

# GHANA



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## STATEMENT TO BE DELIVERED

BY

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PERMANENT REPRESENTATIVE OF GHANA AND CHAIR OF THE ADVISORY  
COMMITTEE ON THE PROGRAMME OF ASSISTANCE

ON AGENDA ITEM 77

*UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY,  
DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW AT  
THE PLENARY OF THE SIXTH COMMITTEE*

DURING THE 69<sup>TH</sup> SESSION OF THE GENERAL ASSEMBLY HELD  
ON FRIDAY, 17<sup>TH</sup> OCTOBER, 2014

**Mr Chairman,**

I have the honour to deliver this statement in my capacity as the 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 wish to indicate that my delegation shares the sentiments I will put before this committee.

**Mr Chairman,**

When I arrived in New York a few years ago, one of the first assignment as the Permanent Representative of Ghana was to Chair this Advisory Committee, I was informed that this was a programme for providing teaching and research materials for lawyers. My immediate reaction was that I was not a lawyer. I also learned of the history of the Programme of Assistance and the leadership provided by Ghana in promoting the teaching and dissemination of international law primarily for the benefit of lawyers in developing countries, in particular the newly independent States following decolonization.

**Mr Chairman,**

As you will recall, when Ghana proposed this programme in the 1960s the decolonization movement was spreading across three regions with a history of colonialism – Africa, Asia-Pacific and Latin America and the Caribbean. At this point, I was tempted but not yet convinced. Then I was also told that Ambassador Dadzie of Ghana was the father of the Programme of Assistance and that his vision of providing international law training by the most highly qualified international lawyers from different regions and legal systems, primarily for the benefit of lawyers in developing countries, still inspired and guided the work of the Codification Division on the Programme of Assistance. At that point, I could not say no because I knew Ambassador Dadzie and he was also not a lawyer.

## **Mr Chairman**

Even though serving as Chairman of the Advisory Committee has required a far greater commitment of time and energy than I anticipated, I have never regretted the decision to accept this responsibility and to continue the traditional leadership role of Ghana with respect to the Programme of Assistance for almost half a century. Indeed it is an honour for me and for my country to continue the legacy of Ambassador Dadzie of Ghana. You can be assured of the continuing commitment of Ghana to this Programme for years to come. Over the past three years, the road has been difficult and we have faced many challenges in the Advisory Committee, especially whenever the question of money was involved.

Even the lawyers could not solve the funding problems without the help of their colleagues in the Fifth Committee.

Therefore, in 2013 and 2014, I convened a series of informal briefings to bring together the lawyers and the bankers to help us solve the problem of funding for the Programme of Assistance, in particular the Regional Courses and the Audiovisual Library.

This year the Advisory Committee has taken a major step forward to ensure the continuation of the Programme of Assistance for the benefit of present and future generations of lawyers from every country of the world.

It is now my pleasure to introduce the conclusions and recommendations of the Advisory Committee contained in paragraphs 7 to 11 of the addendum to the report, which correspond to paragraphs 60 to 65 of the advance version of the addendum.

Let me begin by noting that these paragraphs were carefully negotiated in a spirit of common commitment, cooperation and compromise.

### **Paragraph 7 [paragraph 60 of the advanced version of the Addendum]**

As you can see from the information contained in the report of the Secretary-General, some activities under the Programme of Assistance continue to suffer from lack of resources (funding and staff), in particular

the United Nations Regional Courses which have been cancelled and the United Nations Audiovisual Library which may have to be discontinued very soon.

Paragraph 7 reflects the concern of the Advisory Committee with the continued insufficient funding for the Programme of Assistance, in particular the cancellation of the Regional Courses for Asia-Pacific and for Latin America and the Caribbean in 2014, and reiterated its conclusion that voluntary contributions have not proved to be a sustainable method for funding the activities under the Programme of Assistance.

The Advisory Committee noted that there was a need to provide more reliable funding for all its activities through the regular budget or through voluntary contributions.

