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Chair: Mr. Turbék (Vice-Chair) (Hungary)

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The meeting was called to order at 10.05 a.m.

Agenda item 77: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/71/432)

1. **Ms. Morris** (Office of Legal Affairs), speaking in her capacity as Secretary of the Advisory Committee, said that the activities conducted by the Codification Division under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law had expanded greatly in recent years. Over a decade earlier, the Codification Division had undertaken a major review of the Programme of Assistance with a view to increasing international law training opportunities in response to the growing demand for such training in developing and developed countries. It had assumed responsibility for conducting the International Law Fellowship Programme, identifying permanent venues for the three regional courses in international law, which would now be held annually, and creating the United Nations Audiovisual Library of International Law. Over one million lawyers now benefited from the Programme of Assistance compared with fewer than 20 individuals a decade earlier.

2. The substantive changes in the activities conducted by the Codification Division under the Programme of Assistance had been made in close consultation with representatives of Member States, including members of the Advisory Committee and the Sixth Committee, and government lawyers who had participated in training courses. The greatest challenge had been to secure reliable funding from the United Nations regular budget, as voluntary contributions were unpredictable and had proved to be insufficient. In December 2015, the General Assembly had agreed to provide an additional \$1.8 million in regular budget funding, beginning in the 2016-2017 biennium, to ensure that present and future generations of lawyers could continue to benefit from the Programme of Assistance.

3. For the first time in the history of the Programme of Assistance, the International Law Fellowship Programme and all three regional courses were being conducted in a single year in 2016, thanks to the support of Member States. Moreover, an International Law Seminar for African Universities had been held in

Accra to promote capacity-building in international law education for members of the law faculties of universities throughout Africa. The Seminar had been conducted by the African Institute of International Law in cooperation with the African Union, Ghana as the host country, the Kofi Annan International Peacekeeping Training Centre and the Codification Division.

4. The International Law Fellowship Programme was the most comprehensive training course under the Programme of Assistance. Participants attended the public international law course at The Hague Academy of International Law, as well as seminars and study visits organized by the Codification Division. The Secretary-General was authorized to award a minimum of 20 fellowships, to be funded by the regular budget, for the Fellowship Programme. Owing to space constraints, the maximum number of participants was 21. The Codification Division had been able to award 21 fellowships in recent years, as a result of cost-saving measures, and planned to continue that practice in the future. The application process would soon begin for the 2017 International Law Fellowship Programme, which would be held in English.

5. The regional courses in international law provided training in core subjects of international law and topics of particular regional interest. They were an important mechanism for expanding international law training opportunities for lawyers from developing countries, given the limited number of participants that could benefit from the Fellowship Programme. During the first four decades of the Programme of Assistance, only 22 regional courses had been held: eight in Africa, seven in the Asia-Pacific region and seven in Latin America and the Caribbean. The failure to conduct regional courses on a regular basis had been attributable to delays in negotiating host country agreements, the inefficiency of having to start from scratch every time a course was held in a new country, and a lack of funding. To overcome those difficulties, the Codification Division had recommended identifying permanent venues for the regional courses, and the General Assembly had provided regular budget funding for at least 20 fellowships for each course. While that was the minimum number of participants required to justify the time, effort and expense of conducting a four-week course, up to 30 participants could be accommodated. It might well be possible,

through cost-saving measures, to free up funds from the regular budget to cover a number of additional fellowships for the regional courses in 2017. In addition, Member States had the option to fund additional fellowships through voluntary contributions. Self-funded candidates located in the host country and candidates whose countries were willing and able to fund their participation could also attend.

6. The sixth consecutive regional course for Africa had taken place in Ethiopia in February 2016; the first regional course for Latin America and the Caribbean in over a decade had been held in Uruguay in April 2016; and preparations had begun for the course for the Asia-Pacific region to be held in Thailand in late 2016. The application processes for the courses to be held in Ethiopia in February 2017 and Chile in April 2017 were under way. Interpretation between English and Spanish had been requested for the latter course, which was being organized in cooperation with the Economic Commission for Latin America and the Caribbean (ECLAC). The cost of interpretation at ECLAC was around \$3,780 per day. The Programme of Assistance could cover the cost of interpretation for the two lectures that would be delivered in Spanish by ECLAC officials, but not for the entire four-week course. States from the region could provide voluntary contributions to fund such interpretation, if they so wished.

