



United Nations

International Law Commission

**Report on the work of its fifty-second session
(1 May-9 June and 10 July-18 August 2000)**

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Committee was represented at the present session of the Commission by the Secretary-General of the Committee, Ambassador Wafik Kamil. Ambassador Kamil addressed the Commission at its 2654th meeting on 10 August 2000 and his statement is recorded in the summary record of that meeting.

739. The European Committee on Legal Cooperation and the Committee on Legal Advisers on Public International Law were represented at the present session of the Commission by Mr. Rafael Benítez. Mr. Benítez addressed the Commission at its 2655th meeting on 11 August 2000 and his statement is recorded in the summary record of that meeting.

740. At its 2658th meeting on 15 August 2000, Judge Gilbert Guillaume, President of the International Court of Justice, addressed the Commission and informed it of the Court's recent activities and of the cases currently before it. An exchange of views followed. The Commission finds it very useful and rewarding to continue this ongoing exchange with the Court.

741. On 27 July 2000, an informal exchange of views was held between members of the Commission and members of the legal services of the International Committee of the Red Cross on topics of mutual interest for the two institutions.

D. Representation at the fifty-fifth session of the General Assembly

742. The Commission decided that it should be represented at the fifty-fifth session of the General Assembly by its Chairman, Mr. Chusei Yamada.

743. Moreover, at its 2664th meeting on 18 August 2000, the Commission requested Mr. Pemmaraju Sreenivasa Rao, Special Rapporteur on "International liability for injurious consequences arising out of acts not prohibited by international law (prevention of transboundary damage from hazardous activities)" to attend the fifty-fifth session under the terms of paragraph 5 of General Assembly resolution 44/35.

E. International Law Seminar

744. Pursuant to General Assembly resolution 54/111, the thirty-sixth session of the International Law Seminar was held at the Palais des Nations from 10 to 28 July 2000, 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 posts in the civil service in their country.

745. Twenty-four participants of different nationalities, mostly from developing countries, were able to take part in the session.³⁴³ The participants in the Seminar observed plenary meetings of the Commission, attended specially arranged lectures, and participated in working groups on specific topics.

746. The Seminar was opened by the Commission's Chairman, Mr. Chusei Yamada. Mr. Ulrich von Blumenthal, Senior Legal Officer of the United Nations Office at Geneva, was responsible for the administration and organization of the Seminar.

747. The following lectures were given by members of the Commission:

Mr. Pemmaraju Sreenivasa Rao: "The Work of the ILC"; Mr. Christopher Dugard: "Diplomatic Protection"; Mr. Ian Brownlie: "The International Court of Justice"; Mr. Giorgio Gaja: "The concept of 'Injured State'"; Mr. Djamchid Momtaz: "Rome Statute of the International Criminal Court"; Mr. Victor Rodríguez-Cedeño: "Unilateral Acts of States"; and Mr. James Crawford: "Countermeasures".

748. Lectures were also given by Mr. Gudmundur Eiriksson, former Member of the Commission, Judge at the United Nations International Tribunal for the Law of the Sea: "The International Tribunal for the Law of the Sea"; Mr. Pieter Kuijper, Director, Legal Affairs Division, World Trade Organization: "WTO Dispute Settlement Mechanism"; Mr. Volker Türk, Legal Adviser, Division of International Protection, Office of the United Nations High Commissioner for Refugees (UNHCR): "International Protection of Refugees";

