

Report to the Senior Management Group

Inter-Departmental Group to Implement the Action Plan “An Era of Application of International Law”

I. Introduction

1. In 1999, a Sub-Committee of the Senior Management Group (SMG) established by the Deputy Secretary-General and chaired by the Legal Counsel prepared a report entitled “An Era of Application of International Law.” Based on this report, the Sub-Committee developed an action plan, which was endorsed by the SMG and approved by the Secretary-General in June 2000 (the “Action Plan”). The Action Plan is available at http://untreaty.un.org/ola-internet/cover_sheet.htm.

2. Item 1 of the Action Plan, encouraging participation in multilateral treaties, has been fully implemented by the Office of Legal Affairs (OLA). Item 2 of the Action Plan, assistance to states, has also been implemented to some extent in various ways. Item 2 seeks to facilitate assistance to states, which need such assistance on issues related to consolidating and advancing the international rule of law. Accordingly, the emphasis under this item now is on the domestic implementation of internationally incurred rights and obligations. This should be done in a well developed and coordinated manner with the aim of achieving the most focused and cost effective results given the limited resources available. To further this objective, OLA has established a web page on the International Law web site for providing information on available legal technical assistance to all who contact the United Nations seeking such assistance. The address of the Legal Technical Assistance web page is www.un.org/law/technical/technical.htm.

II. Inter-Departmental Group

3. In order to implement the Action Plan, the Secretary-General, at a meeting of the SMG on 14 March 2002, authorized the Legal Counsel to establish an inter-departmental group with the following terms of reference:

“(1) Develop a system for central coordination among departments, offices, funds and programmes of the technical assistance that is, or should be, available, where there is demand and a mandate to provide such assistance.

(2) Develop a system for monitoring this coordination so as to avoid both lacunae and overlap, thus enhancing the effectiveness of the technical assistance in accordance with the Action Plan.

(3) Develop a system, including through the use of the electronic medium, for informing Member States and the public of developments with regard to the Action Plan and opportunities for assistance under the plan.

(4) Make recommendations regarding these matters to the SMG.”

4. Accordingly, as authorized by the Secretary-General, an inter-departmental group (IDG) was established, consisting of 28 members (*see Annex I*) representing various United Nations units, departments, offices, agencies, funds and programmes. The Group met for the first time on 13 May 2002 and concluded its work on 17 September 2002.

5. The IDG is aware that the ECPS Task Force for Development of Comprehensive Rule of Law Strategies for Peace Operations, proposed by DPKO and comprised of representatives of 11 UN departments and agencies, recently examined possible coordination arrangements which might be established to assist DPKO's newly-approved Criminal Law and Judicial Advisory Unit (CLJAU). However, the mandate of this Task Force was limited to formulating options and recommendations for possible cooperative arrangements to be established between the CLJAU and UN system partners so that the necessary expert advice and resource support can be mobilized and provided to UN peace operations on rule of law issues. On the other hand, the IDG's scope of review was a more general one, focusing on given and potential mandates as reflected in its Terms of Reference.

III. System for central coordination among departments, offices, funds and programmes of the legal technical assistance

6. According to its terms of reference, the IDG was required to develop a system of effective coordination for the Secretariat units, departments, offices, agencies, funds and programmes, which provide legal technical assistance with a view to maximizing their effectiveness and avoiding duplication. In particular, if several agencies or organizations are providing legal technical assistance in respect of the same subject matter, they should endeavor to coordinate their programmes. Likewise, where legal technical assistance is needed but none is provided, attention should be drawn to such areas.

7. In order to achieve this objective, the IDG prepared a questionnaire to be able to determine the nature and scope of existing legal technical assistance programmes within the Organization. The questionnaire was circulated to all members of the IDG, and most of the responses were received in July 2002. These responses have been collated into a directory (*see Annex II*), which includes the following information: name of the entity, its primary clients, a summary of the legal technical assistance it provides and how it is implemented, the address of its web site if any, its legal technical assistance publications, the other means by which it disseminates this information and the nature of its collaboration with other offices.

8. Subject to the views of the SMG, it is proposed that this directory be made available on the Legal Technical Assistance web page on the International Law web site.

IV. Summary of Survey Results

9. The IDG also reviewed the results of the survey to assist in the processes of identifying any overlaps or gaps among the existing legal technical assistance programmes. Although the responses received do not, by themselves, immediately highlight areas of overlap or gaps, they clearly demonstrate the extent to which legal technical assistance is currently provided. An Index of Legal Technical Assistance Provided by United Nations Units, Departments, Offices, Agencies, Funds and Programmes was compiled (*see Annex III*). The index reflects an effort on the part of the IDG to identify the areas in which and the extent to which the relevant units, departments, offices, agencies, funds and programmes provide such legal technical assistance.

V. System for monitoring the coordination of technical assistance

10. In order to avoid both lacunae and overlap and subject to the views of the SMG, the IDG proposes the following for monitoring the coordination of technical legal assistance:

- (a) Encourage and foster the creation of individual web sites on technical legal assistance within the Organization.
- (b) Establish links among these web sites and the Technical Assistance web page on the International Law web site.
- (c) Create an enhanced technical assistance web page, which will constitute a clearing house for information about technical assistance and through which the different units, departments, offices, agencies, funds and programmes will be able to share information in a simultaneous and proactive manner.

VI. System for informing Member States and the public of developments with regard to the Action Plan and opportunities for assistance under the plan

11. The IDG discussed various ways in which to disseminate the information collated to member States and the general public to keep them informed of opportunities for legal technical assistance. Subject to the views of the SMG, it is proposed that:

- (a) Member States be informed both in electronic format and in paper format about the findings of the IDG.
- (b) Specifically, members of the Third Committee and the Sixth Committee be informed about the findings of the IDG.

In addition:

- (c) The Legal Counsel will inform legal advisers to ministries of foreign affairs and legal advisers of the United Nations system of the findings of the IDG.
- (d) The Office of Legal Affairs will continue directing requests for legal technical assistance to appropriate units, departments, offices, agencies, funds and programmes.