7. Hosting the regional course for Africa in Ethiopia had been very successful, as extensive administrative and logistical support had been provided by the Economic Commission for Africa. Uruguay had provided valuable support for the 2016 regional course for Latin America and the Caribbean, but the course would be moved to Chile from 2017 so that the Codification Division could benefit from the resources of ECLAC. Additional administrative and logistical support had been requested from the Economic and Social Commission for Asia and the Pacific for the upcoming course in Thailand. In light of the time and cost involved in shipping between forty and fifty boxes of books to the training venues, the Codification Division was exploring the possibility of printing the study materials at the regional economic commissions. The support provided by those commissions was essential for the Codification Division to be able to conduct three regional courses per year away from Headquarters without any additional staff. In 2010, the Codification Division had assumed responsibility for

all administrative and logistical aspects of the training courses as a necessary cost-saving measure. That had resulted in the Division carrying out significantly more administrative and logistical tasks, without additional staff. In 2016, voluntary contributions had been used to recruit a temporary staff member to assist with those additional functions. The Codification Division would welcome financial support from Member States so that it could continue to recruit an additional staff member to perform the same functions for the four courses to be conducted in 2017. The Division was also seeking to achieve further efficiency gains and cost savings through technology, for example with respect to the receipt and review of hundreds of applications for training courses and the creation of a common set of study materials.

8. Over the years, the Codification Division had developed a standard curriculum for all of its training courses, which took into account the practical training required for government legal advisers. The curriculum covered international law, treaty law, State responsibility, environmental law, the law of the sea, trade and investment law, international human rights law, international humanitarian law, international criminal law, international peace and security and the peaceful settlement of international disputes. The International Law Fellowship Programme sometimes included additional lectures on current topics, such as diplomatic protection or the movement of persons. Regional courses always included additional lectures on topics of particular interest to the region.

9. In the past, the Codification Division had prepared numerous study books for each training course. However, efforts to produce the books at the lowest possible cost had resulted in materials of less than satisfactory quality, in particular since the books tended to be used by participants and their colleagues as primary source materials for many years in developing countries. Furthermore, the Codification Division did not have the time or staff to prepare separate study books for each individual seminar. In 2015, the Advisory Committee, the Sixth Committee and the General Assembly had endorsed a proposal by the Codification Division to develop a comprehensive handbook containing the core international law instruments relating to the standard curriculum for all of the training courses; the handbook was to be funded by voluntary contributions for the courses. The English

version of the four-volume International Law Handbook should be ready in time for the summer 2017 International Law Fellowship Programme, and the French version should be completed in time for the French-language Programme in 2018, provided that sufficient voluntary contributions were received from Member States to continue paying the salary of the desktop publishing assistant responsible for preparing the handbook. The handbook was not a sales publication or an official document and would be available free of charge online. However, hard copies were essential for the teaching and dissemination of international law in developing countries. Indeed, the fundamental goals of the Programme of Assistance could not be achieved if the technology gap between developed and developing countries was ignored. The Codification Division therefore planned to continue to distribute hard copies of its legal publications to academic institutions in developing countries, as far as the resources available under the regular budget would allow. In that regard, she hoped that Member States would provide the funds necessary for the distribution of sufficient copies of the International Law Handbook, in order to promote international law education in developing countries.

10. With regard to the Audiovisual Library, the value of the Library's lectures had been greatly enhanced by providing access to related materials free of charge online. The recording of mini-series provided a valuable resource for the teaching of core subjects of international law at universities in developing countries, where faculty members might have limited training and teaching materials. The Codification Division was also expanding the geographic and linguistic representation of the Lecture Series by conducting off-site recordings in various regions. It had already recorded lectures in Africa and Europe in 2016; it would conduct off-site recordings in Asia later in the year; and it hoped to do so in Latin America in 2017. Furthermore, the Codification Division had made significant progress in its efforts to provide greater access to the lectures for lawyers in developing countries. It was currently working to make them available in podcast format, for the benefit of lawyers and academics with limited access to high-speed Internet, and was exploring the possibility of providing them to academic institutions on flash drives. Access to

audiovisual materials had already been improved by making them available for viewing on mobile devices.

