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TRAINING AND ASSISTANCE IN THE FIELD OF
INTERNATIONAL TRADE LAW

Report of the Secretary-General

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

1. At its second session, held in Geneva from 3 to 31 March 1969, the United Nations Commission on International Trade Law adopted the following decision:^{1/}

"In an effort to help meet the need for developing local expertise in international trade law, particularly in the developing countries, and for intensifying and co-ordinating the existing programmes, the Commission requests the Secretary-General:

"(a) To recommend to the bodies concerned that regional seminars and training courses under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law should continue to include topics relating to international trade law;

"(b) To recommend that some of the fellowships to be granted under the Programme of Assistance referred to in sub-paragraph (a) above be awarded to candidates having a special interest in international trade law;

"(c) To take the necessary steps to add the names and relevant particulars of experts in international trade law for inclusion in a supplement to the Register of Experts and Scholars in International Law, as described in paragraph 36 (ii) (a) of the report of the Secretary-General (A/CN.9/27);

^{1/} Report of the United Nations Commission on International Trade Law on the work of its second session (1969), Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 13 (A/7613, para. 166, at pp. 42-43.

"(d) To complete the information thus far obtained in respect of activities of international organizations in the field of training and assistance in matters of international trade law, as described in paragraph 36 (i) of the report of the Secretary-General;

"(e) To consult with the Advisory Committee on the United Nations Programme of Assistance referred to in sub-paragraph (a) above and with United Nations organs, specialized agencies and other organizations and institutions active in the field of international trade law concerning the feasibility of establishing within their programmes at selected universities or other institutions in developing countries:

"(i) Regional institutes or chairs for training in the field of international trade law;

"(ii) Seminars or courses for students, teachers, lawyers and government officials interested or active in this field;

"(f) To report to the third session of the Commission the results of his consultations and the extent to which it has been possible to achieve the foregoing objectives and to inform the Commission of what further measures may be appropriate in the light of this experience."

2. The Sixth Committee, after considering the Commission's report on its second session, reported the following to the General Assembly:^{2/}

"32. Many representatives stressed the importance for UNCITRAL to develop local expertise in the field of international trade law, particularly in the developing countries, and welcomed the decision of the Commission to encourage intensification of the existing programmes.

"33. It was suggested that UNCITRAL should contemplate organizing a seminar on international trade law similar to that in international public law held in connexion with the session of the International Law Commission in Geneva. It was also suggested that UNCITRAL should consider providing developing countries with training facilities in developed countries, particularly in the fields of banking, insurance and transport."

3. In response to the report of the Sixth Committee with respect to the report of UNCITRAL (agenda item 90), the General Assembly adopted resolution 2502 (XXIV). This resolution provided that the General Assembly:

^{2/} Report of the Sixth Committee on the report of the United Nations Commission on International Trade Law on the work of its second session, document A/7747, paras. 32-33, p. 14.

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

(b) continue to give attention to the ways and means which would effectively promote training and assistance in the field of international trade law."

4. The Sixth Committee also reported to the General Assembly with respect to the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (agenda item 91) (A/7852). After consideration of this report of the Sixth Committee, the General Assembly adopted resolution 2550 (XXIV). This resolution provides that the General Assembly:

"5. Requests the Secretary-General:

(a) To continue consultations with the bodies concerned in order that regional seminars and training courses under the Programme should continue to include topics relating to international trade law, in order to meet the need for developing local expertise in international trade law, particularly in the developing countries;

(b) To consult with the Advisory Committee on the Programme and with United Nations organs, specialized agencies and other organizations and institutions active in the field of international trade law concerning the feasibility of establishing, within their respective programmes at selected universities or other institutions in developing countries, regional institutes or chairs for training in the field of international trade law."

