

## Chapter I

### ORGANIZATION OF THE SESSION

1. The International Law Commission held the first part of its fifty-seventh session from 2 May to 3 June 2005 and the second part from 11 July to 5 August 2005 (see paragraph 497 below) at its seat at the United Nations Office at Geneva. The session was opened by Ms. Hanqin Xue, First Vice-Chairperson of the Commission at its fifty-sixth session.

#### A. Membership

2. The Commission consists of the following members:

Mr. Emmanuel Akwei ADDO (Ghana)  
Mr. Husain M. AL-BAHARNA (Bahrain)  
Mr. Ali Mohsen Fetais AL-MARRI (Qatar)  
Mr. João Clemente BAENA SOARES (Brazil)  
Mr. Ian BROWNLIE (United Kingdom of Great Britain and Northern Ireland)  
Mr. Enrique CANDIOTI (Argentina)  
Mr. Choung Il CHEE (Republic of Korea)  
Mr. Pedro COMISSÁRIO AFONSO (Mozambique)  
Mr. Riad DAOUDI (Syrian Arab Republic)  
Mr. Christopher John Robert DUGARD (South Africa)  
Mr. Constantin ECONOMIDES (Greece)  
Ms. Paula ESCARAMEIA (Portugal)  
Mr. Salifou FOMBA (Mali)  
Mr. Giorgio GAJA (Italy)  
Mr. Zdzislaw GALICKI (Poland)  
Mr. Peter KABATSI (Uganda)  
Mr. Maurice KAMTO (Cameroon)  
Mr. James Lutabanzibwa KATEKA (United Republic of Tanzania)  
Mr. Fathi KEMICHA (Tunisia)  
Mr. Roman Anatolyevitch KOLODKIN (Russian Federation)  
Mr. Martti KOSKENNIEMI (Finland)  
Mr. William MANSFIELD (New Zealand)  
Mr. Michael MATHESON (United States of America)  
Mr. Teodor Viorel MELESCANU (Romania)  
Mr. Djamchid MOMTAZ (Islamic Republic of Iran)  
Mr. Bernd NIEHAUS (Costa Rica)  
Mr. Didier OPERTTI BADAN (Uruguay)  
Mr. Guillaume PAMBOU-TCHIVOUNDA (Gabon)

Mr. Alain PELLET (France)  
Mr. Pemmaraju Sreenivasa RAO (India)  
Mr. Víctor RODRÍGUEZ CEDEÑO (Venezuela)  
Mr. Bernardo SEPULVEDA (Mexico)  
Ms. Hanqin XUE (China)  
Mr. Chusei YAMADA (Japan)

#### B. Officers and the Enlarged Bureau

3. At its 2831st meeting, on 2 May 2005, the Commission elected the following officers:

*Chairperson:* Mr. Djamchid Momtaz  
*First Vice-Chairperson:*  
Mr. Guillaume Pambou-Tchivounda  
*Second Vice-Chairperson:* Mr. Roman Kolodkin  
*Chairperson of the Drafting Committee:*  
Mr. William Mansfield  
*Rapporteur:* Mr. Bernd Niehaus

4. The Enlarged Bureau of the Commission was composed of the officers of the present session, the previous Chairpersons of the Commission<sup>1</sup> and the Special Rapporteurs.<sup>2</sup>

5. On the recommendation of the Enlarged Bureau the Commission set up a Planning Group composed of the following members: Mr. Guillaume Pambou-Tchivounda (Chairperson), Mr. Emmanuel Akwei Addo, Mr. Choung Il Chee, Mr. Pedro Comissário Afonso, Mr. Riad Daoudi, Mr. Constantin Economides, Ms. Paula Escarameia, Mr. Salifou Fomba, Mr. Zdzislaw Galicki, Mr. Peter Kabatsi, Mr. James Lutabanzibwa Kateka, Mr. Fathi Kemicha, Mr. Roman Anatolyevitch Kolodkin, Mr. Martti Koskenniemi, Mr. Michael Matheson, Mr. Didier Opertti Badan, Mr. Alain Pellet, Ms. Hanqin Xue and Mr. Bernd Niehaus (*ex officio*).