11. There were no new proposals for activities under the Programme of Assistance for the current biennium. She did not anticipate any major new proposals in the near future, given the significant increase in the activities of the Codification Division with respect to the Programme of Assistance in recent years and the limited number of Division staff available to carry out the activities that were already under way.

12. The significant and increasing demand for international law education in Africa far exceeded the limited resources of the Codification Division. In 2016, some 600 applications for training courses had been received from the region, which was more than three times the number of applications from other regions. The fundamental goal of the next International Law Seminar for African Universities, which would be conducted by the African Institute of International Law at the Economic Commission for Africa from 19 to 30 June 2017, would be to address that need by building the international law training capacity of African academic institutions. The African Union had expressed support for the seminar as an important contribution to capacity-building on the continent. The Codification Division would, within the constraints of its limited resources, cooperate with the African Institute of International Law on the Seminar, in accordance with General Assembly resolution [70/116](#). The Seminar would need to be funded by voluntary contributions.

13. The support of the Advisory Committee and the Sixth Committee had made it possible to greatly expand international law training and dissemination for the benefit of all Member States. The work on almost all of the new proposals should be completed by August 2017. The only current project expected to continue beyond that date was the production of the special edition of the Juridical Yearbook containing legal opinions and other important documents of the Office of Legal Affairs from the 1940s to the 1960s. When completed, that text would make a major contribution to the preservation of the history and legal foundations of the United Nations and help create a better understanding of the development of the law of international organizations.

14. **Ms. Pobee** (Ghana), speaking in her capacity as Chair of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and also in her national capacity, said that Ghana attached great importance to its role with respect to the Advisory Committee and the Programme of Assistance. Her delegation acknowledged the efforts of the Advisory Committee, the Sixth Committee, the Fifth Committee and the Codification Division, which had successfully worked to secure funding for the regional courses and the Audiovisual Library from the regular budget of the Organization, to the benefit of lawyers and legal experts across the world.

15. The Advisory Committee had held its fifty-first session on 4 October 2016. For the first time in over 50 years, the question of funding for the components of the Programme of Assistance had not been an issue of critical concern and, as a result, the Advisory Committee had been able to focus its attention on recent and future activities. The Secretary of the Advisory Committee had briefed its members on the processes involved in the selection of participants for the various regional courses, the selection of lecturers and the development of the curriculum, as well as the possibility of increasing the number of participants. The need for the Codification Division to resume desktop publishing so that books could be distributed to parts of the world with limited Internet access had also been discussed. Her delegation urged Member States to consider making budgetary provision for that activity, which had been suspended owing to a lack of funds, and to make voluntary contributions towards the completion of the International Law Handbook.

16. In August 2016, Ghana had hosted the first International Law Seminar for African Universities, organized to commemorate the fiftieth anniversary of the Programme of Assistance and to honour Ambassador Dadzie of Ghana, who had been instrumental in establishing the Programme. Participants' travel to Ghana and the provision of lecture materials and books that they could take back to their law schools had been funded by donations from the African Institute of International Law, the Codification Division, the African Union and the Governments of China, Finland, Italy, New Zealand and Sweden. She encouraged all delegations to build

on their existing cooperation and shared goals concerning the further development and improvement of international law education in developing countries.

17. **Mr. Ávila** (Dominican Republic), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that, from the early days of their independence, the Latin American and Caribbean States had proclaimed international law as the standard for the conduct of international relations and had incorporated its fundamental principles and norms into their domestic legal systems. CELAC considered that knowledge of the substantive rules of international law was a prerequisite for their observance and therefore attached great importance to the teaching, study and dissemination of international law. The Programme of Assistance played a fundamental role in that regard. Its fellowships and courses on international law were highly effective platforms for teaching and dissemination and had a multiplier effect within the community of students and professionals. CELAC was therefore pleased that the Programme was finally receiving from the regular budget the financial resources it required to conduct the three regional courses.