VII. Recommendations

12. Based on the foregoing, the IDG recommends that the SMG endorse IDG's proposals in paras. 8, 10 and 11.

13. The IDG further recommends that the SMG should consider the task of the group completed with this report. However, the participants in the group should be encouraged to act as an informal network, while OLA should monitor the system by maintaining the Technical Assistance web page on the International Law web site.

Hans Corell
The Legal Counsel
Chairman of the Inter-Departmental Group

17 September 2002

ANNEX I

**Inter-Departmental Group to Implement the Action Plan
“An Era of Application of International Law”**

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ANNEX II

Overview of Legal Technical Assistance
Provided by United Nations Departments,
Agencies, Funds and Programmes

DEPARTMENT OF DISARMAMENT AFFAIRS (DDA)

Mandate: DDA assists Member States with the implementation of multilateral treaties relating to disarmament.

Clients: States (primarily developing countries).

Locations: New York headquarters.

Available Legal Technical Assistance

Treaty Law and Practice: Advisory and counselling assistance includes both the procedural and substantive aspects of the implementation of multilateral treaties relating to disarmament (signature, ratification, accession, periodical reviews of their implementation, negotiation of new instruments and/or protocols, etc.) such as the Treaty on the Non Proliferation of Nuclear Weapons; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction; the Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques; the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and on the Ocean Floor and in the Subsoil Thereof; the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects and its Protocols (Protocol on Non-Detectable Fragments; Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons); the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; the Comprehensive Test Ban Treaty; the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction; as well as the draft Central Asian Nuclear-Weapon-Free Zone Treaty. Legal assistance is delivered in collaboration with the Office of Legal Affairs.

Development of Legislation: N/A.

Development of Institutions: N/A.

Other: N/A.

Implementation of Legal Technical Assistance

Field Assistance: N/A.

Training: Implementation of the United Nations disarmament fellowship; training and advisory services programme, which was launched by the General Assembly at its tenth special session in 1978, aimed at increasing expertise on arms limitation and disarmament issues, particularly among young diplomats from developing countries [30 participants per year].

Legal Technical Assistance Website and Publications

Website: <http://www.un.org/Depts/dda/DDAHome.htm> (not limited to Technical Assistance).

Publications: N/A.

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DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS **(DESA)**

Mandate: General Assembly.

Clients: Member States; Permanent Missions to the United Nations; Non-Governmental Organizations and Specialized Agencies.

Locations: New York headquarters, field offices.

Available Legal Technical Assistance

Treaty Law and Practice: N/A.

Development of Legislation: DESA's technical assistance may include reform of laws related to civil service, water resources management and energy.

Development of Institutions: Provides assistance on judicial reform and strengthening of judiciary.

Implementation of Legal Technical Assistance

Field Assistance: Advisory services: social development, statistics, population, gender in development, social development, sustainable development (especially water resources and energy). Occasionally provide legal assistance on judicial reform and collaborates closely with UNDP, UNCTAD and Regional Commissions.

Training: Workshops and training seminars.

Other: Fellowships, deployment of long-term experts.

Legal Technical Assistance Website and Publications

Website: <http://esa.un.org/techcoop>.

Publications: N/A

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DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS:
DIVISION FOR THE ADVANCEMENT OF WOMEN -
WOMEN'S RIGHTS SECTION
(DESA/DAW-WRS)

Mandate: In addition to mandates devolved on the Department of Economic and Social Affairs, the DAW provides technical assistance with respect to women's enjoyment of human rights and technical assistance to States parties to the Convention on the Elimination of All Forms of Discrimination against Women at their request (Beijing Platform for Action and the outcome document of the review of the Beijing Platform for Action by the twenty-third session of the General Assembly. General Assembly resolutions, including resolution 56/229).

Clients: States parties to the Convention on the Elimination of All Forms of Discrimination against Women; Permanent Missions to the United Nations; other groups, including the judiciary; other specialized agencies and other United Nations departments.

Locations: New York headquarters; field offices: regional/subregional.

Available Legal Technical Assistance

Treaty Law and Practice: Provide technical assistance, in cooperation with the Office of Legal Affairs' Treaty Section, with regard to participation (signature, ratification, accession, etc.) in the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol at the request of Member States.

Development of Legislation: Provide technical assistance on request with respect to fulfilment of reporting obligations and on requirements of the Convention and its Optional Protocol, including with regard to legislation and regulations.

Development of Institutions: Provide capacity building for judicial officers on the use of international human rights treaties relating to women and girls in domestic decision-making; colloquia for judges and other judicial officers on the use of international human rights treaties in domestic decision-making is provided.

Implementation of Legal Technical Assistance

Field Assistance: N/A.

Training: Organize training workshops on the Convention on the Elimination of All Forms of Discrimination against Women (in the past three years workshops have been held in Cotonou, Benin; Yaounde, Cameroon; Auckland, New Zealand; and Koror, Palau).

Other: An international judicial colloquium for over 100 senior judges from most legal traditions on the use of human rights treaties in domestic decision-making was held in 1999, through the website: www.un.org/womenwatch/daw.

Legal Technical Assistance Website and Publications

Website: www.un.org/womenwatch/daw (not solely devoted to Technical Assistance).

Publications: Assessing the Status of Women: A Guide to Reporting under the Convention on the Elimination of All Forms of Discrimination against Women; Bringing International Human Rights Law Home (2000 - not on the website).

