work.

7. The eighteenth session of the Seminar was held at the Palais des Nations from 10 to 28 May 1982 and was attended by 24 participants, each from a different country. As in the case of the previous sessions, the participants attended the meetings of the International Law Commission. They also participated in special lectures given by members of the International Law Commission, a representative of the Legal Office of the International Committee of the Red Cross, the Assistant Director-General and Legal Adviser of the International Labour Office and the Acting Director of the Division of Human Rights. 3/

8. During the thirty-fifth session of the International Law Commission, the United Nations Office at Geneva, in collaboration with the Office of Legal Affairs of the United Nations in New York, organized the nineteenth session of the International Law Seminar.

9. The nineteenth session of the seminar was held at the Palais des Nations from 24 May to 10 June 1983 and was attended by 24 participants, each from a different country. As in the case of the previous sessions, the participants attended the meetings of the International Law Commission. They also participated in special lectures given by members of the International Law Commission, a Judge of the International Court of Justice, representatives of the Office of the United Nations Disaster Relief Co-ordinator, the Economic Commission for Europe and the World Intellectual Property Organization and the Director of the United Nations Centre for Human Rights. 4/

10. The International Law Commission, both at its thirty-fourth and thirty-fifth sessions, stressed the importance it attaches to the Geneva international law seminars, which give the participating young lawyers the opportunity to familiarize themselves with the work of the Commission and the activities of various bodies within the United Nations system in the area of international law.

11. In order to ensure the continuance and growth of the seminars, and in particular to enable a larger number of fellowships to be awarded, the Commission urges that as many States as possible should make a contribution, even a token one, to the travel and living expenses of the participants that may have to be met, thus demonstrating their interest in the sessions of the International Law Seminar. 5/

### 3. Activities concerning international trade law

12. The activities concerning international trade law were undertaken pursuant to General Assembly resolutions 36/32 of 13 November 1981 and 37/106 of 16 December 1982, in which the Assembly reaffirmed the importance of the work of the United Nations Commission on International Trade Law (UNCITRAL). In the two resolutions, the Assembly stressed the importance for the developing countries

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of the work of UNCITRAL in connection with training and assistance in the field of international trade law and welcomed the initiative being undertaken by UNCITRAL to sponsor regional seminars and symposia in this field.

13. The General Assembly, in the two resolutions mentioned above, further expressed its appreciation to those States that had made financial contributions towards the financing of the specific activities carried out by the secretariat of UNCITRAL during 1982 and 1983 as outlined below, and invited Governments and relevant United Nations organs, institutions, bodies and individuals to continue assisting the UNCITRAL secretariat in the financing and organizing of seminars and symposia in the field of international trade law.

14. During 1982, the UNCITRAL secretariat co-operated with the Stockholm Chamber of Commerce, the American Arbitration Association and the Chamber of Commerce of the Union of Soviet Socialist Republics by participating in the symposium on international commercial arbitration, held at Stockholm on 4 and 5 March 1982. The symposium was held to celebrate the fifth anniversary of the entering into force of the "Optional Arbitration Clause for use in contracts in USA-USSR Trade-1977" under which the Stockholm Chamber of Commerce was to administer arbitrations following the UNCITRAL Arbitration Rules.

15. The UNCITRAL secretariat also participated in the seventh International Arbitration Congress, held at Hamburg from 7 to 11 June 1982, in which discussions included those concerning activities of UNCITRAL in the field of arbitration, in particular, the UNCITRAL Conciliation Rules and the UNCITRAL project on a model arbitration law. That project on a model arbitration law was also discussed in the Iberian-American Seminar on International Commercial Arbitration, held at Madrid from 13 to 15 December 1982, in which the UNCITRAL secretariat participated.

16. The UNCITRAL secretariat co-operated also with the Organization of American States (OAS) in the annual international seminar organized by the Inter-American Juridical Committee of OAS, held at Rio de Janeiro in August 1982. The seminar considered, inter alia, the activities of UNCITRAL and in particular the United Nations Convention on Contracts for the International Sale of Goods that was concluded at Vienna on 10 April 1980 on the basis of the UNCITRAL draft.

17. The UNCITRAL secretariat also co-operated with the Regional Centre for Arbitration, Kuala Lumpur, established under the auspices of the Asian-African Legal Consultative Committee. A seminar held at Kuala Lumpur on 2 and 3 November 1982 considered, inter alia, the conduct of institutional arbitrations of the Centre, based on the UNCITRAL Arbitration Rules, and the question of enforcement of foreign arbitral awards under the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

18. During 1983, the UNCITRAL secretariat continued to co-operate in the organization of several seminars and symposia in aspects of international trade law. Thus, at the suggestion of the secretariat, the first seminar on the work of UNCITRAL was held in Moscow on 14 and 15 April 1983 by the Council for Mutual Economic Assistance (CMEA). The secretariat of UNCITRAL attended that regional

seminar of CMEA in which, among the subjects discussed, were the Convention on the Limitation Period in the International Sale of Goods of 12 June 1974 and the 1980 United Nations Convention on Contracts for the International Sale of Goods, both of which were regarded by the seminar as reflecting an acceptable and workable compromise between the different approaches of national law in the areas covered by the two conventions.

19. The UNCITRAL secretariat also participated in a symposium held at Baden, Austria, on 18 and 19 April 1983, organized jointly by the Economic University of Vienna, the Austrian Ministry of Justice and the Österreichische Kontrollbank AG. The symposium dealt, inter alia, with the 1980 Vienna Convention on the sale of goods and its relationship to some civil law systems. The same 1980 Convention on Contracts for the International Sale of Goods was the symposium topic at the Annual Conference of the International Law Section of the American Bar Association held at Atlanta on 1 August 1983.