³⁴³ The following participated in the thirty-sixth session of the International Law Seminar: Mr. Abdelrahman Afifi (Palestinian); Mr. Chatri Archjananun (Thailand); Mr. Boukar Ary Tanimoune (Niger); Mr. Vidjea Barathy (India); Ms. Maria Manuela Farrajota (Portugal); Ms. Monica Feria Tinta (Peru); Mr. Márcio Garcia (Brazil); Ms. Julie Gaudreau (Canada); Mr. Mahmoud Hmoud (Jordan); Mr. Frank Hoffmeister (Germany); Mr. Mactar Kamara (Senegal); Mr. Konstantin Korkelia (Georgia); Mr. Davorin Lapas (Croatia); Mr. Erasmo Lara-Cabrera (Mexico); Ms. Carolane Mayanja (Uganda); Mr. Mischa Morgenbesser (Switzerland); Ms. Lipuo Moteetee (Lesotho); Ms. Karen Odaba (Kenya); Mr. Marcos Orellana (Chile); Mr. Guillermo Padrón-Wells (Venezuela); Mr. Payam Shahrjerdi (Islamic Republic of Iran); Ms. Maria Isabel Torres Cazorla (Spain); Ms. Barbara Tószegi (Hungary); Mr. Alain Edouard Traore (Burkina Faso). A Selection Committee, under the Chairmanship of Professor Nguyen-Huu Tru (Honorary Professor, Graduate Institute of International Relations, Geneva), met on 18 May 2000 and selected 24 candidates out of 124 applications for participation in the Seminar.

Mr. Bertie Ramcharan, Deputy High Commissioner for Human Rights: "Activities of the Office of the High Commissioner for Human Rights"; and Mrs. Anne Ryniker, Legal Adviser, International Committee of the Red Cross (ICRC): "International Humanitarian Law and the Work of the ICRC".

749. Seminar participants were assigned to working groups whose main task consisted of preparing the discussions following each conference and of submitting written summary reports on each lecture. A collection of the reports was compiled and distributed to the participants. Under the guidance of Professor Gerhard Hafner, one group elaborated annotated bibliography on "The Effects of Armed Conflicts on Treaties".

750. Participants were also given the opportunity to make use of the facilities of the United Nations Library and to visit the Museum of the ICRC.

751. The Republic and Canton of Geneva offered its traditional hospitality to the participants with a guided visit of the Alabama and Grand Council Rooms followed by a reception.

752. Mr. Chusei Yamada, Chairman of the Commission, Mr. Ulrich von Blumenthal, on behalf of the United Nations Office at Geneva, and Ms. Monica Feria Tinta and Mr. Payam Shahrjerdi, 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 thirty-sixth session of the Seminar.

753. The Commission noted with particular appreciation that the Governments of Denmark, Finland, Germany and Switzerland had made voluntary contributions to the United Nations Trust Fund for the International Law Seminar. The financial situation of the Fund allowed to award a sufficient number of fellowships to achieve adequate geographical distribution of participants and to bring from developing countries deserving candidates who would otherwise have been prevented from taking part in the session. This year, full fellowships (travel and subsistence allowance) were awarded to 12 candidates and partial fellowship (subsistence or travel only) to 5 candidates.

754. Of the 807 participants, representing 147 nationalities, who have taken part in the Seminar since its inception in 1965, 461 have received a fellowship.

755. The Commission stresses the importance it attaches to the sessions of the Seminar, which enables young lawyers, especially those 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 2001 with as broad a participation as possible. It has to be emphasized that, due to the increasingly limited number of contributors, the organizers of the Seminar had to draw on the reserve of the Fund this year. Should this situation continue, it is to be feared that the financial situation of the Fund will not allow the same amount of fellowships to be awarded in the future.

756. The Commission noted with satisfaction that in 2000 comprehensive interpretation services were made available to the Seminar. It expresses the hope that the same services will be provided for the Seminar at the next session, despite existing financial constraints.

F. Gilberto Amado Memorial Lecture

757. The fifteenth Memorial Lecture, in honour of Gilberto Amado, the illustrious Brazilian jurist and former Member of the Commission, was given on 18 July 2000 by Professor Alain Pellet, Professor of International Law at the University of Paris X-Nanterre, Member of the International Law Commission, on the subject “‘Human Rightism’ and International Law”.

758. The Gilberto Amado Memorial Lectures have been made possible through the generous contributions of the Government of Brazil, to which the Commission expressed its gratitude. It requested the Chairman to convey its gratitude to the Government of Brazil.