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DEPARTMENT OF POLITICAL AFFAIRS:
COUNTER-TERRORISM COMMITTEE (DPA/CTC)

Mandate: The Security Council has established the Counter-Terrorism Committee (CTC) to monitor the implementation of resolution 1373 (2001). The Security Council has also adopted a declaration annexed to resolution 1377 (2001) on the global effort to combat terrorism. The CTC has appointed a team of several Expert Advisers, two of whom advise it on assistance matters. The Security Council Affairs Division has set up a Secretariat to serve the CTC

Clients: N/A

Available Legal Technical Assistance

Treaty Law and Practice: N/A

Development of Legislation: N/A

Development of Institutions: N/A

Implementation of Legal Technical Assistance

Field Assistance: N/A

Training: N/A

Other: Pertinent information about the implementation of resolution 1373 (2001) including on the availability of assistance for this purpose is available on the CTC website: <http://www.un.org/Docs/sc/committees/1373/>

Legal Technical Assistance Website and Publications

Website: <http://www.un.org/Docs/sc/committees/1373/>

Publications: N/A

Focal Point: N/A

DEPARTMENT OF POLITICAL AFFAIRS: ELECTORAL DIVISION (DPA/EAD)

Mandate: EAD provides technical and advisory support to Member States upon request. Such support includes conducting and observing elections, providing advice on the preparation of electoral legislation, administration of electoral processes and quality control (General Assembly Resolution 46/137).

Clients: For a complete list of clients during the period 1999-2001, see the Secretary-General's "Enhancing the effectiveness of the principle of periodic and genuine elections" of 19 October 2001 (A/56/344).

Locations: New York headquarters, field offices.

Available Legal Technical Assistance

Treaty Law and Practice: Assist Member States in implementing legal obligations under international legal instruments, in particular, the Universal Declaration of Human Rights (Art. 21), the International Covenant on Civil and Political Rights (Art. 25), the International Convention on the Elimination of All Forms of Racial Discrimination (Arts. 1, 4, 5), and the International Convention on the Elimination of All Forms of Discrimination Against Women (Art. 7).

Development of Legislation: Provide advice on legal framework for elections and minimum democratic standards including drafting of electoral laws and regulations, codes of conduct and civic education materials.

Development of Institutions: Support electoral authorities in their legislative and/or judiciary capacities by providing specialized training, advice and guidelines to facilitate the prompt and fair disposition of petitions or appeals lodged before them.

Other: i). Post-electoral assistance to consolidate democracy; ii). coordination of donor activities for training and education of electoral administrators.

Implementation of Legal Technical Assistance

Field Assistance: Provide assessment missions, formulate projects and partnerships with international organizations and Non-Governmental Organizations, regional electoral bodies and United Nations Agencies, Funds and Programmes.

Training: Provide training on democratisation process, electoral laws, election organization and administration, as well as quality control to ensure the consistent application of standards throughout the lifetime of assistance projects.

Other: Prepare guidelines and policies for emerging issues that impact electoral processes.

Legal Technical Assistance Website and Publications

Website: www.un.org/Departments/dpa/ead/eadhome.htm

Publications: CD Rom.

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OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS (OCHA)

Mandate: OCHA mobilises and coordinates effective and principled humanitarian action in partnership with national actors in order to: i). alleviate human suffering in disasters and emergencies; ii). advocate for the rights of people in need; iii). promote preparedness and prevention; and iv). facilitate sustainable solutions (General Assembly Resolution 46/182).

Clients: The humanitarian community: United Nations/Specialized agencies; International Humanitarian Organizations; and Non-Governmental Organizations; other United Nations departments; Member States; Permanent Missions to the United Nations; Civil Society.

Locations: New York headquarters and Geneva office; liaison office in Brussels; field offices in Afghanistan, Angola, Burundi, Bosnia, Colombia, Democratic Republic of the Congo, Democratic People's Republic of Korea, Ethiopia, Eritrea, Federal Republic of Yugoslavia, Georgia, Guinea, India, Indonesia, Ivory Coast, Liberia, Macedonia, occupied Palestinian territory, Russian Federation, Sierra Leone, Somalia, Sudan, Tajikistan, Uganda; and regional support offices in Kenya and Ivory Coast.

Available Legal Technical Assistance

Treaty Law and Practice: Promotion and interpretation of International Humanitarian and Human Rights Law.

Development of Legislation: At international level: provide input, support and comments to international law dealing with humanitarian action. At national level: provide advice and support on legislation and application of International Humanitarian Law.

Implementation of Legal Technical Assistance

Field Assistance: Provide policy advice and expert consultants.

Training: Train government officials and others dealing with humanitarian affairs.

Other: Draft position papers and specific guidelines on humanitarian affairs.

Legal Technical Assistance Website and Publications

Websites: i). OCHA on-line: www.reliefweb.int/ocha_ol/index.html; ii). Relief Web (a project run by OCHA, serving the needs of the humanitarian relief community): www.reliefweb.int; iii). OCHA's website on the Protection of Civilians: http://www.reliefweb.int/ocha_ol/civilians/

Publications: OCHA regularly issues publications dealing with humanitarian topics. All of them are available through OCHA on-line.

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Office for Drug-Control and Crime Prevention: **Centre for International Crime Prevention** **(ODCCP/CICP)**

Mandate: The Centre's competence covers matters pertaining to crime prevention and criminal justice, corruption and the reform of criminal law as well as to the United Nations Convention against Transnational Organized Crime and its three Protocols on Trafficking in Persons, Smuggling of Migrants and Trafficking in Firearms. (General Assembly Resolutions 46/152, 55/25 and 55/255).

Clients: Member States; Permanent Missions to the United Nations; Non Governmental Organizations, other United Nations or Specialized Agencies.

Locations: Vienna office, New York Liaison Office and field locations.

Available Legal Technical Assistance

Treaty Law and Practice: Promote the entry into force of the United Nations Convention on Transnational Organized Crime and its three Protocols [Palermo Convention and Protocols] through the organization of sub-regional and regional seminars and the provision of direct pre-ratification legislative assistance, upon request.

Development of Legislation: Provide normative support in crime prevention and criminal justice: i) at the national level: advice on legislation and application of United Nations standards and norms on crime prevention and criminal justice; ii) at the international level: pre-ratification assistance programme concerning the Palermo Convention, including development of legislative guides.