20. The Inter-American Congress on Commercial Arbitration, in collaboration with the UNCITRAL secretariat, organized its eighth Conference at Santiago de Chile from 6 to 9 April 1983, in which the activities of UNCITRAL were discussed extensively. Special attention was given at the Conference to the question of UNCITRAL assistance to arbitral institutions that apply the UNCITRAL Arbitration Rules and also to the UNCITRAL project on a model arbitration law.

21. Several activities are also planned by the UNCITRAL secretariat to take place towards the end of 1983. These include participation in a seminar to be organized for West Africa, at Abidjan, by the Ivory Coast Chamber of Industry and the Institute of International Business Law and Practice of the International Chamber of Commerce. The seminar will consider, inter alia, the role of uniform law in promoting international trade and issues relating to international commercial arbitration. It will be supported by the UNCITRAL secretariat and the Economic Community of West Africa. The secretariat also plans to collaborate with the UNCTAD/GATT International Trade Centre in a project to train governmental trade promotion agencies and private sector organizations in developing countries on advising exporters and importers on legal aspects of foreign trade.

22. In addition to those activities, the secretariat has been in contact with several organizations and some Governments with a view to exploring further possibilities of jointly organizing symposia or seminars. Organizations contacted include the Asian-African Legal Consultative Committee, the Centre de droit des obligations, Louvain, Belgium, the Commonwealth Secretariat, the International Law Institute and the Georgetown University Law Center.

23. During the 1982-1983 biennium, four interns received training at the UNCITRAL secretariat and were associated with the work connected with ongoing projects of the Commission.

24. At its sixteenth session, in 1983, the Commission expressed its appreciation for the endeavours of the secretariat in the field of training and assistance and approved the general approach taken by the secretariat in that area.

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4. Scholarship under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea

25. By paragraph 1 (b) of its resolution 36/108 on the present Programme, the General Assembly authorized the provision of a minimum of one scholarship each in 1982 and 1983 under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, to be financed by voluntary contributions for which specific request was also made under paragraph 6 of Assembly resolution 36/79 of 9 December 1981, concerning the Third United Nations Conference on the Law of the Sea. 6/

26. Pursuant to the said resolutions, the Secretary-General, in his letters of 26 January 1982 and 3 January 1983, appealed to Member States, universities, philanthropic foundations, international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the activities under the Programme, and in particular the Amerasinghe Memorial Fellowship. The Special Representative of the Secretary-General for the Law of the Sea also made a specific appeal for voluntary contributions for the endowment of the Amerasinghe Fellowship in his letter of 5 February 1982, pursuant to General Assembly resolution 36/79. Reference is made in this connection to document A/CONF.62/L.156 of the Third United Nations Conference on the Law of the Sea.

27. In response to that appeal, pledges for voluntary contributions were made by various Member States and actual contributions were received from a number of individuals during 1982 and 1983. 7/

28. Owing to the lateness of receipt of contributions, it was not possible to launch the Amerasinghe Fellowship during the 1982-1983 biennium. On the basis of the contributions received, the Office of the Special Representative of the Secretary-General for the Law of the Sea, in collaboration with the United Nations Office of Legal Affairs, has undertaken steps toward the formulation of appropriate rules concerning the selection of individuals for the awards and procedures for issuing invitations to the applicants.

5. Fellowships offered at national institutions

29. The Secretary-General circulated to Member States, at the request of the Permanent Missions of Belgium and Hungary, communications giving information about fellowships offered during 1982 and 1983 by the Governments of those States for the study of international law and international trade law at their national institutions.

6. Publicity

30. Occasionally, the UN Chronicle has continued to include some information on the current legal activities of the United Nations.

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7. Provision of United Nations legal publications

31. In accordance with paragraph 1 of resolution 36/108, the Secretary-General has authority to provide copies of certain United Nations legal publications issued during 1982-1983 to institutions in developing countries that made specific requests. 8/

B. United Nations-UNITAR fellowship programme in international law

32. Under paragraph 1 (a) of General Assembly resolution 36/108, the Assembly authorized the Secretary-General to award a minimum of 15 fellowships in 1982 and 1983 at the request of Governments of developing countries. Accordingly, the United Nations and UNITAR jointly offered 18 fellowships in 1982, and 16 fellowships in 1983. As in previous years, UNITAR administered this joint programme. While the United Nations fellowships were open only to candidates from developing countries, UNITAR usually reserves two fellowships for candidates from developed countries. Due to budgetary constraints, UNITAR was unable to finance those fellowships during 1982 and 1983.

33. The objectives of the programme are to enable qualified persons, in particular middle-grade government legal officers and young teachers of international law: (a) to deepen their knowledge of international law, particularly those questions of special interest to developing countries; (b) to acquire practical experience of the legal work of the United Nations and its associated agencies; and (c) to have an opportunity for frank and informal exchanges of views on legal problems of common interest or of special concern to their respective countries.

34. In reply to the letters of invitation to all Member States of the United Nations, a total of 123 applications from 63 countries were received in 1982, and a total of 72 from 64 countries in 1983. In the selection of candidates, special consideration was given to the qualifications of individual applicants, the needs of their respective countries and their normal fields of work, while also bearing in mind the desirability of ensuring a balanced geographical distribution. In keeping with usual practice, preference was given to candidates from countries whose nationals had not been awarded a fellowship in immediately preceding years. A certain preference was also given to the poorest among the developing countries and to those who had recently gained independence.

35. The fellows chosen in 1982 were from the following countries: Bangladesh, Bolivia, British Virgin Islands, Burma, Central African Republic, China, Cook Islands, Guinea-Bissau, Guyana, Honduras, 9/ Iraq, Mauritius, Morocco, Peru, Tonga, United Republic of Tanzania, Upper Volta and Zambia. In 1983, the fellows were from the following countries: Algeria, 10/ Bahrain, Chad, Chile, Comoros, Guinea, Kenya, Mexico, Nepal, Niger, Pakistan, Philippines, Sierra Leone, Thailand, Uruguay and Viet Nam.

