

Document:-  
**A/CN.4/3131**

**Summary record of the 3131st meeting**

Topic:  
**Organization of the work of the session**

Extract from the Yearbook of the International Law Commission:-  
**2012, vol. I**

*Downloaded from the web site of the International Law Commission  
(<http://legal.un.org/ilc/>)*

5. Sir Michael WOOD, endorsing the statements of Ms. Jacobsson and Mr. Candiotti, said that it would be wise to hold a meeting of the Planning Group the following week. It was important that all members should be aware of the procedure that special rapporteurs had to follow and it was also vital to plan the work for the quinquennium, as the Commission had made clear in paragraph 378 of its report to the General Assembly on the work of the Commission's sixty-third session (A/66/10).<sup>36</sup> Members might wish to refresh their memories as to what had been agreed in that respect in 2011.

6. Mr. GÓMEZ ROBLEDO said he believed that, as a new member of the Commission, he would benefit greatly from a meeting of the Planning Group at the earliest opportunity.

7. The CHAIRPERSON suggested that the Planning Group should meet on Friday, 18 May.

*It was so decided.*

*The meeting rose at 10.15 a.m.*

### 3131st MEETING

*Friday, 18 May 2012, at 10 a.m.*

*Chairperson:* Mr. Lucius CAFLISCH

*Present:* Mr. Candiotti, Mr. Comissário Afonso, Mr. El-Murtadi Suleiman Gouider, Ms. Escobar Hernández, Mr. Forteau, Mr. Hassouna, Mr. Hmoud, Mr. Huang, Ms. Jacobsson, Mr. Kamto, Mr. Kittichaisaree, Mr. Laraba, Mr. Murase, Mr. Murphy, Mr. Niehaus, Mr. Nolte, Mr. Park, Mr. Peter, Mr. Petrič, Mr. Saboia, Mr. Singh, Mr. Šturma, Mr. Tladi, Mr. Valencia-Ospina, Mr. Wako, Mr. Wisnumurti, Sir Michael Wood.

#### Organization of the work of the session (*continued*)

[Agenda item 1]

The CHAIRPERSON announced that the Bureau had adopted the programme of work for the following week, copies of which had just been distributed to members.

*The meeting rose at 10.05 a.m.*

### 3132nd MEETING

*Tuesday, 22 May 2012, at 10.05 a.m.*

*Chairperson:* Mr. Lucius CAFLISCH

*Present:* Mr. Comissário Afonso, Mr. El-Murtadi Suleiman Gouider, Ms. Escobar Hernández, Mr. Forteau,

Mr. Hassouna, Mr. Hmoud, Ms. Jacobsson, Mr. Kamto, Mr. Kittichaisaree, Mr. Laraba, Mr. McRae, Mr. Murase, Mr. Murphy, Mr. Niehaus, Mr. Nolte, Mr. Park, Mr. Peter, Mr. Petrič, Mr. Saboia, Mr. Singh, Mr. Šturma, Mr. Tladi, Mr. Valencia-Ospina, Mr. Wako, Mr. Wisnumurti, Sir Michael Wood.

#### Statement by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

1. The CHAIRPERSON welcomed Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, and invited her to brief the Commission on the latest legal developments in the United Nations. He also welcomed Mr. Hans Corell, former Legal Counsel, who had come to observe the proceedings.

2. Ms. O'BRIEN (Under-Secretary-General for Legal Affairs and United Nations Legal Counsel), after congratulating the new members of the Commission on their election, said that there had been a number of significant developments in the Sixth Committee during the sixty-sixth session of the General Assembly. In its resolution 66/98 of 9 December 2011, entitled "Report of the International Law Commission on the work of its sixty-third session", the Assembly had provided policy guidance for the Commission's work. The Sixth Committee continued to look to the Commission for its valuable contribution towards the progressive development and codification of international law.

3. At its sixty-third session, the Commission had completed its work on the draft articles on the responsibility of international organizations<sup>37</sup> and on the effects of armed conflicts on treaties<sup>38</sup> and commentaries thereto; the General Assembly had therefore taken note of both sets of articles, annexed them to resolutions<sup>39</sup> and commended them to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action. It had also decided to revert to those items at its sixty-ninth session with a view to examining, *inter alia*, the question of the form that might be given to the articles.

4. Regarding the Commission's work on the topic "Reservations to treaties", which had included the adoption of draft guidelines and commentaries thereto in the Guide to Practice on Reservations to Treaties,<sup>40</sup> she recalled that the Assembly had decided that, in order to have a fuller debate, consideration of the topic should be resumed at its sixty-seventh session,<sup>41</sup> once all the relevant documentation had become available.

5. As for the other topics currently on the Commission's programme of work, the Assembly had recommended in

<sup>37</sup> *Yearbook ... 2011*, vol. II (Part Two), paras. 87–88.

<sup>38</sup> *Ibid.*, paras. 100–101.

<sup>39</sup> General Assembly resolutions 66/100 and 66/99 of 9 December 2011, respectively.

<sup>40</sup> *Yearbook ... 2011*, vol. II (Part Three) and vol. II (Part Two), para. 75.

<sup>41</sup> General Assembly resolution 66/98, para. 5.

<sup>36</sup> *Yearbook ... 2011*, vol. II (Part Two), pp. 176–177.