Development of Institutions: Provide: i). Assistance in anti-corruption programmes; ii). Promotion of judicial/prosecutorial integrity; iii). Advice on measures against trafficking in human beings and organized crime for Courts and Prosecutorial Offices require.

Implementation of Legal Technical Assistance

Field Assistance: Pre-ratification assistance is currently provided to or planned for 15 countries.

Training: i). Provision of normative support in crime prevention and criminal justice; ii). comprehensive pre-ratification assistance programme for the entry into force of the Palermo Convention; iii). development of legislative guides for ratification of Convention/Protocols.

Legal Technical Assistance Website and Publications

Website: <http://www.odccp.org/crimeprevention.html>.

Publications: Forum on Crime and Society; technical manuals; tool-kits on specific subjects (all publications are available on the site).

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Office for Drug-Control and Crime Prevention: **DRUG CONTROL PROGRAMME (ODCCP/UNDCP)**

Mandate: UNDCP provides legal assistance to Member States upon request in adjusting their national laws, policies and infrastructures to implement the international drug control conventions; assistance in training personnel responsible for applying the new laws (General Assembly Resolutions 51/64, paragraphs 3 and 4(c); 52/92, paragraphs 3 and 4(c); 17/2, paragraph 52).

Clients: Member States.

Locations: Vienna office and field locations.

Available Legal Technical Assistance

Treaty Law and Practice: i). Provide legal expertise and knowledge to States to promote the ratification of the drug control conventions; ii). Increase States' legal capacity to effectively control drug abuse and trafficking at the national, sub-regional and wider international levels, particularly through fully implementing the international drug control conventions.

Development of Legislation: Develop manuals and model legislation in Law of the Sea, Health, and Criminal matters relevant for drug/psychotropic substances control.

Development of Institutions: Improve technical knowledge of law and conventions by the judiciary, prosecutors, lawmakers, enforcement officers. Provide direct on-site operational support to the judiciary and prosecutors

Implementation of Legal Technical Assistance

Field Assistance: Provide advice and expert consultants (special projects: Judicial Assistance Training, Southern and Eastern Africa; Legal Advisory Services, Central Asian Republics based in Uzbekistan and Latin America based in Colombia).

Training: Train judges and prosecutors.

Other: Draft model legislation.

Legal Technical Assistance Website and Publications

Website: <http://www.odccp.org> (not limited to Technical Assistance).

Publications: Commentaries on all the international drug control conventions; Maritime Drug Law Enforcement Training Guide; Model Laws (on the internet: Model Law for

Common Law Countries). A legal library of national drug control laws is available on our website

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Office for Drug-Control and Crime Prevention:
GLOBAL PROGRAMME AGAINST MONEY LAUNDERING
(ODCCP/GPML)

Mandate: GPML assists Member States in meeting their obligations under international anti-money laundering (AML) instruments and standards, including legislation and legal system requirements.

Clients: Member States.

Locations: Office in Vienna and various field locations.

Available Legal Technical Assistance

Treaty Law and Practice: i). Provide legal expertise and knowledge to States to promote compliance with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and other international AML standards; ii). increase States' legal capacity to identify, trace, seize/freeze and confiscate proceeds of crime and investigate and prosecute money laundering and related offences at the national, sub-regional and wider international levels.

Development of Legislation: Develop model legislation, regulations and guidelines in AML and related areas; review draft or existing laws; assist with drafting revised legislation.

Development of Institutions: Support and advise on set-up of financial intelligence units (FIUs), as well as specialised AML investigation and prosecution groups. Provide direct on-site operational support to the FIUs and prosecutors through use of long-term mentors.

Implementation of Legal Technical Assistance

Field Assistance: Provide advice and expert consultants (including longer-term 'mentors' for up to one year).

Training: Train judges, prosecutors and FIU personnel.

Other: Draft model legislation; computer-based training modules (under development).

Legal Technical Assistance Website and Publications

Website: <http://www.imolin.org> (not limited to Technical Assistance), which is housed in AMLID (Anti-Money Laundering Information Database), a password-protected searchable database of national AML legislation. Passwords available to international organisations and Government ministries, upon application to GPML.

Publications: Financial Havens, Banking Secrecy & Money Laundering; Russian Capitalism & Money Laundering; various country briefings on Central Asian states; Model AML Law for Civil Law Countries (all available on the internet website).

Focal Point: Timothy Lemay Timothy.Lemay@undcp.org Tel: +43-1-26060 5147
Fax: 26060 6878

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)

Mandate: OHCHR holds the principal responsibility for United Nations' human rights activities (General Assembly Resolutions 10/926, 48/141 and Commission on Human Rights Resolution 1987/38 of 10 March 1987).

Clients: Governments of Member States, upon request (in 2001: Albania, Argentina, Azerbaijan, Bhutan, Bolivia, Bosnia and Herzegovina, Cambodia, Chad, China, Croatia, Ecuador, East Timor, Gabon, Georgia, Guatemala, Haiti, Indonesia, Macedonia (Former Yugoslav Republic of), Madagascar, Malawi, Mauritania, Mexico, Moldova, Mongolia, Morocco, Namibia, Nicaragua, Palestine, Philippines, Russian Federation, Rwanda, Sierra Leone, Solomon Islands, Somalia, South Africa, Sudan, Togo, Uganda, Yemen, Yugoslavia - Federal Republic of).

Locations: Geneva office, New York office and field.

Available Legal Technical Assistance

Treaty Law and Practice: Advise Member States, upon request, on participation in human rights instruments; Assist Member States with reporting on implementation of their treaty obligations.

Development of Legislation: Provide training seminars and workshops in respect of the human rights norms, particularly the following core international human rights treaties: Convention for the Elimination of All Forms of Racial Discrimination; Convention on the Rights of the Child; International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights; Convention Against Torture, the Convention on the Elimination of All Forms of Discrimination Against Women.

Development of Institutions: Provide training for judges and lawyers, prosecutors, police, prison personnel; advise governments on the establishment of Independent National Human Rights Institutions (NHRIs).