36. The fellows were offered basically the following three study schemes:

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(a) Attendance for six weeks at the annual courses in private and public international law at the Hague Academy of International Law; participation in the special lectures and seminars organized by UNITAR at the Hague Academy, running concurrently with the Academy's annual lectures, and practical training for three months at the Office of Legal Affairs of the United Nations and at the legal departments of the various United Nations specialized agencies or bodies. Topics for the 1982 and 1983 UNITAR special seminars at The Hague were: the role of the General Assembly in the maintenance of peace and security, the new law of the sea, institutional arrangements for the organization of economic co-operation among developing countries, the new humanitarian law of armed conflicts, the role of the International Law Commission in the treaty-making process, international protection of human rights, State immunity from jurisdiction and execution, and legal framework for the investments of the Organisation for Economic Co-operation and Development and the Organization of Petroleum Exporting Countries in the developing countries, the new international economic order and its basic legal dimensions, and legal aspects of international trade.<sup>11/</sup> The seminars provided the fellows with the opportunity to meet certain judges of the International Court of Justice, some of whom conducted discussions on the role and the work of the Court. As in previous years under this scheme, the fellows also followed a practical course on the drafting of treaties and other international instruments. A total of five fellows pursued this scheme in 1982 and a total of seven fellows in 1983;

(b) Attendance for six weeks at the courses at the Hague Academy of International Law and the UNITAR special seminars as in scheme (a) above, and participation in the Geneva International Law Seminar organized in conjunction with the annual sessions of the International Law Commission, described in paragraphs 6 to 11 above. Owing to the fact that the 1982 Geneva International Law Seminar took place earlier in May, thus too far removed from The Hague courses in July, the UNITAR fellows were unable to participate in the Geneva Seminar. Accordingly, scheme (b) was dropped from the 1982 and 1983 programme;

(c) Attendance for six weeks at the courses at the Hague Academy of International Law and participation in UNITAR special seminars only. A total of 13 fellows pursued this scheme in 1982 and a total of 7 fellows in 1983. In addition to the execution of the fellowship programme under the usual schemes as described above, special arrangements were made in 1982 for two fellows from two countries to have only a three-month practical training course in the Office of Legal Affairs in New York on matters specifically identified by the Governments concerned.

37. The significant increase in applications over the last two years, as indicated in paragraph 36 above, attests to the usefulness of the programme and indicates the wide appreciation it enjoys among Member States.

C. Activities of the United Nations Institute for Training and Research

1. Regional training and refresher courses in international law

38. As in previous years and in accordance with General Assembly resolution 36/108, UNITAR organized a regional training and refresher course in international law for Asia at Seoul from 18 to 29 October 1982 and for Latin America and the Caribbean at Buenos Aires from 26 September to 7 October 1983.

39. Owing to budgetary restraints and the high cost of travel between Asian and Pacific countries, the number of participants was restricted to 13. Participants attending the course came from the following countries: Bhutan, India, Indonesia, Japan, Nepal, Papua New Guinea, Philippines, Qatar, Thailand and Singapore. <sup>12/</sup> Apart from the participants from the countries mentioned above, who were financed by UNITAR, 12 participants from academic institutions and various ministries of the Government of the Republic of Korea also attended.

40. The course curriculum, given by several expert lecturers, <sup>13/</sup> included the following: decision-making in the United Nations - recent developments; the world Court today; legal aspects of foreign investments and transnational corporations; legal aspects of sovereignty over natural resources, arms control and disarmament; evolution of international law in Eastern Asia; the new law of the sea; international protection of human rights; the law of outer space; national laws *yis-à-vis* oil and other energy resources; and international law aspects with particular reference to offshore oil developments. The courses were conducted in English and the participants expressed their appreciation for the manner in which the programme was conducted.

41. The course for Latin America and the Caribbean was attended by 20 participants from the following countries: Antigua, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Grenada, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, Saint Lucia, Uruguay and Venezuela. Argentina, who had generously accepted to host the course, sent 14 participants.

42. The course curriculum, which was delivered by experts and scholars from Latin America as well as from other parts of the world, <sup>14/</sup> included the following topics: evolution of international law in Latin America; the new international economic order, basic legal aspects and dimensions; permanent sovereignty over natural resources; transfer of technology; legal aspects of regional integration; legal aspects of international trade; negotiating a new international economic order; law of the sea; international humanitarian law; peaceful settlement of disputes; and United Nations constitutional law and law-making. Special lectures were delivered by eminent legal scholars and practitioners from Argentina on the following two topics: the role and functions of the Interamerican Juridical Committee and the question of decolonization in international law.

43. The Secretary-General and the Executive Director of UNITAR wish to express their thanks and appreciation to the Governments of the Republic of Korea and Argentina and to the Argentine Council for Foreign Relations for their willingness

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to host these regional training and refresher courses in international law, thus ensuring the successful implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

## 2. Other activities

44. As in the previous years, the Research Department of UNITAR has been engaged in a number of projects in the field of international law with a view to producing publishable material on those projects. The publications during the 1982-1983 biennium include: The New International Economic Order; International Law in the Making?; Diplomats' Views on the United Nations System: An Attitude Survey; Model Rules for Disaster Relief Operations; Law and the Status of the Child; Prevention of Nuclear War: Soviet Scientists' Viewpoints; ASEAN and the United Nations System; The United Nations Security Council: Towards Greater Effectiveness; A New International Economic Order: Selected Documents 1977; and Progressive Development of the Principles and Norms of International Law Relating to the New International Economic Order (third phase of an ongoing project).