18. The Office of Legal Affairs was to be commended for maintaining 26 user-friendly websites on international law, which contained valuable resources for researchers. The Audiovisual Library's Lecture Series, Historic Archives and Research Library provided a useful toolbox for the achievement of the Programme's goals and had the potential to reach millions of people worldwide. The Codification Division's publication of the United Nations Legislative Series and the summaries of advisory opinions and judgments of the International Court of Justice and the Permanent Court of International Justice greatly benefited the academic community, as did its efforts to further expand its desktop publishing programme.

19. Since the working languages of the International Court of Justice were English and French, the publication of the summaries and decisions in all the official languages of the United Nations was often the only way for many teachers, researchers and students in CELAC countries to access the Court's jurisprudence, knowledge of which was essential to an understanding of the evolution of international law. No

effort should be spared in updating the collection and ensuring its widest possible dissemination. CELAC also valued the series concerning the legislative history of the United Nations Convention on the Law of the Sea and other publications of the Division for Ocean Affairs and the Law of the Sea.

20. CELAC was pleased that the decision by Member States to finance the activities of the Programme of Assistance from the regular budget had enabled the regional course for Latin America and the Caribbean to be conducted for the first time in more than a decade, and looked forward to the next course, to be held in April 2017.

21. **Mr. Plasai** (Thailand), speaking on behalf of the Group of 77 and China, said that the Programme of Assistance was increasingly relevant as an effective means of strengthening international peace and security and of promoting friendly relations and cooperation among States, as well as being one of the cornerstones of the Organization's efforts to promote international law. Jurists, academics, diplomats and other public officials from developing countries had derived great benefit from the Programme's regional courses, fellowships and publications, and from the Audiovisual Library. The Group was therefore grateful that the necessary resources for the International Law Fellowship Programme, the three regional courses and the Audiovisual Library had been included in the programme budget for the biennium 2016-2017. It concurred with the view expressed in the report of the Secretary-General (A/71/432) that having permanent venues for the regional courses in international law would provide enhanced efficiency and greater certainty. In that regard, both Ethiopia and Thailand had already hosted several successful regional courses.

22. The Audiovisual Library was another essential tool enabling international lawyers around the world to access low-cost and high-quality legal training through the Internet. Access to and use of the Audiovisual Library by scholars and academics in developing countries should continue to be promoted. In addition, the Group was pleased to learn that the Codification Division of the Office of Legal Affairs was finalizing the preparation of the International Law Handbook, in English and French, for distribution and dissemination the following year.

23. The Programme of Assistance played a vital role in promoting the rule of law at the national and international levels, which was one of the targets of Sustainable Development Goal 16. The capacity-building activities undertaken in implementation of the Programme enabled individuals to acquire a greater knowledge of international law, thereby fostering the participation of developing countries in various multilateral frameworks and instruments and ultimately helping to strengthen the rule of law. The Group remained committed to that objective, as reflected in the Ministerial Declaration adopted at the fortieth annual meeting of Ministers for Foreign Affairs of the States members of the Group of 77, in which the Ministers had expressed their commitment to including the International Law Fellowship Programme, the seminars and regional training on international treaty laws and practice and the legal publications and training materials, as well as the funding necessary for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, in the regular budget of the United Nations for the biennium 2018-2019. Regular budget funding would help to ensure the continuation of related activities in coming years. At the same time, voluntary contributions, including in-kind contributions, remained vital.

24. **Mr. Mminele** (South Africa), speaking on behalf of the African Group, said the Group hoped that all Member States remained committed to upholding the objectives of studying, understanding, teaching and disseminating knowledge of international law, which were essential for a world order based on the rule of law, and to taking the necessary steps to ensure the continuation of the Programme of Assistance. In particular, it urged all Member States to join efforts to ensure the effective implementation of the Advisory Committee's recommendations and the provision of regular budget funding for the Programme, to the benefit of developing and developed countries alike. The Group stood ready to work with all Member States in that regard.