Implementation of Legal Technical Assistance

Field Assistance: Through field offices, country projects, regional projects, headquarters staff and consultants.

Training: Provide training and workshops on human rights.

Other: Publish manuals, fact sheets and provide information on the OHCHR website.

Legal Technical Assistance Website and Publications

Website: www.ohchr.org (not limited to technical assistance).

Publications: Guidelines and Manuals on various aspects of Human Rights (available on the website).

Focal Point: Jan Cedergren jcedergren.hchr@unog.ch

OFFICE OF THE HIGH REPRESENTATIVE FOR THE LEAST DEVELOPED, LANDLOCKED DEVELOPING, AND SMALL ISLAND DEVELOPING STATES (OHRLLS)

Mandate: OHRLLS serves as a mechanism for coordinating, monitoring and reviewing the implementation of the Programme of Action and the Brussels Declaration, which provides a framework for a strong global partnership. Its goal is to reduce extreme poverty and promote sustainable development. In this regard, OHRLLS focuses on the least developed, land-locked developing, and small island developing states (GA Resolutions 55/279, 56/227 with functions as outlined in the Secretary General's Report A/56/645 and Add.1 and Add.1, Corr. 1 and 2.

Clients: Least developed countries [LDCs]; landlocked developing countries [LLDCs]; small island developing states [SIDS]. Also other Member States, Non Governmental Organizations and United Nations Agencies.

Locations: New York headquarters.

Available Legal Technical Assistance

Treaty Law and Practice: N/A.

Development of Legislation: N/A.

Development of Institutions: N/A.

Implementation of Legal Technical Assistance

Field Assistance: N/A.

Training: N/A.

Other: System-wide coordination in favour of LDCs, LLDCs and SIDS and in this regard, OHRLLS will be examining the above-mentioned issues.

Legal Technical Assistance Website and Publications

Website: N/A.

Publications: N/A.

Focal Point: Robert Picistrelli picistrelli@un.org Tel: 212-963 3607 Fax: 917-367 3415

OFFICE OF LEGAL AFFAIRS:
DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE
SEA (OLA/DOALOS)

Mandate: DOALOS i). provides advice, studies, assistance and research on the implementation of the United Nations Convention on the Law of the Sea (UNCLOS); ii). provides training, fellowship and technical assistance in the field of the law of the sea and ocean affairs; iii). deploys efforts for better understanding of UNCLOS and the Agreement in order to ensure effective implementation; iv). provides appropriate responses to requests of States, in particular developing States, for advice and assistance in implementing the provisions of UNCLOS and the Agreement; v). assists in strengthening training activities in ocean and coastal area management and development. (UNCLOS and GA Resolutions: A/RES/49/28, A/RES/52/26, A/RES/55/7, and A/RES/56/12.)

Clients: All Member and non member States, Permanent Missions to the United Nations, United Nations departments and Agencies, Intergovernmental and Non Governmental Organizations, Civil Society

Locations: New York Headquarters.

Available Legal Technical Assistance

Treaty Law and Practice: i). assists States on ratification and accession issues of UNCLOS and its related agreements, including impact of entry into force; ii). informs non-Parties on nature and scope of legal regime and institutional framework; iii). assists in fulfillment of deposit and/or “due-publicity” obligations and circulation of information; iv). issues technical assistance documents related to the extension of the continental shelf beyond 200 nautical miles.

Development of Legislation: provides advice to States on uniform and consistent domestic implementation of and harmonization of national legislation with UNCLOS; provide advisory services to intergovernmental organizations.

Development of Institutions: Assisted in the establishment of the International Tribunal for the Law of the Sea (ITLOS) and the International Seabed Authority (ISA); continues to provide assistance to those institutions, serves as ITLOS New York liaison office.

Other: i). Fellowship programme; ii). Trust-Funds management; iii). Ad hoc briefings; iv) Participates in UN Atlas of the Oceans (<http://www.oceansatlas.org/index.jsp>)

Implementation of Legal Technical Assistance

Field Assistance: N/A

Training: TRAIN-SEA-COAST programme - national capacity-building

Legal Technical Assistance Website and Publications

Website: <http://www.un.org/Departments/los/TechAsst.htm>.

Publications: i). Law of the Sea Bulletin; ii). Publications concerning legal and technical aspects of the Convention; iii). Bibliographies on the Law of the Sea; iv). Cases on the Law of the Sea; v). Publications related to the practice of States (National Legislation on maritime zones and treaties on delimitation of maritime boundaries are now published at www.un.org/Departments/los/LEGISLATIONANDTREATIES/index.htm).

Focal Point: Annick de Marffy demarffy@un.org Tel: 212-963 2811 Fax: 963 3962

OFFICE OF LEGAL AFFAIRS: TREATY SECTION **(OLA/TS)**

Mandate: The TS analyses, registers, files, records and publishes treaties and discharges the Secretary-General's depositary function for more than 500 multilateral treaties; it provides assistance and information on treaty law and practice and related matters, through legal advice, training seminars and the maintenance of an electronic database which facilitates access to treaty information (Art. 102 of the United Nations Charter and the Regulations to Give Effect to Art. 102: General Assembly Resolutions 97(1), 364B (IV), 482 (V), 33/141).

Clients: Permanent Missions to the United Nations; Government Ministries; Treaty Bodies; United Nations Agencies; Funds and Departments; general public; Non-Governmental Organizations.

Locations: New York headquarters.

Available Legal Technical Assistance

Treaty Law and Practice: Provide legal advice and assistance on matters related to treaty-law and practice, assist with the undertaking of treaty actions and the registration of treaties; assist in the drafting of final clauses for multilateral treaties deposited with the Secretary General of the United Nations; conduct seminars on treaty law and practice; promote participation by States in the multilateral treaty framework through high-profile treaty events; produce publications on treaty law and practice; maintain and update all treaty-related information on-line.