## D. Activities of the United Nations Educational, Scientific and Cultural Organization

45. During 1982 the contribution of UNESCO to the Programme continued to be characterized by the implementation of the medium-term plan adopted by the General Conference of UNESCO at its nineteenth session, held at Nairobi in October and November 1976. 1982 was the final year of that six-year plan. One of the objectives of the plan was the promotion of the study of the role of international law and of international organizations in the establishment of a peaceful world order. The direct mandate for the 1982 activities in that field was provided by the General Conference at its twenty-first session in its resolution 21 C/3/01.

46. In 1982, UNESCO activities relating to the teaching, study, dissemination and wider appreciation of international law were carried out in the following areas: (a) development of new teaching materials at the university level; (b) seminars and meetings of experts devoted to questions of international law; (c) studies and reference materials; (d) granting of fellowships; (e) traineeship for young lawyers; (f) assistance to non-governmental organizations; and (g) planning of future activities.

### 1. Development of new teaching materials at the university level

47. In 1982, four manuscripts were in preparation in the series of publications on new challenges to international law, one by Prof. René-Jean Dupuy of the Collège de France, entitled "International Law and the International Community"; one by Edward McWhinney (Canada) on "Ideological Pluralism and the Future of the United Nations"; one by Milan Sahović (Yugoslavia) on "International Law and the Policy of Non-Alignment at the End of the Century"; and one by Sompong Sucharitkul (Thailand) on "The Common Heritage of Mankind". Arrangements were made for work to begin on several volumes in the collection.

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48. The English version of the university textbook The International Dimensions of Human Rights, edited by Karel Vasak, was completely revised and updated and published in 1982. This book is designed essentially for international legal studies.

49. Plans were completed for the preparation of an introductory manual on public international law, which will be a collective work under the general editorship of Mohammed Bedjaoui, Judge of the International Court of Justice. This issue was further considered in 1983, as indicated in paragraph 61 below.

2. Seminars and meetings of experts devoted to questions of international law

50. International law and the promotion of the study of it were discussed at several UNESCO meetings. A regional training seminar for university teachers in the field of disarmament for Asia and the Pacific was held at the UNESCO Regional Office for Science and Technology for South-East Asia at Jakarta from 28 August to 1 September 1982. Among the university subject matters relevant to teaching and research on disarmament, international law occupied an important place.

51. An international expert meeting was held at UNESCO headquarters from 1 to 5 November 1982 on perceptions of threat and conceptions of security. Specific attention was devoted to the role of international law in relation to that problem.

52. An expert meeting on the teaching of human rights was organized at Strasbourg from 26 to 30 July 1982 to review and evaluate developments in human rights education since the International Congress on the Teaching of Human Rights (Vienna, 1978) and to consider ways and means of strengthening national, regional and international infrastructures in this field. The role of international law in human rights education is of fundamental importance.

3. Studies and reference materials

53. Of relevance to international law was one of the recommendations adopted by the World Congress on Disarmament Education of 1980, by which it requested the Director-General of UNESCO to "investigate the possibility of drawing up standard clauses whereby States parties to arms control or limitation agreements would undertake, on the one hand, to foster the dissemination of the instrument in question, and, on the other, to promote, to the greatest possible extent, and by appropriate means, disarmament education in general". A contract was concluded in 1982 for the preparation of that study.

54. Contracts were also concluded for the preparation of an annotated bibliography on international development law with particular emphasis on the legal dimensions of the establishment of a new international economic order and for the preparation of a directory of institutions offering possibilities for advanced studies and research in public or private international law.

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4. Granting of fellowships

55. As in the past, assistance was granted to the International Institute of Human Rights at Strasbourg to cover the cost of certain participants, mainly from developing countries, in the 1982 session of the International Training Centre for the Teaching of Human Rights (Centre international de formation et de recyclage des enseignants des droits de l'homme (CIFREDH)), held in July and August 1982. The purpose of this Centre is to provide in-depth training in the international law and comparative law of human rights in order that the participants may be prepared to set up specialized courses in international human rights in their home countries. Each session of the Centre is held at Strasbourg for four weeks in July and is followed by a two-week training period at international organizations having competence in the human rights matters.

56. Individual fellowships were also awarded to scholars from the following countries for studies dealing with international law, human rights or the status of women: Afghanistan, \$5,400; Ireland, \$5,400; Senegal, \$6,000; Syrian Arab Republic, \$7,900; and Ukrainian Soviet Socialist Republic, \$6,500.

5. Traineeship for young lawyers

57. The traineeship made available to young lawyers (either researchers or civil servants from national administrations) constitute yet another form of contribution to the teaching, study, dissemination and wider appreciation of international law.

58. During 1982, UNESCO received (mainly in the Office of International Standards and Legal Affairs and in the Division of Human Rights and Peace) several trainees, who had the opportunity to familiarize themselves not only with the legal activities of the Organization but also with the more general problems of international administration. This type of training is arousing growing interest, especially on the part of developing countries, as is evidenced by the ever-increasing number of candidatures coming from those countries.

6. Assistance to non-governmental organizations

59. As in the past, the International Social Science Council received a subvention from UNESCO, which it distributed among the 12 associations affiliated with the Council. Two of these associations are directly involved with the teaching, study, dissemination and wider appreciation of international law: the International Association of Legal Science and the International Law Association.

7. Major activities in 1983

60. In the course of 1983, an important activity of UNESCO was the holding of consultations on the teaching of international law in Africa. In accordance with paragraph 3231 of the programme budget for 1981-1983, the purpose of those consultations was to examine the problems relating to the development of the

teaching of international law in Africa and to formulate concrete proposals for its improvement. It will be necessary to examine the real needs of African countries as to the training of specialists in international law, indicating the benefits to be derived from the academic teaching and research in this field. In the light of present experience, an examination will be undertaken to determine the means whereby teaching and research could be strengthened as well as the possibilities of regional and international co-operation in this area. For these reasons, approximately 19 experts from African academic circles will be invited to take part in those consultations to be held at the Institute for International Relations of Cameroon at Yaoundé from 28 November to 2 December 1983.