#### C. Drafting Committee

6. At its 2834th and 2844th meetings, on 6 and 25 May 2005 respectively, the Commission established a Drafting

<sup>1</sup> Mr. João Clemente Baena Soares, Mr. Enrique Candiotti, Mr. Zdzislaw Galicki, Mr. Peter Kabatsi, Mr. Teodor Viorel Melescanu, Mr. Alain Pellet, Mr. Pemmaraju Sreenivasa Rao and Mr. Chusei Yamada.

<sup>2</sup> Mr. Ian Brownlie, Mr. Christopher John Robert Dugard, Mr. Giorgio Gaja, Mr. Maurice Kamto, Mr. Alain Pellet, Mr. Pemmaraju Sreenivasa Rao, Mr. Victor Rodríguez Cedeño and Mr. Chusei Yamada.

Committee, composed of the following members for the topics indicated:

(a) Reservations to treaties: Mr. William Mansfield (Chairperson), Mr. Alain Pellet (Special Rapporteur), Mr. Pedro Comissário Afonso, Mr. Riad Daoudi, Ms. Paula Escarameia, Mr. Salifou Fomba, Mr. Giorgio Gaja, Mr. Zdzislaw Galicki, Mr. Fathi Kemicha, Mr. Roman Anatolyevitch Kolodkin, Mr. Michael Matheson, Ms. Hanqin Xue and Mr. Bernd Niehaus (*ex officio*);

(b) Responsibility of international organizations: Mr. William Mansfield (Chairperson), Mr. Giorgio Gaja (Special Rapporteur), Mr. Choung Il Chee, Mr. Pedro Comissário Afonso, Mr. Constantin Economides, Ms. Paula Escarameia, Mr. Roman Anatolyevitch Kolodkin, Mr. Michael Matheson, Mr. Pemmaraju Sreenivasa Rao, Ms. Hanqin Xue, Mr. Chusei Yamada and Mr. Bernd Niehaus (*ex officio*).

7. The Drafting Committee held a total of six meetings on the two topics indicated above.

#### D. Working groups

8. At its 2832nd, 2836th, 2840th and 2843rd meetings, on 3, 11, 18 and 24 May 2005 respectively, the Commission also established the following Working Groups and Study Group:

(a) Study Group on fragmentation of international law: difficulties arising from the diversification and expansion of international law. *Chairperson*: Mr. Martti Koskenniemi;

(b) Working Group on unilateral acts of States. *Chairperson*: Mr. Alain Pellet;

(c) Working Group on shared natural resources. *Chairperson*: Mr. Enrique Candiotti;

(d) Working Group on responsibility of international organizations. *Chairperson*: Mr. Giorgio Gaja.

9. The Working Group on the long-term programme of work reconvened and was composed of the following members: Mr. Alain Pellet (Chairperson), Mr. João

Clemente Baena Soares, Mr. Zdzislaw Galicki, Mr. Maurice Kamto, Mr. Martti Koskenniemi, Ms. Hanqin Xue and Mr. Bernd Niehaus (*ex officio*).

#### E. Secretariat

10. Mr. Nicolas Michel, Under-Secretary-General, the Legal Counsel, represented the Secretary-General. Mr. Václav Mikulka, Director of the Codification Division of the Office of Legal Affairs, acted as Secretary to the Commission and, in the absence of the Legal Counsel, represented the Secretary-General. Ms. Mahnoush H. Arsanjani, Deputy Director of the Codification Division, acted as Deputy Secretary to the Commission. Mr. George Korontzis, Senior Legal Officer, served as Senior Assistant Secretary, Mr. Trevor Chimimba and Mr. Arnold Pronto, Legal Officers, served as Assistant Secretaries to the Commission.

#### F. Agenda

11. At its 2831st meeting, the Commission adopted an agenda for its fifty-seventh session consisting of the following items:

1. Organization of work of the session.
2. Diplomatic protection.
3. Responsibility of international organizations.
4. Shared natural resources.
5. Unilateral acts of States.
6. Reservations to treaties.
7. Expulsion of aliens.
8. Effects of armed conflicts on treaties.
9. Fragmentation of international law: difficulties arising from the diversification and expansion of international law.
10. Programme, procedures and working methods of the Commission and its documentation.
11. Cooperation with other bodies.
12. Date and place of the fifty-eighth session.
13. Other business.