Development of Legislation: N/A

Development of Institutions: N/A

Implementation of Legal Technical Assistance

Field Assistance: Not at present.

Training: Organize training seminars on treaty law and practice; produce publications relating to treaty law and practice.

Other: Host representatives from governments and other United Nations agencies.

Legal Technical Assistance Website and Publications

Website: <http://untreaty.un.org>

Publications: Status of Multilateral Treaties Deposited with the Secretary-General; United Nations Treaty Series; Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties; Treaty Handbook; theme-oriented publications prepared to assist delegations in the participation to Treaty Events (all are available on-line).

Focal Point: Palitha T.B. Kohona kohona@un.org Tel. (212) 963 5047 Fax: 963 3693

OFFICE FOR OUTER SPACE AFFAIRS (OOSA)

Mandate: OOSA supports the work of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) and its Legal Subcommittee in the development of space law. This includes the enhancing of the understanding of space law treaties and of the legal implications of space science and commercialisation of space activities. Provide advice and information on space law to States, Non Governmental Organizations and the general public, upon request. (Action Plan on Implementation of UNISPACE III recommendations (A/AC.105/L.224) endorsed by the General Assembly in its Resolution 55/122)

Clients: Member States who are or might become Parties to the United Nations Treaties on Space Law, International and Non Governmental Organizations with space-related activities.

Locations: Vienna office.

Available Legal Technical Assistance

Treaty Law and Practice: Encourage the adherence by States to the five United Nations Space Treaties; provide advice on their legal implications; promote compatibility of national space-related legislation with the international treaties.

Development of Legislation: i). Review and analyse proposed legal regimes, taking into account current examples and best practices; ii). coordinate with States with existing legal regimes to ensure that national practices remain consistent with treaty obligations.

Development of Institutions: Provide assistance to States in the development of national space policies and strengthening of governmental and non-governmental institutions.

Implementation of Legal Technical Assistance

Field Assistance: Disseminate relevant documents and studies.

Training: Annual international workshop on capacity building in space law.

Legal Technical Assistance Website and Publications

Website: <http://www.oosa.unvienna.org/SpaceLaw/spacelaw.htm>.

Publications: Publications relating to international agreements on space law, the relevant national legislation, proceedings of workshops, and a repertory of state practice are available on the website of the office.

Focal Point: Petr Lala Petr.Lala@oosa.un.or.at Tel: +43-1-26060 4950 Fax: 26060-5830
Natercia Rodrigues Natercia.Rodrigues@oosa.un.or.at Tel: +43-1-26060 4950 Fax:
26060-5830

UNITED NATIONS DEVELOPMENT PROGRAMME: **BUREAU FOR DEVELOPMENT POLICY (UNDP/BDP)**

Mandate: BDP provides global policy advice and access to justice through policy note-drafting, technical assistance, country and regional justice sector assessment.

Clients: Developing countries, UNDP country offices and regional bureaus.

Locations: New York office, field.

Available Legal Technical Assistance

Treaty Law and Practice: Promote Human Rights treaties and their philosophy among judges and prosecutors worldwide.

Development of Legislation: Promote Human Rights legislation, assessment of commerce/trade legislation, and policy advice on electoral and constitutional legislation.

Development of Institutions: Provide policy advice and training; institutional strengthening with regard to courts, prosecutors, electoral oversight bodies and parliaments; institutional reform for sustainable human development.

Other: Promote the rule of law for sustainable human development.

Implementation of Legal Technical Assistance

Field Assistance: N/A.

Training: Provide policy advice and training; institutional strengthening with regard to courts, prosecutors, electoral oversight bodies and parliaments.

Legal Technical Assistance Website and Publications

Website: <http://www.undp.org> (Not solely devoted to Technical Assistance).

Publications: N/A.

Focal Point: Jorge Obando jorge.obando@undp.org Tel: 212-906 6471 Fax: 906 6564

UNITED NATIONS ENVIRONMENTAL PROGRAMME

(UNEP)

Mandate: UNEP provides long-term strategic guidance for activities in the field of environmental law, including technical assistance to ensure participation in relevant forums for negotiation and implementation of international environmental law (General Assembly's Resolution 2997 (XXVII)-3436(XXX)).

Clients: Member States – especially developing countries and countries with economies in transition; Permanent Missions to the United Nations.

Locations: Nairobi office, regional field offices.

Available Legal Technical Assistance

Treaty Law and Practice: Promote the implementation of existing international legal instruments in the field of the environment.

Development of Legislation: provide legal advice in developing national environmental laws and institutional regimes through the use of staff members and consultants, both international and national.

Development of Institutions: N/A.

Implementation of Legal Technical Assistance

Field Assistance: Provide assistance to developing countries and countries with economies in transition to ensure effective participation in relevant international forums for negotiation and implementation of international environmental law (such as Intergovernmental Negotiating Committees for development of international legally binding instruments).

Training: Convene regional and sub-regional workshops on environmental law for Institutions at national, regional and global levels.

Other: Provide: i). publications; ii). documentation for the Governing Council - at meetings and training workshops; iii). Internet-based dissemination of national and international environmental law through a UNEP-IUCN-FAO joint legal database (ECOLEX, available at www.ecolex.org).

Legal Technical Assistance Website and Publications

Website: <http://www.unep.org/DPDL/technical> - www.ecolex.org (see above).

Publications: i). Register of International Treaties and Other Agreements (Environment); ii). Selected Multilateral Treaties (Environment); iii). Reports of Global Training Programmes; iv). Biannual Bulletin on Environmental Law.

Focal Point: Manjit Iqbal Manjit.Iqbal@unep.org Tel.: +254-2-623 489/493 Fax: 254-2230 198
Masa Nagai Masa.Nagai@unep.org

UNITED NATIONS POPULATION FUND (UNFPA)

Mandate: To strengthen the legal and institutional framework for the recognition of reproductive and sexual health rights as human rights; to obtain accountability in terms of securing and protecting those rights; and to meet the basic right of every individual to a lifetime of reproductive and sexual health (Administrative decision of Secretary General U Thant following General Assembly 2815 of 14 December 1971).