61. From 25 to 27 May 1983, informal consultations on international law were held at UNESCO headquarters in Paris under the Chairmanship of Professor M. Bedjaoui (Judge, International Court of Justice). The purpose of the consultations was to advise the Secretariat on the drafting of a handbook on public international law as well as to analyse the problems inherent in a renewal of the teaching of public international law in the light of present and future changes in the world legal order. The experts who were consulted made suggestions regarding the structure of the handbook as well as the possible writers of its different chapters. The participants insisted on the need for such a handbook, the contents of which would be oriented towards the future and whose authors would represent a plurality of views. The drafting of the handbook would be staggered during the 1984-1985 budgetary biennium.

### III. RECOMMENDATIONS OF THE SECRETARY-GENERAL REGARDING EXECUTION OF THE PROGRAMME IN THE BIENNIAL 1984-1985

62. The General Assembly, in paragraph 11 of its resolution 36/108, requested the Secretary-General, following consultations with the Advisory Committee, to submit recommendations regarding the execution of the Programme in subsequent years. The Secretary-General's recommendations with respect to the conduct of the Programme activities in 1984 and 1985, which were considered by the Advisory Committee at its eighteenth session, are set out below.

#### A. Activities of the United Nations

63. The following recommendations were made by the the Secretary-General:

(a) Fellowships and scholarships offered at national institutions. Information received from Governments regarding fellowships and scholarships offered at national institutions should, at the request of these Governments, be circulated to all Member States;

(b) Publicity. The United Nations Secretariat shall continue its efforts to see that adequate publicity is given to the legal activities of the United Nations, in particular, by the continued regular inclusion in the UN Chronicle of a section dealing with matters of legal interest;

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(c) Provision of advisory services of experts. As in the previous years, requests for advisory services of experts will be handled within the framework of the established technical assistance programmes of the Organization;

(d) Provision of United Nations legal publications. Copies of United Nations legal publications issued during 1984 and 1985 will be provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in the developing countries for which requests for such publications are made by the Member States concerned. Each new request shall be reviewed on its own merits, taking into account the availability of the legal publication in question;

(e) Geneva International Law Seminar. It is expected that the sessions of the Seminar will continue to be held during those of the International Law Commission in 1984 and 1985;

(f) Activities concerning international trade law. The steps to promote training and assistance in international trade law are of particular concern to UNCITRAL, whose activities in this area are discussed in the various sections of the present report. The Secretary-General will take the requisite actions during 1984 and 1985 in order to implement the recommendations addressed to him in this regard by UNCITRAL.

64. In summary, the Secretary-General recommends that in 1984 and 1985 the United Nations Secretariat should continue to conduct the above-mentioned activities along the same lines as they have been conducted in the past, leaving room for new initiatives. In the event that extra funds were to become available, the matter should be looked at afresh. The activities listed above represent, in the view of the Secretary-General, a practical and effective use of the means at present available for the purposes of the United Nations participation in the Programme and, as such, should be continued.

#### B. United Nations-UNITAR fellowship programme in international law

65. The Secretary-General recommends that the United Nations-UNITAR fellowship programme in international law should be continued in 1984 and 1985 as in the past, with a minimum of 15 fellowships each year to be provided under the United Nations regular budget. A few more fellowships may be added if voluntary contributions and UNITAR funds for that purpose are available.

#### C. Activities of the Office of the Special Representative of the Secretary-General for the Law of the Sea regarding the Hamilton Shirley Amerasinghe Fellowship

66. In the anticipation that additional contributions for the Fellowship may be received, it is expected that the Office of the Special Representative of the Secretary-General for the Law of the Sea, in co-operation with the United Nations Office of Legal Affairs, shall take appropriate steps towards the launching of the

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memorial Fellowship during the 1984-1985 biennium. In launching the Fellowship due regard shall be paid to the scope of paragraph 2 of the initial General Assembly resolution, namely, resolution 35/116 of 10 December 1980.

D. Activities of the United Nations Educational, Scientific and and Cultural Organization

67. In implementing that part of its medium-term plan, UNESCO shall continue to contribute to the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law along the lines of its activities during the 1982-1983 biennium outlined in the present report. Accordingly, the activities of UNESCO during the 1984-1985 biennium should be aimed at strengthening its co-operation with the United Nations in the effective execution of that Programme and contributing towards its success.

E. Activities of the United Nations Institute for Training and Research

68. Assuming approval by the General Assembly, the United Nations-UNITAR fellowship programme in international law should be administered by UNITAR in 1984 and 1985 along the same lines as in the previous years.

69. UNITAR should consult with the United Nations Office at Geneva about the scheduling of the sessions of the Geneva International Law Seminar in such a way as to permit UNITAR fellows also to participate in them.

70. The cycle of regional training and refresher courses would be continued in 1984 and 1985. It is envisaged to have such courses in Africa in 1984 and in Asia in 1985.

IV. ADMINISTRATIVE AND FINANCIAL IMPLICATIONS OF UNITED NATIONS PARTICIPATION IN THE PROGRAMME

A. Biennium 1982-1983

71. Among the activities under the Programme during 1982 and 1983, three items involved specific budgetary allocations: the supply of United Nations legal publications to institutions in developing countries; the provision of a minimum of 15 fellowships each year; and assistance in the form of a travel grant for one participant from each developing country invited to regional training and refresher courses organized by UNITAR.

