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Report of the International Law Commission

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F. International Law Seminar

277. Pursuant to General Assembly resolution 60/22, the forty-second session of the International Law Seminar was held at the Palais des Nations from 3 to 21 July 2006, during the present session of the Commission. The Seminar is intended for advanced students specializing in international law and for young professors or government officials pursuing an academic or diplomatic career or in posts in the civil service in their country.

278. Twenty-five participants of different nationalities, mostly from developing countries, were able to take part in the session¹⁰⁷⁴. The participants in the Seminar observed plenary meetings of the Commission, attended specially arranged lectures, and participated in working groups on specific topics.

279. The Seminar was open by Mr. Guillaume Pambou-Tchivounda, Chairman of the Commission. Mr. Ulrich von Blumenthal, Senior Legal Adviser of the United Nations Office at Geneva (UNOG), was responsible for the administration, organization and conduct of the Seminar, assisted by Mr. Vittorio Mainetti, Legal Consultant at UNOG.

280. The following lectures were given by members of the Commission: Mr. Giorgio Gaja: “*Responsibility of International Organizations*”; Mr. Pemmaraju S. Rao: “*International Liability for Injurious consequences arising out of acts not prohibited by International law*”; Mr. Chusei Yamada: “*Shared Natural Resources: The Law of Transboundary Aquifers*”; Mr. Zdzislaw Galicki: “*Aud dedere aut judicare*”; Mr. Ian Brownlie: “*The Work of the International Court of Justice*”; Mr. John Dugard: “*Diplomatic Protection*”; Mr. Djamchid Momtaz: “*The Darfour Case before the International Criminal Court*”; Mr. Martti Koskenniemi: “*Fragmentation of International Law*”.

281. Lectures were also given by Mr. Vittorio Mainetti, Assistant to the Director of the International Law Seminar: “*Introduction to the Work of the International Law Commission*”; Ms. Maria Isabel Torres-Cazorla, Professor of International Law at the University of Malaga: “*Unilateral Acts of States*”; Mr. Bertrand Ramcharan, Former Deputy and Acting High Commissioner for Human Rights: “*The new Human Rights Council*”; Ms. Jelena Pejic, Legal Adviser International Committee of the Red Cross:

¹⁰⁷⁴ The following persons participated in the forty-second session of the International Law Seminar: Mr. Andy Aron (Indonesia), Ms. Shakira Maria Bedoya-Sanchez (Peru), Mr. Kemoko Diakité (Senegal), Ms. Sasha Franklin (Trinidad and Tobago), Ms. Sandra García-Loredo (Mexico), Ms. Syuzanna Gevorgyan (Armenia), Mr. Henok Teferra (Ethiopia), Mr. Tamás Hoffmann (Hungary), Mr. Dan Oduor Juma (Kenya), Ms. Tomdwsam Kadjika (Togo), Mr. Andrey Kalinin (Russia), Ms. Chie Kojima (Japan), Ms. Sanaa Kourkmadi (Morocco), Mr. Emad Masalmeh (Jordan), Ms. Godelive Mbomakonga (Congo), Mr. Malefetsane Seth Moseme (Lesotho), Ms. Ilona Nieminen (Finland), Mr. Vasileios Pergantis (Greece), Mr. Dahai Qi (China), Mr. Yannick Radi (France), Mr. Emanuele Rebasti (Italy), Mr. Gustavo Ribeiro (Brazil), Ms. Myrtille Rochette (Haïti), Mr. Visal Som (Cambodia), Ms. Cassandra Steer (Australia). The Selection Committee, chaired by Mr. Jean-Marie Dufour (President of the Geneva International Academic Network, GIAN), met on 9 May 2006 and selected 26 candidates out of 150 applications for participation in the Seminar. At the last minute, the twenty-sixth candidate selected failed to attend.

“Current Challenges to International Humanitarian Law”; Ms. Brigitte Stern, Judge at the United Nations Administrative Tribunal (UNAT): *“The work of the UNAT”*. A meeting was also organized with Mr. Nicolas Michel, United Nations Legal Counsel, who addressed seminar participants and spoke about the activities of the Office of Legal Affairs.

282. Seminar participants were invited to visit the European Organization for Nuclear Research (CERN). The discussion focused on legal matters related to CERN. A morning was also devoted to the visit of the World Trade Organization (WTO), upon invitation of Mr. Georges Abi-Saab, Chairman of the WTO Appellate Body, and Mr. Werner Zdouc, Director of the WTO Appellate Body Secretariat. The discussion focused on the WTO Disputes Settlement System and on the Case Law of the Appellate Body.

283. In addition, a Conference-Debate was organized in the premises of the United Nations High Commissioner for Refugees (UNHCR), in the presence of Mr. Helmut Buss, Chief, Legal Affairs Section, and Mr. Stevenson Wolfson, Senior Legal Officer, Protection Operations and Legal Advice Section. The discussion focused on UNHCR’s structure and mandate and on refugee law.

284. Seminar participants visited also the Office of the High Commissioner for Human Rights, at the Palais Wilson. After a briefing by Mr. Markus Schmidt (OHCHR) on the work of the Human Rights Committee, they attended the presentation of the UNMIK Report before the Human Rights Committee.

285. Each Seminar participant was assigned to one of three working groups on *“Fragmentation of International Law”*, *“Unilateral Acts of States”* and *“Diplomatic Protection”*. The Chairman of the Study Group and the special rapporteurs of the ILC for these subjects, Mr. Martti Koskenniemi, Mr. Victor Rodriguez Cedeño and Mr. John Dugard, provided guidance for the working groups. Moreover, two former Seminar participants, Ms. Maria Isabel Torres-Cazorla, University of Malaga, and Ms. Annemarieke Künzli, University of Leiden, assisted in the organization and coordination of the working groups. The groups presented their findings to the Seminar. Each participant was also assigned to submit a written summary report on one of the lectures. A collection of the reports was compiled and distributed to all participants.

286. The Republic and Canton of Geneva offered its traditional hospitality to the participants with a guided visit of the Alabama Room at the City Hall followed by a reception.

287. Mr. Guillaume Pambou-Tchivounda, Chairman of the Commission, Mr. Ulrich von Blumenthal, Director of the Seminar, and Ms. Cassandra Steer, on behalf of the participants, addressed the Commission and the participants at the close of the Seminar. Each participant was presented with a certificate attesting to his or her participation in the forty-second session of the Seminar.

288. The Commission noted with particular appreciation that the Governments of Austria, China, Cyprus, Czech Republic, Finland, Germany, Ireland, Norway, Sweden and Switzerland had made or pledged voluntary contributions to the United Nations Trust Fund for the International Law Seminar. The financial situation of the Fund allowed awarding a sufficient number of fellowships to deserving candidates from developing countries in order to achieve adequate geographical distribution of participants. This year, full fellowships (travel and subsistence allowance) were awarded to 18 candidates and a partial fellowship (subsistence only) was awarded to 1 candidate.

289. Since 1965, year of the Seminar inception, 952 participants, representing 157 nationalities, have taken part in the Seminar. Of them, 576 have received a fellowship.

290. The Commission stresses the importance it attaches to the Seminar, which enables young lawyers, especially from developing countries, to familiarize themselves with the work of the Commission and the activities of the many International Organizations, which have their headquarters in Geneva. The Commission recommends that the General Assembly should again appeal to States to make voluntary contributions in order to secure the holding of the Seminar in 2007 with as broad participation as possible.

291. The Commission noted with satisfaction that in 2006 comprehensive interpretation services were made available to the Seminar. It expresses the hope that the same services would be provided at the next session, within existing resources.