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UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
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TRAINING AND ASSISTANCE IN THE FIELD OF
INTERNATIONAL TRADE LAW

Note by the Secretary-General

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

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

"The United Nations Commission on International Trade Law

1. Expresses its appreciation to those Governments which have made voluntary contributions for the implementation of its programme of training and assistance in the field of international trade law;
2. Expresses the hope that further contributions will be made in any appropriate form;
3. Expresses the view that universities should be encouraged to promote the study of international trade law and hopes that the symposium, referred to in paragraph 4 (c) below, will help in this regard;
4. Requests the Secretary-General:

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

(b) To organize, in connexion with its eighth session, an international symposium on the role of universities and research centres in the teaching,

dissemination and wider appreciation of international trade law, and to seek voluntary contributions from Governments, international organizations and foundations to cover the cost of travel and subsistence of participants from developing countries;

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

2. The Sixth Committee, after considering the report of the Commission on the work of its sixth session, reported, inter alia, the following to the General Assembly:

"39. Representatives who took the floor on the subject welcomed the Commission's decision to request the Secretary-General to accelerate and intensify the activities relating to the programme of training and assistance in the field of international trade law, with special regard to the needs of developing countries. They particularly welcomed the request for the organization of an international symposium on the role of universities and research centres in that field in connexion with the Commission's eighth session in 1975. It was stated that the training of specialized personnel was of particular importance for developing countries and that the implementation of a comprehensive programme would assist these countries to remove one of the most serious deficiencies in the field of international trade.

40. The view was expressed that the Commission also should give serious consideration to the production of teaching materials in international trade law, the inclusion of international trade law in university curricula, encouraging the establishment of fellowships for nationals of developing countries, and the organization of seminars." 2/

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

"4. Notes with satisfaction the decision of the United Nations Commission on International Trade Law to organize, in connexion with the eighth session of the Commission, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law and to seek voluntary contributions

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

2/ Report of the Sixth Committee on the report of the United Nations Commission on International Trade Law on the work of its sixth session (1973), document A/9408, paras. 39-40.

from Governments, international organizations and foundations to cover the cost of travel and subsistence of participants from developing countries;

...

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

...

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

II. IMPLEMENTATION OF THE COMMISSION'S DECISIONS

Interneships for lawyers and government officials from developing countries at commercial and financial institutions in developed countries

4. Based on a suggestion made at the fifth session of the Commission, the Secretary-General, by a note verbale, urged the Governments of the developed countries to ascertain whether commercial and financial institutions within their respective countries would be willing to receive internes from developing countries. ^{3/} Positive offers for interneships during 197⁴ were received from the Governments of Austria and Belgium.

5. The Government of Austria informed the Secretary-General that the Creditanstalt-Bankverein, the largest bank in that country, was offering two interneships in its legal office, each for a period up to six months. The bank will provide a subsistence allowance of 4,500 Austrian schillings per month to each interne; the expenses of travel are to be borne by the interne or his Government.

6. The Government of Belgium offered two fellowships, each of six months' duration; each fellowship includes a monthly stipend of 10,000 Belgian francs, an allowance of 2,000-4,000 Belgian francs for supplies, economy air transportation from Belgium to the fellow's home country, medical costs, and all travelling expenses within Belgium in connexion with the programme. The Government of Belgium specified that candidates for the fellowships should have a good working knowledge of the French language.

^{3/} During the past year, students received practical training at the International Trade Law Branch in New York, under the following programmes: United Nations-UNITAR fellowship programme in international law; United Nations Office of Public Information interne programme; and the Cornell/Institute for International World Order fellowships.

/...

7. At the request of the Governments of Austria and Belgium, the Secretariat is assisting in the announcement of the above offers and the selection of suitable candidates. The selection process for the 1974 fellowships is currently under way.

8. The Government of Belgium has informed the Secretariat that it intends to offer two such fellowships also during 1975, on the same terms as for 1974.

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

9. It may be recalled that at its sixth session the Commission decided to request the Secretary-General to organize, in connexion with the eighth session of the Commission in Geneva, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law and to seek voluntary contributions to cover the cost of travel and subsistence of participants from developing countries. 4/

10. The notes on the provisional agenda for the present seventh session (A/CN.9/85, item 13) suggest that, in view of the substantive items that the Commission may wish to consider at its eighth session, a period of three weeks be allocated for that session. The notes also suggest that since the symposium will be attended by persons with commitments to schools and universities during the academic year, the Commission may wish to consider holding its eighth session during the summer of 1975, after the end of the normal academic year.

11. The extent to which the symposium will achieve its objectives will depend, to a considerable degree, on the amount of voluntary contributions from Governments and foundations to cover the travel and subsistence expenses of participants from developing countries. To date, the following sums have been committed as voluntary contributions for this purpose: Norway - \$8,000; Sweden - 5,000 Swedish kronor (approximately \$1,150); and Austria - 25,000 Austrian schillings (approximately \$1,300). Furthermore, the Government of Kuwait has indicated that the University of Kuwait would cover the travel and subsistence expenses of participants from that country. It is calculated that travel expenses for young law teachers from developing countries would range from \$400 to \$1,300, and that the per diem subsistence allowance in Geneva would be in the area of \$20-\$25 per day (or, approximately \$150 for the duration of the symposium). On the basis of these estimates, the travel and subsistence costs would average in the neighbourhood of \$1,000 per participant.