72. The cost of shipping United Nations legal publications to institutions in developing countries was covered by the amount allocated under section 23 A (Department of Conference Services) of the United Nations budget for the 1982-1983 biennium. As for the cost of provision by the United Nations of a minimum of 15 fellowships each year and travel grants for participants in the regional

seminars and refresher courses, a total of \$220,000 was included in the regular budget sources under section 26 (Office of Legal Affairs) of the programme budget for the biennium 1982-1983.

73. In accordance with paragraph 9 of General Assembly resolution 36/108, the Secretary-General addressed a note in January 1982 and 1983 to Member States, drawing their attention to paragraph 10 of that resolution, whereby the Assembly requested Member States, organizations and individuals to make voluntary contributions towards the financing of the Programme.

74. As a result, contributions were received from the following Governments in 1982: Argentina, \$3,991; Austria, \$660; Bahamas, \$500; Kuwait, \$2,500; Norway, \$10,552; Philippines, \$500; and Trinidad and Tobago, \$1,000. In 1983, contributions were received from the following Governments: Argentina, \$9,164; Austria, \$660; Bahamas, \$500; Cyprus, \$388; Iran (Islamic Republic of), \$500; and Philippines, \$500.

75. For the Geneva International Law Seminar, the following Governments made contributions for the 1982 session: Australia, \$335; Denmark, \$2,825; Finland, \$3,358; Germany, the Federal Republic of, \$3,855; Jamaica, \$842; Netherlands, \$9,245; and Spain, \$2,863. For the 1983 session of the Seminar, contributions were received from the following Governments: Austria, \$327; Denmark, \$3,488; Finland, \$4,587; Jamaica, \$842; and Germany, Federal Republic, \$3,652.

76. In addition, the Dana Fund for International and Comparative Legal Studies (Toledo, Ohio) also made contributions of \$6,000 for the 1982 session of the Geneva International Law Seminar and \$6,000 for the 1983 session.

#### B. Biennium 1984-1985

77. Assuming that the Secretary-General's recommendation in paragraph 63 (d) above regarding the provision of legal publications is accepted, the cost of shipping the publications issued in 1984 and 1985 should be covered by the estimates under section 29 A (Department of Conference Services) of the proposed programme budget for the biennium 1984-1985.

78. With regard to the provision of fellowships for persons from developing countries and travel grants for participants in regional courses to be organized by UNITAR during 1984-1985, an amount of \$220,000 is included in the regular budget sources under section 26 C (Office of Legal Affairs) of the proposed programme budget for that biennium, assuming that the General Assembly approves the Secretary-General's recommendation (see para. 65 above) on those programmes.

79. The Secretary-General would repeat his efforts, if the General Assembly so requested, in soliciting voluntary contributions towards the Programme. It is proposed, as in the biennium 1982-1983, that the funds accruing from such contributions may, subject to considerations of a practical nature, be used to increase the number of fellowship grants in addition to the minimum that would be authorized by the Assembly under the appropriations from the regular budget.

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V. MEETINGS OF THE ADVISORY COMMITTEE ON THE UNITED NATIONS PROGRAMME  
OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER  
APPRECIATION OF INTERNATIONAL LAW

A. Seventeenth session

80. In paragraph 11 of its resolution 36/108, the General Assembly requested the Secretary-General to report to the Assembly at its thirty-eighth session on the implementation of the Programme during 1982 and 1983.

81. As part of the preparation of the report requested under the above resolution, the Secretary-General prepared an interim report covering the activities carried out during 1982 by the various bodies that participate in the execution of the Programme.

82. For the discussion of the Secretary-General's interim report, the Advisory Committee held its seventeenth session on 11 January 1983, chaired by Mr. K. D. Asante (Ghana). The session was attended by Barbados, Cyprus, Egypt, El Salvador, France, Ghana, Hungary, the Netherlands, Sierra Leone, the Syrian Arab Republic, Turkey, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. The Under-Secretary-General and the Legal Counsel of the United Nations represented the Secretary-General at the session.

83. During the meeting, a question was raised as to whether, in accordance with paragraph 1 of General Assembly resolution 36/108, the Secretary-General would send free copies of all legal publications of the United Nations each year to any institutions in the developing countries rather than sending such publications only to the institutions in the developing countries that had made specific requests for the publications.

84. In response to the inquiry, the Secretary of the Committee pointed out that, according to past practice, the Secretary-General, acting under authority comparable to that of paragraph 1 of resolution 36/108, has relied upon the initiative of the institutions in the developing countries which make specific requests for certain legal publications and whose requests are reviewed and approved by the relevant departments of the Organization. He further explained that such requests, usually addressed to the Legal Counsel, are each treated on its own merits having regard, *inter alia*, to the nature and availability of the publication in question. The Legal Counsel also reminded the Committee that a too broad interpretation of resolution 36/108 would involve considerable financial implications for the United Nations, going beyond the usual budgetary allocations for the Programme in this connection. He pointed out further that the Secretary-General did not, therefore, have the discretion of sending out automatically all requested legal publications without assessing the financial implications and without holding consultations with the competent services of the Secretariat.

85. There was also a question raised during the seventeenth meeting concerning the United Nations-UNITAR fellowships. According to the interim report, it was stated that a total of 18 fellowships had been offered in 1982, whereas the General

Assembly authorized the award of 15. At the same time, it was noted that UNITAR itself was unable to finance the two fellowships it usually reserved for candidates from the developed countries. A question was therefore raised as to why UNITAR did not choose to offer 15 fellowships for developing countries instead of 18, and then use the extra funds for financing the two fellowships reserved by UNITAR for developed States.

86. In response, the representative of UNITAR pointed out that the available funds were only from the regular budget of the United Nations and the voluntary contributions from Member States earmarked specifically for financing fellowships for candidates from the developing countries as stipulated in resolution 36/108 on the Programme. Thus, it was not possible to use those resources for financing fellowships for candidates from developed countries. Such fellowships, he continued, were the responsibility of UNITAR itself which had, in the past, financed them from its own funds. Unfortunately, UNITAR had budgetary constraints and was unable to finance the two fellowships for 1982. The UNITAR representative further noted that a similar situation may obtain during 1983.