**Paragraph 8 [paragraph 61 of the advanced version of the Addendum]**

As you know, the General Assembly has adopted a series of resolutions requesting the Secretary-General to provide the necessary resources to the programme budget for the Programme of Assistance, in particular for the organization of the Regional Courses in International Law and the Audiovisual Library of International Law.

Despite these resolutions, there has been no increase in the programme budget for the Programme of Assistance.

Consequently, the Advisory Committee recalled the relevant paragraphs and noted with serious concern the failure to implement those provisions which is reflected in paragraph 8.

**Paragraph 9 [paragraph 62 of the advanced version of the Addendum]**

As you know, at its previous session the General Assembly approved the mandate for the activities under the Programme of Assistance for the current biennium 2014-2015 without providing any additional resources for those activities in the programme budget for the current biennium.

As indicated in the report, some of the planned activities for 2014 were not implemented due to lack of resources, namely the Regional Courses and desktop publishing for legal publications.

As also indicated in the report, there are insufficient resources to implement the plans to conduct the Regional Courses, to resume desktop publishing for legal publications and to continue and further develop the Audiovisual Library in 2015.

Consequently, the Advisory Committee decided to recommend that the General Assembly be invited to revisit the matter of funding under the programme budget for the current biennium 2014-2015 for the Programme of Assistance, in particular the Regional Courses and the Audiovisual Library.

**Paragraph 10 [paragraph 63 of the advanced version of the Addendum]**

In response to a letter sent by CELAC to the Secretary-General requesting an explanation of the failure to implement the request to provide necessary resources in the programme budget for the Programme of Assistance, the Under-Secretary General for Management indicated that language contained in paragraph 7 of the resolution 68/110 was insufficient and that more specific language would be required to achieve this result.

In paragraph 10 [63], the Advisory Committee therefore recommended that the General Assembly specifically request the Secretary-General to include additional resources in the proposed programme budget the next biennium 2016-2017 for the organization of the United Nations Regional Courses in International Law for Africa, for Asia-Pacific and for Latin America each year and for the continuation and further development of the United Nations Audiovisual Library of International Law in 2016 and 2017.

As noted in the report, the additional resources that are needed to implement these activities include funding and staff.

**Paragraph 11 [paragraph 64 of the advanced version of the Addendum]**

There were concerns about providing adequate funding to ensure the award of at least one fellowship under the Hamilton Shirley Amerasinghe Fellowship on the law of the sea. It was noted that there have been instances in which voluntary contributions were not sufficient to provide funding for such a fellowship. The Secretariat was requested to provide additional information about the financial situation with respect to this fellowship over the years, in particular those years in which the fellowship was not awarded due to insufficient funding. That information was made available to members of the Advisory Committee as well as to the Sixth Committee this morning.

It was also noted that the mandate for this fellowship established by the General Assembly specifically provides that it should be funded by voluntary contributions. There is currently no mandate for regular budget funding for this fellowship.

Consequently, the Advisory Committee recommended that the General Assembly request the Secretary-General to include in the regular budget, for the General Assembly's consideration, the necessary funding for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea with effect from the biennium 2016-2017, should voluntary contributions be insufficient for granting at least one Fellowship a year.

**Paragraph 11 [paragraph 65 of the advanced version of the Addendum]**

Given the failure to implement requests for additional resources in the programme budget for the Programme of Assistance in previous years, the Advisory Committee recommended that the Secretary-General be requested to report on the implementation of the provisions of the resolution to be adopted under this agenda item at its sixty-ninth session no later than in the main part of its seventieth session.

This is to avoid the situation that occurred last year when this matter was addressed in the final days of December 2013.

## **Conclusion**

In conclusion, I would like to take this opportunity to reiterate my gratitude to the members of the Advisory Committee for their cooperation and support that made it possible for the Committee to make great progress this year. It was indeed a historic meeting. I also express my appreciation to the Codification Division for its tireless efforts in ensuring the successful implementation of this Programme. It is my sincere hope that the Sixth Committee will support the conclusions and recommendations of the Advisory Committee and the Fifth Committee as well as the Secretariat and all required processes can be undertaken so that we can celebrate the fiftieth anniversary of the Programme of Assistance next year knowing that the future of this Programme is secured.

I thank you.