25. The Group supported the work of the Programme of Assistance, particularly as it related to the development of international law in Africa. It should be noted that the African Union contributed to the regional course for Africa, and that the African Institute of International Law had recently been established to undertake training and research aimed at

progressively developing and codifying international law in the region, furthering the objectives and principles of the African Union, and working on the revision of treaties in Africa. Furthermore, it had been decided at the African Union Summit held in May 2013 that African States should support proper funding of the Programme of Assistance, including, if necessary, through the United Nations regular budget. For that reason, *inter alia*, the Group supported regular budget funding for the Programme.

26. **Mr. Tuy** (Cambodia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said the Association commended the Office of Legal Affairs for its tireless efforts in implementing the Programme of Assistance, despite frequent budgetary constraints. It was also grateful to all Member States that had contributed to the implementation of the Programme and encouraged them to continue making voluntary contributions in support of its activities.

27. The Programme of Assistance was instrumental in advancing the rule of law at the national and international levels. Since its inception, it had provided comprehensive training and invaluable opportunities for lawyers, especially those from developing countries and countries with emerging economies, and had thus helped to build capacity at the national, regional and international levels. ASEAN particularly appreciated the role of the International Law Fellowship Programme, which provided high-quality training to legal practitioners and gave participants an opportunity to exchange views through dialogue, thereby promoting greater understanding and cooperation on issues of international law.

28. By helping to uphold the purposes and principles of the Charter of the United Nations, the Programme was contributing to valuable goals such as the strengthening of international peace and security and the promotion of the peaceful settlement of disputes. It was also helping to shape a global understanding of international law and contributing to improved cooperation and better relations among States. The Audiovisual Library played a central role in that regard, and its operation should be supported. Furthermore, activities by the Codification Division such as the publication of summaries of judgments, advisory opinions and orders of the International Court of Justice, were indispensable to a wider appreciation

of international law, the conduct of friendly relations among nations and the peaceful settlement of disputes. The Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea also contributed to the development of future generations of practitioners, particularly with regard to the law of the sea.

29. After a number of cancellations in previous years owing to insufficient funding, it was to be hoped that the regional course for the Asia-Pacific region would take place as scheduled in 2016. The Committee and the General Assembly should ensure the continuity of all three regional courses in international law. In general, ASEAN hoped that the Programme of Assistance would continue to receive the financial support it needed to remain a success long into the future. In that light, the Association reiterated its long-standing position that the regional courses and the Audiovisual Library should be funded wholly from the regular budget of the United Nations and that the voluntary contributions received from Member States should serve only as complementary sources of funding.

30. **Mr. Chaboureaux** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Armenia, Georgia, Iceland, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that the Programme of Assistance had made a valuable contribution to the rule of law by addressing the need for international law training and dissemination of legal knowledge and material in benefit of all countries. The Codification Division was to be commended for its efforts to strengthen and revitalize the Programme's activities in order to meet the changing needs of the international legal community in the twenty-first century, particularly through the expansion of the Audiovisual Library of International Law, which offered easy access to a vast range of legal resources, free of charge and in several languages. The Library remained an important resource for the legal community and warranted continued attention by the Codification Division.

31. The European Union noted with appreciation that the Codification Division continued to disseminate

legal publications and information via the Internet; that it had organized an International Law Seminar for Arab States in November 2015, and regional courses for Africa and for Latin America and the Caribbean in 2016; and that it would be holding a regional course for the Asia-Pacific region from 7 November to 2 December 2016. It also welcomed the Division's preparation of a handbook on international law, in both English and French. Moreover, it noted with appreciation that the first ever International Law Seminar for African Universities had taken place in Ghana in August 2016. It recognized the contribution of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea to the wider appreciation and application of the United Nations Convention on the Law of the Sea and wished to acknowledge the work of the Division for Ocean Affairs and the Law of the Sea in that regard.