87. Having completed comments arising from the circulated interim report, the Committee invited the representative of UNESCO to give an oral presentation of the activities of that organization during 1982, which had not been received in time for inclusion in the document before the Committee. The details of that report, as outlined by the UNESCO representative at the seventeenth meeting of the Committee, are now contained in paragraphs 45 to 61 of the present report.

B. Eighteenth session

88. At its eighteenth session, the Committee held one meeting on 27 October 1983, chaired by Mr. Y. Konadu-Yiadom (Ghana). The meeting was attended by the representatives of Barbados, Cyprus, Egypt, El Salvador, France, Ghana, Hungary, the Netherlands, the Syrian Arab Republic, Turkey and the Union of Soviet Socialist Republics.

89. The Committee considered the present report in its draft form. A statement of the Legal Counsel introducing the draft report was read by the Secretary of the Committee.

90. Following the introduction of the report, the representative of UNESCO made a statement on the activities of UNESCO in 1983 which is now reflected in paragraphs 60 and 61 of the report.

91. Several representatives made comments on various sections of the report. One representative, referring to paragraphs 27, 28 and 29 of the draft report, suggested to combine those three paragraphs into one (new para. 27) and also suggested that the list of contributors to the Hamilton Shirley Amarasinghe fellowship originally contained in the body of the report should be placed in an appropriate note. The same representative, referring to paragraph 38 of the draft report wanted to know whether the fellows selected to participate in the internship programme were required to present papers indicating how they benefit from their training.

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92. The Secretary of the Committee replied that there was indeed such a requirement. Whenever such a report is not completed before the departure of the fellow, there is an obligation to send the report from the home country upon completion.

93. The representative of UNITAR added that the fellows also participated in an exercise consisting of a questionnaire prepared by UNITAR to evaluate the effectiveness of the programme. He further pointed out that UNITAR had just completed the analysis of such questionnaires relating to The Hague Academy programme for the fellows and to the Latin American refresher course in international law. From that analysis it was evident that most of the fellows found their experience to be highly relevant and useful. He suggested that, in the future, fellows would be asked to review their experiences after one, two or three years, in order to decide how much impact their training had had on the work in their respective countries.

94. One representative, referring to paragraph 44 of the draft report, pointed out that it was unfortunate that the publications produced by the Research Department of UNITAR were published only in English: this prevented many members of the Sixth Committee from studying the material in depth. Emphasizing the importance of the development of the new international economic order, he wondered whether there would be a way of securing funds for UNITAR to carry out its current useful project in this regard. Another representative also wanted to know from UNITAR if any of the publications listed in paragraph 44 of the report would be translated into other languages. In the view of another representative, however, the studies done on the new international economic order should be conducted preferably under the auspices of UNCITRAL; the representative thus opposed the use of regular funds of the United Nations for the financing of those studies, but he would have no objection if such projects were financed by voluntary contributions.

95. It was, however, observed by one representative, that UNCITRAL deals only with one aspect of the new international economic order and that he preferred to have the studies conducted under UNITAR in order to ensure that the new international economic order would be studied in all its legal aspects. According to the representative, postponement, due to lack of funds, of these important studies on the new international economic order would be detrimental to the developing countries.

96. The representative of UNITAR mentioned also in this connection that lack of funds had indeed been responsible for the publications of studies in English only, but that arrangements were being made with international law institutes in various countries (for example, Spain, France and the Soviet Union) to have publications translated into various other languages.

97. One representative referring to the same paragraph, observed that it should be indicated in the report whether publications were actually completed or still in progress, referring especially to the last publication in paragraph 44 of the draft report, which is now accurately identified as the third phase of an ongoing project.

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98. With respect to section IV of the report, dealing with administrative and financial implications of the Programme, one representative made a reservation concerning the expenditure for the 1984-85 biennium if such expenditure would result in an increase of the regular budget of the United Nations.

99. The Committee adopted the draft report as a whole including the amendments made to it in the course of its consideration during the meeting.

Notes

1/ See resolutions 2204 (XXI) of 16 December 1966, 2313 (XXII) of 14 December 1967, 2464 (XXIII) of 29 December 1968, 2550 (XXIV) of 12 December 1969, 2698 (XXV) of 11 December 1970, 2838 (XXVI) of 18 December 1971, 3106 (XXVII) of 12 December 1973, 3502 (XXX) of 15 December 1975 and 32/146 of 16 December 1977. Information concerning action taken under the Programme in previous years is contained in the following reports of the Secretary-General to the General Assembly: Official Records of the General Assembly, Twenty-first Session, Annexes, agenda item 86, document A/6492 and Add.1; ibid., Twenty-second Session, Annexes, agenda item 90, document A/6816; ibid., Twenty-third Session, Annexes, agenda item 89, document A/7305; ibid., Twenty-fourth Session, Annexes, agenda item 91, document A/7740; ibid., Twenty-fifth Session, Annexes, agenda item 90, document A/8130; ibid., Twenty-sixth Session, Annexes, agenda item 91, document A/8505 and Corr.1 and 2; ibid., Twenty-eighth Session, Annexes, agenda item 98, document A/9242 and Corr.1; ibid., Thirtieth Session, Annexes, agenda item 117, document A/10332; ibid., Thirty-second Session, Annexes, agenda item 114, document A/32/326; ibid., Thirty-fourth Session, Annexes, agenda item 111, document A/34/693; and ibid., Thirty-sixth Session, Annexes, agenda item 113, document A/36/633.

