



**United Nations**

# **Report of the International Law Commission**

**Sixty-second session**

**(3 May-4 June and 5 July-6 August 2010)**

**General Assembly**

**Official Records**

**Sixty-fifth session**

**Supplement No. 10 (A/65/10)**

## E. International Law Seminar

413. Pursuant to General Assembly resolution 64/114, the forty-sixth session of the International Law Seminar was held at the Palais des Nations from 5 to 23 July 2010, during the present session of the Commission. The Seminar is intended for advanced students specializing in international law and for young academics or government officials pursuing an academic or diplomatic career or in posts in the civil service in their country.

414. Twenty-six participants of different nationalities, from all the regions of the world, took part in the session.<sup>\*</sup> The participants observed plenary meetings of the Commission, attended specially arranged lectures, and participated in working groups on specific topics.

415. The Seminar was opened by Mr. John Dugard, First Vice-Chairman of the Commission. Mr. Markus Schmidt, 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, and Mr. Sébastien Rosselet of the Legal Liaison Office.

416. The following lectures were given by members of the Commission: Mr. Stephen C. Vasciannie: *“The International Law Commission: Patterns of Influence”*; Mr. Zdzislaw Galicki: *“Aut Dedere Aut Judicare Against International Terrorism”*; Mr. Georg Nolte: *“Treaties over Time”*; Mr. Edmundo Vargas Carreño: *“Responsibility of States for Internationally Wrongful Acts”*; Mr. Giorgio Gaja: *“Responsibility of International Organizations”*; Mr. A. Rohan Perera: *“A Comprehensive Convention against Terrorism: Current status of Negotiations”*; Ms. Marie Jacobsson: *“Piracy: Past, Present and Future”*.

417. 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”*; Mr. Daniel Müller, Assistant to the Special Rapporteur Mr. Alain Pellet: *“Reservations to Treaties”*; Ms. Jelena Pejić, Legal Adviser of the International Committee of the Red Cross: *“Current Challenges to International Humanitarian Law”*; Mr. Václav Mikulka, Director of the Codification Division: *“Legal Issues arising from State Succession”*; Mr. Markus Schmidt: *“Interdependence of International, Regional and National Human Rights Jurisprudence: Some Reflections”*.

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<sup>\*</sup> The following persons participated in the forty-sixth session of the International Law Seminar: Mr. Ilya Adamov (Belarus), Ms. Mónica Addario Dávalos (Paraguay), Ms. Silvina Aguirre (Argentina), Mr. Ricardo Alarcón (Colombia), Ms. Petra Benesová (Czech Republic), Ms. Kalliopi Chainoglou (Greece), Ms. Marlene Da Vargem (Venezuela), Mr. Sridhar Patnaik Dabiru (India), Mr. Michal Droznowski (Poland), Mr. Ibrahim El-Diwany (Egypt), Mr. George Galindo (Brazil), Mr. Djong-Ra Hankone (Chad), Ms. Mahyad Hassanzadeh-Tavakoli (Sweden), Mr. Heng Liu (China), Ms. Natalie Morris (Singapore), Ms. Inonge Mweene (Zambia), Ms. Regine Ngongue (Cameroon), Mr. Jude Osei (Ghana), Ms. Sana Ouechtati (Tunisia), Mr. Sotaro Ozaki (Japan), Mr. Rodrigo Polanco Lazo (Chile), Mr. Tahirimiakadaza Ratsimandao (Madagascar), Ms. Rampyari Sunuwar (Nepal), Mr. Le Phuong Tran (Vietnam), Mr. Ingo Venzke (Germany) and Mr. Felix Zaharia (Romania). The Selection Committee, chaired by Ms. Laurence Boisson de Chazournes (Professor of International Law at the University of Geneva), met on 26 April 2010 at the Palais des Nations and selected 28 candidates out of 100 applications for participation in the Seminar. Two selected candidates could not attend the seminar.

418. Two special external sessions were organized in the premises of the University of Geneva and of the Graduate Institute of International and Development Studies of Geneva (HEID). At the University of Geneva, seminar participants attended lectures given by Professor Marco Sassòli: “*Advantages and Disadvantages of International Criminal Justice for the Implementation of International Humanitarian Law*”, Professor Robert Kolb: “*Reflections on the Contemporary Role of International Court of Justice (ICJ)*”, and Professor Laurence Boisson de Chazournes: “*The International Court of Justice (ICJ) and Experts: The Pulp Mills Case*”. At the HEID, seminar participants attended lectures given by Professor Marcelo Kohen: “*Is the Creation of States a Pure Matter of Fact?*” and Professor Vera Gowlland-Debbas: “*The Status of Palestine in International Law*”.

419. Seminar participants also attended a session of the Human Rights Committee that was preceded by a briefing on the work of the Committee given by Mr. Markus Schmidt.

420. Two Seminar working groups, on “*Aut Dedere Aut Judicare Against International Terrorism*” and on “*The Future Role of the International Law Commission*”, were organized. Each Seminar participant was assigned to one of the two groups. Four members of the Commission, Mr. Enrique Candioti, Mr. Zdzislaw Galicki, Mr. A. Rohan Perera and Mr. Stephen C. Vasciannie provided expert guidance to the working groups. Each group prepared a report and presented its findings to the Seminar in a special session. The reports were compiled and distributed to all participants as well as to the members of the Commission.

421. 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.

422. Mr. Nugroho Wisnumurti, Chairman of the Commission, Mr. Markus Schmidt, Director of the Seminar, and Mr. Rodrigo Polanco Lazo (Chile) on behalf of the Seminar participants, addressed the Commission and the participants at the closing ceremony of the Seminar. Each participant was presented with a certificate attesting to his or her participation in the forty-sixth session of the Seminar.

423. The Commission noted with particular appreciation that during the last three years the Governments of Austria, China, Croatia, the Czech Republic, Finland, Hungary, Ireland, Lebanon, Mexico, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland had made 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, especially from developing countries, in order to achieve adequate geographical distribution of participants. This year, full fellowships (travel and subsistence allowance) were awarded to 14 candidates and partial fellowships (travel or subsistence only) were awarded to 4 candidates.

424. Since 1965, year of the Seminar inception, 1059 participants, representing 163 nationalities, have taken part in the Seminar. Of them, 636 have received a fellowship.

425. 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 2011 with as broad participation as possible.

426. The Commission noted with satisfaction that in 2010 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.