Clients: United Nations Human Rights treaty bodies, Member-States, Non-Governmental Organizations and human rights national institutions.

Locations: New York headquarters, field, regional (General policy issues are dealt with at headquarters level, while specific assistance is provided locally to governments).

Available Legal Technical Assistance

Treaty Law and Practice: Promote ratification and implementation of international human rights treaties (i.e. Convention on the Elimination of All Forms of Discrimination Against Women, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Rights of the Child); provide information on population and reproductive health issues to members of the human rights treaty bodies, to ensure effective mainstreaming and monitoring of reproductive and sexual health in their work. Prepare country reports to draw the Committee's attention to a number of critical reproductive health issues, to inform its considerations and to facilitate its work; assist UNFPA field offices in the follow-up to the recommendations from the human rights treaty bodies.

Development of Legislation: Develop manuals and modules on human rights for UNFPA's programming.

Development of Institutions: N/A

Implementation of Legal Technical Assistance

Field Assistance: Available on ad hoc basis.

Training: Available on ad hoc basis.

Other: Provide regional seminars and workshops for UNFPA field staff, governments and Non-Governmental Organizations.

Legal Technical Assistance Website and Publications

Website: www.unfpa.org.

Publications: “An Operational Tool on the Convention on the Elimination of All Forms of Discrimination Against Women for UNFPA Programmes”; “A Focus on Population and Human Rights”; “Distance Learning Courses on Population Course 2 – Gender Mainstreaming: Taking Action, Getting Results”; State of the World Population Report; “Application of Human Rights to Reproductive and Sexual Health”.

Focal Point: Ana Angarita ana.angarita@undp.org Tel:+41-22 9178016 Fax: 9178566

HIGH COMMISSIONER FOR REFUGEES (UNHCR)

Mandate: UNHCR provides protection for refugees (UNHCR's Statutes).

Clients: Member States, Permanent Missions to the United Nations, Non-Governmental Organizations, other United Nations or Specialized Agencies which have refugee protection as their central objective.

Locations: Geneva Office; liaison office in New York, field and regional offices (general policy issues are dealt with at central level, while specific assistance is provided locally to governments).

Available Legal Technical Assistance

Treaty Law and Practice: Promote international instruments and interpretation of norms contained therein. Assist in developing national implementing legislation; promote accession to the international treaties on refugees.

Development of Legislation: Promote the adoption of national legislations (i.e. by providing article-by-article comments or draft legislation).

Development of Institutions: Promote the creation of fair and efficient asylum procedures.

Implementation of Legal Technical Assistance

Field Assistance: i). General refugee protection issues, including durable solutions; ii). emergency response to refugee crisis; iii). close contacts with bodies in charge of development of legal frameworks and their implementation.

Training: Train government officials and others dealing with refugee status determination and refugee protection issues.

Other: Prepare position papers and specific guidelines.

Legal Technical Assistance Website and Publications

Website: www.unhcr.ch (not limited to Technical Assistance).

Publications: Position papers; Refugee Survey Quarterly; Collection of International Instruments; European Series; International Refugee Protection in the Twenty-First Century (to be published in 2003) [all available on the internet] – CD Rom.

Focal Point: Volker Turk turk@unhcr.ch Tel: +41-22-739 8489 Fax: 7397354

UNITED NATIONS CHILDREN’S FUND (UNICEF)

Mandate: UNICEF works with governments, civil society organizations and other partners world-wide to advance children’s rights to survival, protection, development and participation, and is guided by the Convention on the Rights of the Child.

Clients: N/A¹

Locations: field offices; New York headquarters; UNICEF's Innocenti Research Centre, Florence.

Available Legal Technical Assistance

Treaty Law and Practice: Promote the ratification of treaties and optional protocols relevant to the realisation of children’s rights.

Development of Legislation: Advise and assist Governments with which UNICEF has a Programme of Cooperation i). to ensure that domestic legislation is consistent with the Convention on the Rights of the Child and international standards; ii) on juvenile justice issues; iii) on involvement of children in international criminal justice and truth and reconciliation mechanisms.

Development of Institutions: Provide assistance to Governments with which UNICEF has a Programme of Cooperation in developing institutions aware of juvenile justice issues. Promote education for adolescents at risk of being in conflict with the law. Promote extra-judicial mechanisms like victim-offender mediation, or the promotion of traditional justice mechanisms if compliant to the human rights of children.

Other: Protect children in conflict with the law. Promote alternatives to deprivation of liberty for children. Birth registration campaigns, including advocacy for community action. Assistance with regard to separated children, identification and registration, family tracing and reunification and adoption. Protect children and women from sexual exploitation and abuse in humanitarian crises. Protect children from trafficking. Advice with regard to disarmament, demobilisation and reintegration programmes for child soldiers, reconciliation (as part of programmes for child soldiers). Identify good practices that may be replicated and areas requiring future attention. Create national capacity for reporting obligations under international human rights/children’s rights treaties.

Implementation of Legal Technical Assistance

Field Assistance: Most UNICEF Country Programmes of Cooperation include a relevant component; UNICEF humanitarian interventions also include a relevant component. These can include, e.g., a training component such as train judges, lawyers,

¹ UNICEF does not have "clients" as such. In the case of development work, we provide assistance to our host Government development partners pursuant to a Programme of Cooperation.

law enforcement official and social workers on juvenile justice issues. Child rights training for investigators, prosecutors, judges, truth commissioners, peace-keepers

Training: see above

Legal Technical Assistance Website and Publications

Website: www.unicef.org

Publications: UNICEF produces numerous publications each year, by field offices, New York Headquarters, and UNICEF's Innocenti Research Centre in Florence. Most UNICEF publications are relevant to the implementation of international law within the scope of UNICEF's work. Recent examples include

- "Birth Registration: Right from the Start";
- "Independent Institutions Protecting Children's Rights";
- "Promoting Children's Participation in Democratic Decision-Making";
- "Early Marriage";
- "Children's Rights Glossary";
- "International Children's Rights Thesaurus";
- "A Human Rights Conceptual Framework for UNICEF";
- "Juvenile Justice";
- "A School for Children with Rights: the Significance of the UN";
- "Convention on the Rights of the Child for Modern Education Policy";
- "Children and Violence";
- "Nutrition and the UN Convention on the Rights of the Child"

In addition, because UNICEF is guided by the Convention on the Rights of the Child, most publications reinforce the message of human rights and locates UNICEF's work in a human rights context -- in particular our flagship annual publication *The State of the World's Children* report.