2/ The organizations and institutions were the following: Asian-African Legal Consultative Committee, Council of Europe, The Hague Academy of International Law, The Hague Conference on Private International Law, Inter-American Institute of International Legal Studies, Institute of International Law, International Association of Democratic Lawyers, International Association of Legal Science, International Bar Association, International Commission of Jurists, International Institute for the Unification of Private Law, International Law Association, League of Arab States, Organization of African Unity, Organization of American States, World Federation of United Nations Associations, and World Peace through Law Center.

3/ For further details, see the report of the International Law Commission on the work of its thirty-fourth session, Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 10 (A/37/10), paras. 282-289.

4/ For further details, see the report of the International Law Commission on the work of its thirty-fifth session, Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 10 (A/38/10), paras. 333-340.

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Notes (continued)

5/ Ibid., para. 340. For the list of contributors to the eighteenth and nineteenth sessions of the Geneva International Law Seminar, see paras. 75 and 76 of the present report.

6/ The Amerasinghe Fellowship was initially authorized by General Assembly resolution 35/116. For discussions on how the fellowship became integrated in the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, see A/36/633, paras. 55-57 and 84-86.

7/ Thus, as at 31 August 1983, financial contributions to the Amerasinghe Fellowship had been received from the following Member States: Philippines, \$500; Sri Lanka, \$15,000; and United Arab Emirates, \$10,000.

Similarly, as at 31 August 1983, financial contributions to the Amerasinghe Fellowship had been received from individuals as follows: \$500 from Mr. T. T. B. Koh, Permanent Representative of Singapore to the United Nations and President of the Third United Nations Conference on the Law of the Sea from its sessions in 1981 to its final sessions in 1982; \$500 from Mr. Elliot L. Richardson, formerly Ambassador-at-Large and Special Representative of the President of the United States of America to the Third United Nations Conference on the Law of the Sea; \$150 from Dr. Erik Suy, formerly Under-Secretary-General and the Legal Counsel of the United Nations, currently Under-Secretary-General and Director-General of the United Nations Office at Geneva; and \$300 from Mr. Bernardo Zuleta, Under-Secretary-General and Special Representative of the Secretary-General of the United Nations for the Law of the Sea.

8/ See further discussion on this question during the seventeenth session of the Advisory Committee, infra, paras. 83 and 84.

9/ The applicant selected from Honduras was unable to participate in the fellowship programme.

10/ The applicant selected from Algeria was unable to participate in the fellowship programme.

11/ In 1982, the UNITAR special seminars were given by: Prof. M. Bennouna (University of Rabat), Prof. Antonio Cassese (University of Florence), Mr. El-Baradei (Research Department, UNITAR), Mr. Alexander Elkin (Consultant, UNITAR), Prof. Thomas Franck (New York University, School of Law), Mr. Hans Geiser (World Bank), Sir Joseph Gold (International Monetary Fund), Mr. P. González (ACP, Brussels), Judge Manfred Lachs (International Court of Justice), Mr. Stephen Neff (UNITAR Special Fellow), Prof. E. I. Nwogugu (University of Ife, Nigeria), Mr. V. Amolo-Opère (UNCTAD, Geneva), Prof. Oscar Schachter (Columbia University, Law School), Mr. Michael Schneider (Lallive and Budin, Attorneys at Law, Geneva) and Mr. E. Valencia-Ospina (Office of Legal Affairs, Codification Division, United Nations, New York). In 1983, the UNITAR seminars were given by: Mr. A. Adede (United Nations Office of Legal Affairs), Mr. P. Berthoud (Consultant, UNITAR), Judge Guy Ladreit de Lacharrière (International Court of Justice), Mr. Michel Doo Kingué (Executive Director, UNITAR), Mr. A. Dyer (Hague Conference

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Notes (continued)

on Private International Law), Mr. M. El-Baradei (Research Division, UNITAR), Mr. A. Elkin (UNITAR Consultant), Mr. Hans J. Geiser (Training Division, UNITAR), Judge Manfred Lachs (International Court of Justice), Mr. C. Poux (First Secretary, International Court of Justice), Mr. H. Sondaal (Netherlands Foreign Ministry), and Mr. E. Suy (Director-General, United Nations Office at Geneva).

12/ The candidate selected from the Islamic Republic of Iran did not attend.

13/ Judge Shigeru Oda (International Court of Justice), Mr. Eric Suy (Legal Counsel, United Nations), Prof. Ivan Vlasic (Faculty of Law, McGill University), Dr. Jacob D. Vreeland (International Atomic Energy Agency), Dr. Chan Jin Kim (Office of the Prime Minister, Seoul), Prof. Choon Ho Park (College of Law, Korea University, Seoul), Prof. San Myon Rhee (College of Law, Seoul National University), Mr. Roy S. Lee (Office of Legal Affairs, United Nations), Dr. Damleshwar Das (former Special Assistant to the Director of the Division of Human Rights, United Nations), and Dr. Il Yung Chung (former Ambassador to France, Seoul National University).

14/ Mr. P. Berthoud (UNITAR Consultant, Geneva), Mr. H. Caminos (Ambassador of Argentina to Brazil), Mr. M. El-Baradei (Acting Director of Research, UNITAR), Mr. Hans J. Geiser (Acting Director of Training, UNITAR), Mr. E. Jimenez de Arechago (former President of the International Court of Justice), Prof. V. Marotta-Rangel (Director of the Law Faculty, Sao Paolo), Mr. D. O. Mills (former Ambassador of Jamaica to the United Nations), Mr. D. Pollard (Legal Counsel, International Bauxite Association, Jamaica), Mr. Felix Peña (Under Secretary for International Economic Relations, Argentina), Mr. Pedro Roffe (Chief, Legal Policies Division, UNCTAD), Judge J. M. Ruda (International Court of Justice), Mr. J. Aja Espil (Ambassador and acting President of the Argentine Council for International Relations).

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