12. It is assumed that invitations to attend the symposium will be extended to qualified persons from both developing and developed countries. Under the Commission's decision, the voluntary contributions are to be used "to cover the cost of travel and subsistence of participants from developing countries"; it is expected that the expenses of participants from developed countries will be borne

4/ See paragraph 1 above.

by them personally or by their universities. Since the subject of the symposium is "the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law", it is assumed that in selecting participants for the symposium, preference should be given to persons who are now engaged or may be expected to engage in teaching or research in this field in universities or research centres.

13. To ensure the efficient operation of both the eighth session of the Commission and of the symposium, and for reasons of economy, it is suggested that the symposium take place during the last week of the session of the Commission, from Sunday to the following Friday. This suggestion is prompted by the fact that interpretation services would be available during the adjournment of the Commission's meetings required for the preparation of the report of the session. The plan, outlined more fully below, is based also on the suggestion, made during the discussion at the sixth session, that the symposium employ the time and facilities that might otherwise be devoted to a general discussion of the subject of training and assistance.

14. As will be seen from the schedule that is set forth in the annex, it is proposed that the symposium commence 5/ on Monday morning with an introductory lecture for the participants on the unification of international trade law, and on the work of the Commission. It is proposed that this introductory session be held from 10 a.m. until 11 a.m. 6/

15. It is proposed that from 11 a.m. Monday through Wednesday afternoon, the participants would observe meetings of the Commission on topics which would be of particular interest to them. Topics which are expected to be before the Commission at the eighth session include: (1) Discussion of draft arbitration rules for optional use in ad hoc arbitration relating to international trade; 7/ (2) Discussion of the Commission's future course of action with respect to the legal problems presented by multinational enterprises; 8/ (3) Security interests in goods. 9/ It would appear feasible to schedule some of these topics (or other

5/ It is hoped that it may be possible to arrange for the participants to meet representatives attending the session, on Sunday afternoon or evening.

6/ It is suggested that the introduction to the work of the Commission could be relatively brief, since background material would be sent to the participants in advance of the symposium. This background material would include a summary of the Commission's work, recent reports to the Commission (including the reports related to the substantive topics to be discussed with the participants), and copies of the Yearbook of the Commission.

7/ Report of the United Nations Commission on International Trade Law on the work of its sixth session (1973), Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 17 (A/9017), para. 85.

8/ Idem, para. 116.

9/ It is expected that a report on this topic will be available for discussion, in response to the Commission's decision at its third session (Report of the United Nations Commission on International Trade Law on the work of its third session (1970), Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 17 (A/8017), para. 145).

topics of comparable interest to the participants) during the third week of the Commission's eighth session. It is proposed that in connexion with the discussion of such topics, the opportunity be provided for informal discussions with members of the Commission and with the Secretariat, to enable the participants to obtain further information and background with respect to these topics.

16. It is proposed that on Wednesday afternoon, during the period usually devoted by the Commission to a discussion of training and assistance, and on Thursday, during the time normally reserved for the preparation of the report of the Commission's session, the symposium continue with three half-day meetings, each of which would be devoted to one of the following three topics on which working groups of the Commission are developing uniform rules: (1) international sale of goods; (2) international negotiable instruments; and (3) international shipping legislation. It is further proposed that, as to each of these three topics, a member of the Commission who has been active in the Working Group concerned with the particular substantive item, would be invited to prepare a short paper on the progress of the work in the Working Group and another such member would be invited to prepare a short paper on the use of materials in teaching this topic of international trade law. It is suggested that these papers be distributed to participants in advance of the symposium, and that the session devoted to each such topic take the form of a panel discussion, in which the authors of the studies would introduce their papers, followed by comments by other representatives and by observations and questions by participants in the symposium.

17. On Friday, a half-day meeting could be devoted to a more general exploration of alternative ways to introduce the subject of international trade law in the curricula of universities. To provide the basis for this discussion it is proposed that two short papers be prepared by members of the Commission: one paper would explore the possibility of establishing international trade law as a separate course; the other one would focus on incorporating materials on international trade law into the traditional courses dealing with national commercial law (such as courses on sales, negotiable instruments, commercial transactions, and maritime law). In the discussion of these questions, participants in the symposium would also explain the opportunities and problems with respect to teaching and research in the field of international trade law in the context of the universities or research centres with which they are familiar.

18. In order to enhance the usefulness of the symposium in defining and making more widely known the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law, the Commission may wish to consider issuance of the proceedings of the symposium as a document for the ninth session of the Commission. It is envisaged that this document would include the introductory lecture on the unification of international trade law, the eight short substantive papers prepared by Commission members prior to the eighth session, and a summary of the comments and discussion at each session of the symposium.

19. The question of the extent to which the costs for the conference and documentation services for the symposium can be absorbed within those for UNCITRAL is under study.

ANNEX

Tentative schedule for symposium on
international trade law

Monday

a.m., 10-11 General introduction
11- 1 Attendance at Commission meeting
p.m. " " "

Tuesday

a.m. Attendance at Commission meeting
p.m. " " "

Wednesday

a.m. Attendance at Commission meeting
p.m. Panel discussion: international sale of goods

Thursday

a.m. Panel discussion: international negotiable instruments
p.m. " " : international shipping legislation

Friday

a.m. Adoption of Commission's report
p.m. Teaching of international trade law; conclusions
