



**United Nations**

# **Report of the International Law Commission**

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**General Assembly  
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## J. International Law Seminar

301. Pursuant to General Assembly resolution 66/98, the forty-eighth session of the International Law Seminar was held at the Palais des Nations from 2 to 20 July 2012, 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 of their country.

302. Twenty-four participants of different nationalities, from all the regions of the world, took part in the session<sup>354</sup>. The participants attended plenary meetings of the Commission, specially arranged lectures, and participated in working groups on specific topics.

303. The Seminar was opened by Mr. Lucius Caflisch, 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. The scientific coordination of the Seminar was ensured by the University of Geneva. Mr. Vittorio Mainetti, from the University of Geneva, acted as coordinator, assisted by Mr. Martin Denis, legal assistant.

304. The following lectures were given by members of the Commission: Mr. Ernest Petrič: *“The Work of the International Law Commission”*; Ms. Concepción Escobar Hernandez: *“Immunity of State Officials from Foreign Criminal Jurisdiction”*; Mr. Georg Nolte: *“Treaties over Time”*; Mr. Donald. M. McRae: *“The Most-Favoured Nation Clause”*; Mr. Shinya Murase: *“The Protection of Atmosphere in International Law: Rationale for Codification”*; and Mr. Maurice Kamto: *“Expulsion of Aliens”*.

305. Lectures were also given by Mr. Eric Tistounet, Chief of the Human Rights Council Branch of the Office of the High Commissioner for Human Rights: *“The Revision of the Mechanisms of the Human Rights Council: An Assessment”*; and by Ms. Jelena Pejic, Legal Adviser in the Legal Division of the International Committee of the Red Cross: *“Current Challenges to International Humanitarian Law”*.

306. 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 a “Brainstorming session” on the topic: *“The Environment in Relation to Armed Conflict”*. The session was followed by a reception offered by the University of Geneva. At the HEID, seminar participants attended a session on *“The Protection of Atmosphere in International Law”*.

307. Seminar participants had the opportunity to familiarize themselves with the work of other international organizations based in Geneva. The participants also attended a session of the Human Rights Committee and a side-event organized at the World Intellectual Property Organisation on the topic: *“Intellectual Property and Safeguarding of Intangible Cultural Heritage: Understanding the International Legal Landscape”*. Finally, a visit of the European Organization for Nuclear Research (CERN) was organized.

308. Three Seminar working groups on *“Crimes against Humanity as a Possible Topic for Codification”*, *“Protection of Persons in the Event of Disasters”* and *“Immunity of State Officials from Foreign Criminal Jurisdiction”* were organized. Each Seminar participant was assigned to one of them. Three members of the Commission, Ms. Concepción Escobar Hernandez, Mr. Sean D. Murphy and Mr. Eduardo Valencia Ospina supervised and 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.

The following persons participated in the forty-eighth session of the International Law Seminar: Ms. Adejumo Adegbonmire (Nigeria), Ms. Mariam Al-Hail (Qatar), Ms. Alma Amézquita Manzano (Mexico), Mr. Michel-Ange Bontemps (Haiti), Mr. Sékou Camara (Guinea), Ms. Xiaohua Chen (China), Ms. Rhia Rilina Chowdhury (India), Ms. Carolina Claro (Brazil), Ms. Yolande Dwarika (South Africa), Ms. Desislava Gosteva (Bulgaria), Ms. Eugenia Gutiérrez-Ruiz (Costa Rica), Ms. Sara Ianovitz (Italy), Mr. Levon Isakhanyan (Georgia), Ms. Yuriko Kuga (Japan), Mr. Thushara Kumarage (Sri Lanka), Mr. Marco Mollar (Argentina), Mr. Josel Mostajo (Philippines), Ms. Michaela Rišova (Slovakia), Mr. Abderrezak Seghiri (Algeria), Mr. Regis Simo (Cameroon), Ms. Kate Smyth (Australia), Ms. Lucia Solano Ramirez (Colombia), Ms. Alexia Solomou (Cyprus), and Mr. Tesfagabir Teweldebirhan Kibrom (Eritrea). The Selection Committee, chaired by Ms. Laurence Boisson de Chazournes, Professor of International Law and International Organizations at the University of Geneva, met on 26 April 2012 at the Palais des Nations and selected 25 candidates out of 94 applications for participation in the Seminar. At the last minute, one selected candidate could not attend the seminar.

309. The Republic and Canton of Geneva offered its traditional hospitality to the participants with a guided tour of the Hôtel de Ville and the Alabama room, followed by a reception.

310. Mr. Lucius Caflisch, Chairman of the International Law Commission, Mr. Markus Schmidt, Director of the Seminar, and Ms. Mariam Al-Hail (Qatar), on behalf of the participants of the seminar, addressed the Commission and the participants during the closing ceremony of the Seminar. Each participant was presented with a certificate attesting to his or her participation in the forty-eighth session of the Seminar.

311. The Commission noted with particular appreciation that, since 2010, the Governments of Austria, China, Finland, India, Ireland, Sweden and Switzerland 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, fellowships (travel and subsistence allowance) were awarded to 15 candidates.

312. Since 1965, the year of the Seminar's inception, 1,093 participants, representing 170 nationalities, have taken part in the Seminar. Of them, 669 have received a fellowship.

313. 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 again appeal to States to make voluntary contributions in order to secure the holding of the Seminar in 2013 with as broad participation as possible.

314. The Commission noted with satisfaction that, in 2012, comprehensive interpretation services were made available to the Seminar. It expresses the hope that the same services will be provided at the next session of 2013, within existing resources.