The following publications are also relevant:

- "First Call for Children" -- this publication contained the full text of both the World Summit for Children goals and the Convention on the Rights of the Child, part of our outreach to increase familiarity with the CRC;
- "A World Fit for Children" -- a new publication is in a similar vein, with the full text of the outcome document of the Special Session on Children and of the CRC;
- "Human rights for children and women: How UNICEF helps make them a reality" -- this sets out our human rights programming approach;
- "International Criminal Justice and Children" -- this forthcoming publication examines children's rights and protections in humanitarian and human rights law and recommends measures and actions to best protect children whose rights have been violated.

Focal Point: In countries where UNICEF has a field office -- the Representative
Others -- Senior Adviser to the Executive Director in New York
Headquarters (initial contact)

ANNEX III

Index of Legal Technical Assistance Provided by United Nations Units, Departments, Offices, Agencies, Funds and Programmes

Children:

Advice on implementation of Convention on the Rights of the Child and international standards: (UNICEF);

Child soldiers:

Advice on re-integration programs: (UNICEF);

Crime prevention:

Pre-ratification assistance: (ODCCP/CICP);

Advice on implementation of United Nations standards and norms: (ODCCP/CICP);

Development of legislative guidelines: (ODCCP/CICP);

Disarmament:

Advice on implementation of multilateral treaties: (DDA);

Legislation relating to child soldiers: (UNICEF);

Drug control:

Advice on implementation of United Nations standards and norms: (ODCCP/UNDCP);

Development of manuals and model legislation: (ODCCP/UNDCP);

On-site operational support for the judiciary and prosecutors: (ODCCP/UNDCP);

Elections:

Advice on implementation of international standards and norms: (DPA/EAD);

Training and support of local institutions: (DPA/EAD);

Environment:

Advice on implementation of international standards and norms: (UNEP)

Humanitarian affairs:

Advice on implementation of international standards and norms: (OCHA);

Legal safeguards relating to children: (UNICEF);

Legal safeguards relating to women's reproductive health: (UNFPA);

Human rights - General: (OHCHR);

Children's rights: (*see Children*);

Reproductive and sexual health rights:

Advocacy and Advice on implementation of international standards (UNFPA);

Electoral rights: (*see Elections*);

Sustainable development: (*see Sustainable development*);

Women's rights: (*see Women's rights*);

Institutional reform (advice on):

Asylum procedures: (UNHCR);

Corruption – crime prevention – criminal justice: (ODCCP/CICP);

Drug-control: (ODCCP/UNDCP);

Electoral process: (DPA/EAD);

Human rights: (OHCHR);

Juvenile justice: (UNICEF);
Money-laundering: (ODCCP/GPML);
Space policies: (OOSA);
Sustainable development: (UNDP/BDP);
Women's rights: (DESA/DAW-WRS).

Juvenile justice:

Advice on - awareness campaigns: (UNICEF);

Legislative reform (advice on):

Crime prevention and criminal justice: (ODCCP/CICP);

Civil service: (DESA);

Drug control: (ODCCP/UNDCP);

Human rights: (OHCHR);

Humanitarian issues: (OCHA; UNFPA);

Electoral processes – minimum democratic standards: (DPA/EAD);

Energy: (DESA);

Environment: (UNEP);

Judicial reform: (DESA);

Juvenile justice: (UNICEF);

Money-laundering: (ODCCP/GPML);

Refugees: (UNHCR);

Reproductive and sexual health: (UNFPA);

Sea and ocean affairs: (DOALOS);

Space activities: (OOSA);

Sustainable development: (UNDP/BDP);

Women's rights: (DESA/DAW-WRS; UNFPA);

Water resources management: (DESA);

Money-laundering:

Advice on implementation of international standards and norms:
(ODCCP/GPML);

Development of model legislation: (ODCCP/GPML);

Advice on setting-up of Financial Intelligence Units: (ODCCP/GPML);

Refugees:

Advice on implementation of international standards and norms:
(UNHCR);

Promotion of asylum procedures (UNHCR);

Sea and ocean affairs:

Advice on implementation of international standards and norms:
(DOALOS);

Training on law of the sea and ocean affairs: (DOALOS);

Ocean and coastal area management and development: (DOALOS);

Smuggling of migrants:

Advice on implementation of the relevant Protocol to the United Nations
Convention against Transnational Organized Crime: (ODCCP/CICP);

Space affairs:

Advice on implementation of international standards and norms: (OOSA);

Sustainable development:

Advice on implementation of international standards and norms: (UNDP/BDP);

Terrorism:

Advice on implementation of Security Council resolution 1373 (2001):
(DPA/CTC).

Trafficking in persons:

Advice on implementation of the relevant Protocol to the United Nations
Convention against Transnational Organized Crime: (ODCCP/CICP);

Trafficking in firearms:

Advice on implementation of the relevant Protocol to the United Nations
Convention against Transnational Organized Crime: (ODCCP/CICP);

Treaty issues:

Treaty law and practice (TS);

Training seminars on treaty law and practice (TS);

Drafting of final clauses: (TS);

Women's rights:

Advice on implementation of international standards and norms:
(DESA/DAW-WRS);

Assistance on reporting obligations: (DESA/DAW-WRS);

Capacity building for judicial officers: (DESA/DAW-WRS).