

VII. TRAINING AND ASSISTANCE

Note by the Secretary-General on training and assistance in the field of international trade law (A/CN.9/107)*

I. THE COMMISSION'S DECISION AND ACTION IN THE GENERAL ASSEMBLY

1. The United Nations Commission on International Trade Law (UNCITRAL) adopted at its sixth session the following decision on the subject of training and assistance:

"The United Nations Commission on International Trade Law

1. *Expresses its appreciation* to those Governments which have made voluntary contributions for the implementation of its programme of training and assistance in the field of international trade law;

2. *Expresses the hope* that further contributions will be made in any appropriate form;

3. *Expresses the view* that universities should be encouraged to promote the study of international trade law and hopes that the symposium, referred to in paragraph 4 (c) below, will help in this regard;

4. *Requests* the Secretary-General:

(a) To accelerate and intensify the activities relating to the above programme of training and assistance, with special regard to the needs of developing countries;

(b) To organize, in connexion with its eighth session, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law, and to seek voluntary contributions from Governments, international organizations and foundations to cover the cost of travel and subsistence of participants from developing countries;

(c) To explore the possibility of the United Nations Institute for Training and Research arranging seminars in developing countries on international trade law."¹

2. After considering the report of the Commission on the work of its sixth session, the Sixth Committee reported to the General Assembly that representatives who spoke on the subject "particularly welcomed the request for the organization of an international symposium on the role of universities and research centres in that field [of international trade law] in connexion with the Commission's eighth session in 1975. It was stated that the training of specialized personnel was of particular importance for developing countries and that

the implementation of a comprehensive programme would assist these countries to remove one of the most serious deficiencies in the field of international trade."²

3. On the recommendation of the Sixth Committee, the General Assembly adopted resolution 3108 (XXVIII) in which the General Assembly stated, *inter alia*, that it:

"4. *Notes with satisfaction* the decision of the United Nations Commission on International Trade Law to organize, in connexion with the eighth session of the Commission, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law and to seek voluntary contributions from Governments, international organizations and foundations to cover the cost of travel and subsistence of participants from developing countries;

"...

"6. Recommends that the United Nations Commission on International Trade Law should:

"...

"(c) Accelerate its work on training and assistance in the field of international trade law, with special regard to the promotion and teaching of international trade law at universities, taking into account the special interests of the developing countries;"

4. At its seventh session the Commission had before it a note by the Secretary-General (A/CN.9/92), setting forth the steps taken to implement the decisions of the Commission at its sixth session concerning training and assistance in the field of international trade law. Paragraphs 9-19 and the annex to document A/CN.9/92 contained an outline of the plans made by the secretariat of the Commission for the holding of an international symposium on the teaching of international trade law pursuant to a decision of the Commission taken at its sixth session,³ together with a report on the voluntary contributions pledged by Governments in response to a request by the Secretary-General to cover the cost of travel and subsistence of participants from developing countries. In the Commission, "there was general agreement with the plans

² Report of the Sixth Committee on the report of the United Nations Commission on International Trade Law on the work of its sixth session (1973); *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 92, document A/9408, para. 39 (UNCITRAL Yearbook, vol. V: 1974, part one, I, A).

³ See para. 1 above.

* 27 March 1975.

¹ Report of the United Nations Commission on International Trade Law on the work of its sixth session (1973), *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 17* (A/9017, para. 107) (UNCITRAL Yearbook, vol. IV: 1973, part one, II, A).

for the symposium as proposed in the note by the Secretary-General.⁴

5. The Sixth Committee, after considering the report of the Commission on the work of its seventh session, reported the following to the General Assembly:

"All representatives who spoke on the subject stressed the importance of the Commission's programme of training and assistance in the field of international trade law. They particularly welcomed the Commission's decision to organize a symposium on the teaching of international trade law, which would be held at Geneva in April 1975, in connexion with the Commission's eighth session.

"Several representatives expressed their appreciation to those Governments that had pledged voluntary contributions to meet the travel and subsistence expenses of participants from developing countries in the symposium, and expressed the hope that further voluntary contributions would be forthcoming.

"Several representatives expressed their gratitude to the Governments that had offered scholarships to young lawyers and government officials from developing countries for the study of or practical training in international trade law."⁵

II. IMPLEMENTATION OF THE COMMISSION'S DECISIONS

Internships for lawyers and government officials from developing countries

6. Based on a suggestion made at the fifth session of the Commission, the Secretary-General, by a note verbale, urged the Governments of developed countries to ascertain whether commercial and financial institutions within their respective countries would be willing to receive internes from developing countries.⁶

7. In 1974 the Creditanstalt-Bankverein, the largest commercial bank in Austria, awarded two fellowships enabling the recipients to spend six months in the bank's legal office as internes.⁷ These fellowships were awarded to Mr. Walid Ibrahim Al-Shaikh Ahmed (Iraq) and to Mr. Raul Plata Cepeda (Colombia).