32. The European Union commended those States that had provided voluntary contributions to the Programme and encouraged all States to consider making more frequent or larger contributions in the future. It also welcomed the continued commitment of the Office of Legal Affairs to the Programme of Assistance, and noted with satisfaction that the resources provided for the Programme in the regular budget for the biennium 2016-2017 were substantially higher than in previous budgets.

33. **Mr. Al-Qahtani** (Qatar) said that the current challenges faced by the world underlined the importance of the Programme, including the Audiovisual Library, in strengthening international law and developing friendly relations and cooperation among States. Qatari experts were regular participants in the Programme, and his country had continued to provide it with financial support. His Government supported all efforts to garner resources for the Programme, whether through the regular budget or through direct contributions from States, that would make it possible for legal scholars, particularly those from developing countries, to attend regional courses. Qatar would continue to support the Programme's role in raising awareness of international law.

34. **Mr. Celarie Landaverde** (El Salvador) said that international law had undergone some significant changes in recent decades. First, as human rights and fundamental freedoms had been systematically

enshrined in legal instruments, individuals had become subjects who could access international justice, especially through human rights courts or commissions. In fact, the Convention for the Establishment of a Central American Court of Justice, signed in Washington D.C. in 1907, had created the first permanent international court that not only had a mandate to settle disputes between States but also recognized individuals as subjects of international law with the capacity to bring action against a State. Second, new branches of international law had emerged over recent decades, meaning that States needed legal experts with training in those disciplines. It was precisely for that reason that the Programme of Assistance was of such critical importance. For more than half a century, it had been contributing to the training of lawyers from diverse legal systems and regions, enabling them to acquire the necessary knowledge to deal with constant developments in international law and their implications.

35. Bearing in mind that the Programme of Assistance had been unable to hold any regional courses in Latin America and the Caribbean for the last 10 years, owing to a lack of funding, his delegation welcomed the regional course held in Uruguay in April 2016, with 22 participants from various States in the region. Not only did the individuals who attended such training activities benefit from them; they also became a means of disseminating international law in their various countries and thereby helped to strengthen international law in Latin America and the Caribbean. The regional courses represented an invaluable opportunity for lawyers from developing countries, since it gave them access to world-class training and first-hand knowledge on various issues arising in other regions. His delegation therefore urged all Member States and the Secretary-General to allocate the necessary funds to ensure the Programme's continued operation in all regions in 2018 and 2019.

36. **Ms. Morris-Sharma** (Singapore) said that the approval of regular budget funding had given welcome predictability to the delivery of a number of activities under the Programme of Assistance, including the regional courses in international law. It was to be hoped that such regular budget provisions would ensure the longer-term sustainability of the Programme's various elements. Following the cancellation of the regional courses for the Asia-Pacific

region and for Latin America and the Caribbean in 2014 and 2015, owing to a lack of funding, her delegation looked forward to being able to send one of its officers to attend the regional course for Asia-Pacific that was to be held in Thailand before the end of 2016. It also appreciated the other efforts undertaken to implement the Programme of Assistance in 2016, including in relation to the International Law Fellowship Programme, the Audiovisual Library and the preparation of international law training materials. Such efforts facilitated the teaching of international law to successive generations and reflected the value of using technology to achieve the objectives of the Programme, including by making materials available online and in the form of podcasts.

37. Her delegation commended the efforts of the Secretariat to prepare a handbook on international law containing a collection of legal materials for the Programme's training courses and for distribution to academic institutions and government training centres in developing countries. It appreciated the fact that the handbook would not be a sales publication or official document, and that it would be made available online free of charge. It also welcomed the Secretariat's decision to explore possible cooperation with universities for the preparation of the handbook in other official languages. It hoped that the Secretariat would continue to specify other areas in which international and regional organizations, universities and institutions could make voluntary contributions, particularly in-kind contributions, to support the implementation of the Programme.

38. Singapore attached great importance to the promotion of international law, and the development of international law expertise was one of its national priorities. It was grateful for the opportunity to serve as a member of the Advisory Committee on the Programme of Assistance and looked forward to contributing to the teaching, study, dissemination and wider appreciation of international law at both the national and global levels.

The meeting rose at 11.30 a.m.