II. ACTIVITIES UNDERTAKEN PURSUANT TO THE DECISION OF THE COMMISSION

5. In conformity with paragraph (a) of the Commission's decision (quoted in paragraph 1, supra), the 1969 Geneva Seminar on International Law included lectures on topics related to international trade law. A lecture was also given on "Trends in the Development of International Trade Law and the Work Programme of UNCITRAL", at the UNITAR-UNESCO Regional Training and Refresher Course in International Law for Asia, held 11-29 August 1969, at Quezon City, Philippines. In addition, it is expected that lectures on subjects related to international trade law will be given at the 1970 Geneva Seminar on International Law.

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Arrangements are also being made for the inclusion of discussion on specific areas of international trade law during a regional seminar in Africa to be sponsored by UNITAR; this seminar is expected to be held in 1970 or early in 1971. Senior officials from the States in Africa will be invited to participate in the seminar.

6. Pursuant to paragraph (b) of the Commission's decision, some of the participants in the United Nations/UNITAR Fellowship Programme for 1969 were selected because of their special interest in international trade law, and received part of their training in the International Trade Law Branch of the Office of Legal Affairs. The practice of giving consideration to candidates who have a special interest in international trade law will be continued in the selection of participants in the Programme for 1970.

7. Pursuant to paragraph (c) of the Commission's decision, the Secretary-General has requested all States Members of the United Nations to submit the names and relevant particulars of experts in the various areas of international trade law for inclusion in the supplement to the Register of Experts and Scholars in International Law (A/6677). The information to be published concerning such experts will consist of: (1) educational and professional qualifications; (2) professional experience in the teaching, research and/or practice in specific areas of international trade law, including activities related to advice to Governments and non-governmental agencies; (3) special fields of competence or interest; (4) language proficiencies; (5) major publications in the various areas of international trade law.

8. Pursuant to paragraph (d) of the Commission's decision, in May 1969 the Secretariat wrote to seventeen organizations active in the field of international law informing them, inter alia, of the topics comprising the work programme of UNCITRAL and inviting them to communicate any information with respect to their activities relevant to these topics. The replies are published as an annex to the report of the Secretary-General on the United Nations Programme of Assistance in the Teaching, Study, Dissemination, and Wider Appreciation of International Law (A/7740). Copies of this report will be available at the third session of the Commission.

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9. In accordance with paragraph (e) of the Commission's decision, the Secretariat made a statement to the Advisory Committee on the United Nations Programme of Assistance, at its fourth session held 7-9 October 1969.^{3/} In this statement and ensuing discussions, it was noted that the Commission's decision had requested the Secretary-General to consult with the Advisory Committee concerning the feasibility of establishing regional institutes or chairs for training in international law, and seminars at selected universities or other institutions in developing countries. The Secretariat has also entered into consultation with various international and intergovernmental organizations and with private institutions regarding the implementation of the Commission's decision on these matters. However, there have as yet been no indications that the substantial funds needed to implement this suggestion are available.

III. CONTINUING WORK WITH RESPECT TO TRAINING AND ASSISTANCE

10. Subject to the Commission's decision, the Secretariat intends to continue with the various activities outlined above (paras. 7-11) to implement the Commission's resolution on training and assistance.

11. In connexion with possible further action in this field, consideration might be given to the suggestion that an effective tool for the dissemination of international trade law, particularly in developing countries, may be through the preparation of teaching materials. Such materials might serve various functions: to introduce law students in various countries to this developing body of law and also to help make this material more readily available to teachers, government officials and practitioners. A preliminary suggestion along this line was presented by the Secretariat in October 1969 to the Advisory Committee on the United Nations Programme of Assistance, pursuant to the request for consultation set forth in paragraph (d) of the Commission's decision (see paras. 1 and 9, supra). Preliminary informal consultations with institutions working in the field of legal development and assistance indicate that there is interest in this suggestion. The Commission may wish to consider whether it wishes to encourage further efforts in this direction.

^{3/} The Advisory Committee's meetings are reported in the Secretary-General's Report on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, document A/7740, paras. 56-61, p. 26.