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STATEMENT BY

MRS. AUDREY ABAYENA, MINISTER-COUNSELLOR
PERMANENT MISSION OF GHANA TO THE UNITED NATIONS

ON AGENDA ITEM 82

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

NEW YORK, 6th November 2015

Programme of Assistance

Introduction of draft resolution A/C.6/69/L.7

6 November 2015

Mr. Chairman,

I have the honour to introduce, on behalf of the Bureau, draft resolution L.10 on agenda item 82 on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

This draft resolution closely resembles resolution 69/117 that was adopted by the General Assembly on this agenda item at its previous session.

My remarks this afternoon will focus on the new provisions contained in this draft resolution.

There are two new paragraphs in the preamble that reflect the views of the Advisory Committee contained in paragraphs 68 and 74 of the report of the Secretary-General on this item.

The second preambular paragraph notes that this is the fiftieth anniversary of the Programme of Assistance and emphasizes the importance of ensuring the successful continuation of the Programme for the benefit of present and future generations of lawyers.

The eleventh preambular paragraph notes with regret that the Hamilton Shirley Amerasignhe Memorial Fellowship was not awarded in 2014 due to insufficient voluntary contributions. It also notes with appreciation that this fellowship was awarded in 2015.

There are also new provisions in operative paragraphs 3, 4, 10, 17 and 22 of the draft resolution.

Paragraph 3 reflects the recommendation of the Advisory Committee contained in paragraph 71 of the report.

Paragraph 3 (a) provides for a minimum of twenty fellowships for the International Law Fellowship Programme financed from the regular budget as well as one additional self-funded participant.

As you may recall, 20 is the minimum number of fellowship participants to ensure that the training course is undertaken. This training course can only accommodate a maximum of 21 participants due to space constraints. The additional participant would be self-funded with the costs covered by his or her government. Due to cost-saving measures and space constraints, there would be no need for additional voluntary contributions for this fellowship programme.

Paragraph (b) provides for a minimum of twenty fellowships for the three Regional Courses in 2016 and in 2017 financed by the regular budget as well as additional self-funded participants paid for by their governments or additional fellowships funded by voluntary contributions, including in-kind contributions by the host countries and voluntary contributions. Also for the regional courses, 20 fellowship participants is the minimum number required to ensure that the training courses are undertaken in 2016 and 2017. Additional fellowships would depend on voluntary contributions. The Codification Division has indicated that it will make every effort to raise the additional voluntary contributions to ensure the maximum number of participants in these training courses.

Paragraph 4 authorizes the Secretary-General to award a minimum of one Hamilton Shirley Amerasinghe Memorial Fellowship per year and takes note of paragraph 8 of resolution 69/117.

We have been advised by the Secretariat that paragraphs 3 and 4 will not have financial implications for the following reasons:

With regard to paragraph 3, the regular budget funding for the Regional Courses and for the Audiovisual Library was included by the Secretary-General in the proposed programme budget pursuant to operative paragraph 7 of resolution 69/117.

Regarding paragraph 4, the legislative mandate provided by the General Assembly when it decided to establish the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea explicitly states that this fellowship is “to be financed by voluntary contributions specifically made for the endowment of the Fellowship” (GA res. 36/108 of 10th December 1981). The General Assembly has not yet taken a decision to amend this mandate. While voluntary contributions were insufficient to award this fellowship in 2014, a fellowship was awarded in 2015 funded by voluntary contributions. It is too soon to determine whether there will be sufficient voluntary contributions to award a fellowship for 2016. The Legal Counsel has indicated that he is making every effort to secure the necessary voluntary contributions.

The General Assembly may consider the question of providing regular budget funding for these fellowships taking into account its legislative mandate and sufficiency of voluntary contributions.

Paragraph 10 contains a new reference to the Handbook on International Law that the Codification Division is planning to prepare in commemoration of the fiftieth anniversary of the Programme of Assistance. The handbook will be used in the training courses conducted by the Codification Division, including the International Law Fellowship Programme, and will be made available to law schools in developing countries. As indicated during the consideration of this item, the preparation of the handbook will be funded by the remaining voluntary contributions for the International Law Fellowship Programme.

Paragraph 17 refers to the International Law Seminar for Arab States that will be conducted by the Codification Division later this month in cooperation with the host country, Egypt, and the League of Arab States.

Paragraph 22 provides for the appointment of members of the Advisory Committee for the next four year term beginning on 1st January 2016, the membership will be included in the draft resolution before its adoption by this committee, as consultations are on-going at the moment.

The draft resolution requests the Secretary-General to report to the next session of the General Assembly on the Programme of Assistance, and following consultations with the Advisory Committee, to submit recommendations regarding the Programme in subsequent years. The draft resolution also decides to include this item in the provisional agenda of the seventy-first session of the General Assembly.

On behalf of Ambassador Pobee and of myself, I would like to express our sincere appreciation to the members of the Advisory Committee and to all delegations for their cooperation and support during the consideration of this agenda item that is of great importance to my country as well as all countries. Delegates in the Sixth Committee as well as the Fifth Committee have worked hard over the past several years to reach this historic moment to ensure the successful continuation of the Programme of Assistance for present and future generations of lawyers.

The adoption of this draft resolution by the Sixth Committee will send a very clear policy directive to the Fifth Committee and the General Assembly. We must continue to work together to ensure that we attain our ultimate goal this year so that these activities that are so essential for promoting the teaching and dissemination of international law around the world will no longer be dependent on voluntary contributions.

My delegation also conveys our appreciation to the Secretariat, the entire team of the Codification Division and particularly, Ms. Virginia Morris for her tireless efforts in ensuring the successful implementation of this Programme.

As we commemorate the fiftieth anniversary of this programme we also pay tribute to Emmanuel Dadzie and pledge to work towards fulfilling his aspirations.

I thank you.