8. The Creditanstalt-Bankverein will consider the possible continuation of the programme only after the present fellowship holders have completed their internships, in view of the difficulty of locating suitable candidates from developing countries who possess a working knowledge of the German language.

9. In 1974 the Government of Belgium awarded two fellowships for academic and practical training of six months' duration, organized jointly by the Govern-

ment and the University of Louvain.⁸ These fellowships were awarded to Miss Pétronille Ramilihaingoarinavana (Madagascar) and to Mr. Jorge Alberto Huerta Vazquez (Mexico).

10. Applications for two similar Belgian fellowships in 1975 have been received by the Secretariat and forwarded to the Government of Belgium for consideration, in accordance with the procedure agreed upon when these fellowships were first awarded in 1974.

11. During the past year, two internes received training at the International Trade Law Branch of the United Nations Office of Legal Affairs at New York, one under the United Nations Office of Public Information Interne Programme and the other under the Cornell University/Institute for World Order Fellowship Programme.

Symposium on the role of universities and research centres with respect to international trade law

12. It may be recalled that at its sixth session the Commission decided to request the Secretary-General to organize, in connexion with the eighth session of the Commission in Geneva, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law and to seek voluntary contributions to cover the cost of travel and subsistence of participants from developing countries.⁹

13. Voluntary contributions for this purpose were received from the following Governments, in the amounts indicated: Austria, \$US 1,500 [pledged]; (Federal Republic of) Germany, \$US 10,000; Norway, \$US 8,000; Sweden, \$US 1,157.

14. The number of applications for the limited number of fellowships for participants in the symposium from developing countries, financed by the voluntary contributions from Governments noted at paragraph 13, greatly exceeded the funds available. For this reason the Secretariat arranged for the establishment of a selection committee which was given the task of examining the completed applications received within a specified period of time and of awarding the fellowships.

15. At its meeting on 20 February 1975, the Selection Committee awarded fellowships, covering the costs of travel and subsistence, to the following participants in the symposium:

Dr. T. I. Cabezas Castillo (Ecuador), Professor of Commercial Law, Catholic University of Quito, Ecuador; Mr. M. K. Fazelly (Afghanistan), Professor of Law, Kabul University, Afghanistan; Mr. S. Gabi (Papua New Guinea), Tutor in Law, University of Papua New Guinea, Port Moresby; Miss M. I. Jalles (Portugal), Assistant, Faculty of Law, University of Coimbra, Portugal; Dr. O. K. Mutungi (Kenya), Senior Lecturer and Acting Dean, Faculty of Law, University of Nairobi, Kenya; Mr. W. D. Nabudere (Tanzania), Senior Lecturer in Law, University of Dar-es-Salaam, Tanzania; Mr. A. J. Mar-

⁴ Report of the United Nations Commission on International Trade Law on the work of its seventh session (1974), *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 17 (A/9617)*, para. 68 (UNCITRAL Yearbook, vol. V: 1974, part one, II, A).

⁵ Report of the Sixth Committee on the report of the United Nations Commission on International Trade Law on the work of its seventh session (1974), document A/9920, paras. 30-32 (reproduced in this volume, part one, I, B).

⁶ The initial responses of Governments of developed countries are described in A/CN.9/92, paras. 4-8.

⁷ For particulars concerning the two Austrian fellowships, see *ibid.* at para. 5.

⁸ For particulars concerning the two Belgian fellowships offered in 1974, see *ibid.* at para. 6; however, the monthly stipend paid to the fellow was increased from 10,000 to 14,000 Belgian francs.

⁹ See para. 1 above.

ques Neto (Brazil), Legal Assistant, Chamber of Commerce of Bahia, Brazil; Mr. P. Pillai (Singapore), Lecturer in Law, University of Singapore; Mr. M. Quinones (Guatemala), Dean, Faculty of Law, Rafael Landivar University, Guatemala City; Mr. M. Seing-Jimenez (Costa Rica), Professor of Commercial Law, University of Costa Rica; Dr. M. J. Smart (Sierra Leone), Senior Lecturer in Law, Fourah Bay College, University of Sierra Leone; Mr. F. Ssempebwa (Uganda), Senior Lecturer in Law, Makerere University, Kampala, Uganda; Mr. V. R. Sumulong (Philippines), Graduate Student, College of Law, University of the Philippines, Quezon City.

16. Invitations to attend and participate in the symposium were extended to a number of other qualified persons from both developing and developed countries without, however, any financial assistance being provided by the United Nations to facilitate their participation.

17. An outline of the scheduled programme of the symposium may be found in document A/CN.9/VIII/CRP.2.