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Report of the International Law Commission

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E. International Law Seminar

408. Pursuant to General Assembly resolution 61/34, the forty-third session of the International Law Seminar was held at the Palais des Nations from 9 to 27 July 2007, 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.

409. Twenty-five participants of different nationalities, mostly from developing countries, were able to take part in the session.⁵⁷⁸ The participants in the Seminar observed plenary meetings of the Commission, attended specially arranged lectures, and participated in working groups on specific topics.

410. The Seminar was opened by Mr. Ian Brownlie, 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.

411. Lectures were given by members of the Commission as follows: Mr. Giorgio Gaja: “*Responsibility of International Organizations*”; Ms. Paula Escarameia: “*The ICC Statute: A Step Forward in International Law*”; Mr. Alain Pellet: “*The ILC - A View from Inside*”; Mr. Chusei Yamada: “*Codification of the Law of Shared Natural Resources*”; Mr. Georg Nolte: “*Assistance by States for Internationally Wrongful Acts by Other States - Issues of Responsibility and Development of the Law*”; Mr. A. Rohan Perera: “*Towards a Comprehensive Convention on Terrorism*”; Mr. Zdzisław Galicki: “*The Obligation to Extradite and Prosecute (aut dedere aut judicare)*”; and Mr. Maurice Kamto: “*Expulsion of Aliens*”.

⁵⁷⁸ The following persons participated in the forty-third session of the International Law Seminar: Ms. Tânia da Fonseca Alexandre (Portugal), Ms. Maria Eugenia Brunini (Uruguay), Mr. Víctor Cairo Palomo (Cuba), Mr. Alonso Chaverri-Suárez (Costa Rica), Mr. Issaka Garba Abdou (Niger), Mr. Gabriel Herrera (Argentina), Ms. Bibian Isoto (Uganda), Mr. Ammar Jaber (Iraq), Ms. Melanie Khanna (United States of America), Ms. Man Anting (China), Ms. Yassin Alieu M’Boge (Gambia), Ms. Nuala Ni Mhuircheartaigh (Ireland), Mr. Yasuyuki Okazaki (Japan), Mr. Ahmed Haroune Ould (Mauritania), Ms. Priya Pillai (India), Mr. Sergio Puig de la Parra (Mexico), Mr. Aistis Radavicius (Lithuania), Ms. Velotiana Raobelina Rakotoasony (Madagascar), Ms. Ana Cristina Rodriguez Pineda (Guatemala), Ms. Vasilka Sancin (Slovenia), Ms. Marieme Sidibe (Mali), Ms. Simona Spinaru (Romania), Mr. Ton Van den Brandt (Netherlands), Ms. Anusha Wickramasinghe (Sri Lanka), Ms. Aishath Zahir (Maldives). The Selection Committee, chaired by Mr. Jean-Marie Dufour (President of the Geneva International Academic Network, GIAN), met on 25 April 2007, and selected 26 candidates out of 130 applications for participation in the Seminar. At the last minute, the 26th candidate selected failed to attend.

412. Lectures were also given by Mr. Vittorio Mainetti: “*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 Pejic, Legal Adviser International Committee of the Red Cross: “*Current Challenges to International Humanitarian Law*”; and Mr. Markus Schmidt (OHCHR): “*The Human Rights Council after Its First Year: Trojan Horse or Real Progress?*”.

413. A round table was also organized on the Regional Systems of Protection of Human Rights. Two members of the Commission, Mr. Lucius Caflisch (former Judge at the European Court of Human Rights) and Mr. Edmundo Vargas-Carreño (former Executive Secretary of the Inter-American Commission of Human Rights) spoke respectively on the European and Inter-American systems, while Mr. Mutoy Mubiala, an official of the OHCHR spoke on the African system. The discussion focused on the comparative analysis and the reciprocal influence of the three regional systems.

414. The seminar participants were invited to visit the World Trade Organization (WTO) where they attended briefing sessions by Ms. Gabrielle Marceau, Counsellor of the Director General, and Mr. Werner Zdouc, Director of the WTO Appellate Body Secretariat. The discussion focused on the current legal issues at the WTO and on the WTO Dispute Settlement System.

415. Each Seminar participant was assigned to one of three working groups on “*The ICC Statute: New and unsolved questions*”, “*The Obligation to extradite or prosecute*”, and “*Reservations to treaties*”. Two members of the Commission, Ms. Paula Escarameia and Mr. Zdzisław Galicki, and Mr. Daniel Müller, provided guidance for the working groups. Each group wrote a report and presented their findings to the Seminar in a special session organized for this purpose. A collection of the reports was compiled and distributed to all participants.

416. 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.

417. Mr. Brownlie, Mr. von Blumenthal, and Ms. Yassin Alieu M’Boge, 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-third session of the Seminar.

418. The Commission noted with particular appreciation that the Governments of Cyprus, Finland, Germany, New Zealand, Switzerland, and United Kingdom 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 14 candidates and partial fellowships (subsistence only) were awarded to 2 candidates.

419. Since 1965, 979 participants, representing 160 nationalities, have taken part in the Seminar. Of them, 598 have received a fellowship.

420. 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 2008 with as broad participation as possible.

421. The Commission noted with satisfaction that in 2007 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.