

Chapter I

ORGANIZATION OF THE SESSION

1. The International Law Commission held the first part of its fifty-third session from 23 April to 1 June 2001 and the second part from 2 July to 10 August 2001 at its seat at the United Nations Office at Geneva.

A. Membership

2. The Commission consists of the following members:

Mr. Emmanuel Akwei ADDO (Ghana)
Mr. Husain AL-BAHARNA (Bahrain)
Mr. João Clemente BAENA SOARES (Brazil)
Mr. Ian BROWNLIE (United Kingdom of Great Britain and Northern Ireland)
Mr. Enrique CANDIOTI (Argentina)
Mr. James CRAWFORD (Australia)
Mr. Christopher John Robert DUGARD (South Africa)
Mr. Constantin ECONOMIDES (Greece)
Mr. Nabil ELARABY (Egypt)
Mr. Giorgio GAJA (Italy)
Mr. Zdzislaw GALICKI (Poland)
Mr. Raul Ilustre GOCO (Philippines)
Mr. Gerhard HAFNER (Austria)
Mr. Qizhi HE (China)
Mr. Mauricio HERDOCIA SACASA (Nicaragua)
Mr. Kamil IDRIS (Sudan)
Mr. Jorge ILLUECA (Panama)
Mr. Peter KABATSI (Uganda)
Mr. Maurice KAMTO (Cameroon)
Mr. James Lutabanzibwa KATEKA (United Republic of Tanzania)
Mr. Mochtar KUSUMA-ATMADJA (Indonesia)
Mr. Igor Ivanovich LUKASHUK (Russian Federation)
Mr. Teodor Viorel MELESCANU (Romania)
Mr. Djamchid MOMTAZ (Islamic Republic of Iran)
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. Robert ROSENSTOCK (United States of America)
Mr. Bernardo SEPÚLVEDA (Mexico)
Mr. Bruno SIMMA (Germany)
Mr. Peter TOMKA (Slovakia)
Mr. Chusei YAMADA (Japan)

B. Officers and the Enlarged Bureau

3. At its 2665th meeting, on 23 April 2001, the Commission elected the following officers:

Chairman: Mr. Peter Kabatsi
First Vice-Chairman: Mr. Gerhard Hafner
Second Vice-Chairman: Mr. Enrique Candiotti
Chairman of the Drafting Committee:
Mr. Peter Tomka
Rapporteur: Mr. Qizhi He

4. The Enlarged Bureau of the Commission was composed of the officers of the present session, the previous Chairmen of the Commission¹ and the Special Rapporteurs.²

5. On the recommendation of the Enlarged Bureau the Commission set up a Planning Group composed of the following members: Mr. Gerhard Hafner (Chairman), Mr. Emmanuel Akwei Addo, Mr. João Clemente Baena Soares, Mr. Ian Brownlie, Mr. Zdzislaw Galicki, Mr. Kamil Idris, Mr. Maurice Kamto, Mr. Mochtar Kusuma-Atmadja, Mr. Alain Pellet, Mr. Robert Rosenstock, Mr. Chusei Yamada and Mr. Qizhi He (*ex officio*).

C. Drafting Committee

6. At its 2666th, 2669th and 2679th meetings, on 24 April, 27 April and 23 May 2001 respectively, the Com-

¹ Mr. João Clemente Baena Soares, Mr. Zdzislaw Galicki, Mr. Alain Pellet, Mr. Pemmaraju Sreenivasa Rao and Mr. Chusei Yamada.

² Mr. James Crawford, Mr. Christopher John Robert Dugard, Mr. Alain Pellet, Mr. Pemmaraju Sreenivasa Rao and Mr. Víctor Rodríguez Cedeño.

mission established a Drafting Committee, composed of the following members for the topics indicated:

(a) International liability for injurious consequences arising out of acts not prohibited by international law (prevention of transboundary damage from hazardous activities): Mr. Peter Tomka (Chairman), Mr. Pemmaraju Sreenivasa Rao (Special Rapporteur), Mr. João Clemente Baena Soares, Mr. Ian Brownlie, Mr. Giorgio Gaja, Mr. Zdzislaw Galicki, Mr. Gerhard Hafner, Mr. Mauricio Herdocia Sacasa, Mr. James Lutabanzibwa Kateka, Mr. Teodor Viorel Melescanu, Mr. Didier Operti Badan, Mr. Víctor Rodríguez Cedeño, Mr. Robert Rosenstock, Mr. Chusei Yamada and Mr. Qizhi He (*ex officio*);

(b) State responsibility: Mr. Peter Tomka (Chairman), Mr. James Crawford (Special Rapporteur), Mr. Ian Brownlie, Mr. Enrique Candioti, Mr. Christopher John Robert Dugard, Mr. Constantin Economides, Mr. Giorgio Gaja, Mr. Zdzislaw Galicki, Mr. Igor Ivanovich Lukashuk, Mr. Djamchid Momtaz, Mr. Guillaume Pambou-Tchivounda, Mr. Alain Pellet, Mr. Robert Rosenstock, Mr. Bruno Simma, Mr. Chusei Yamada and Mr. Qizhi He (*ex officio*);

(c) Reservations to treaties: Mr. Peter Tomka (Chairman), Mr. Alain Pellet (Special Rapporteur), Mr. Husain Al-Baharna, Mr. Enrique Candioti, Mr. Constantin Economides, Mr. Giorgio Gaja, Mr. Gerhard Hafner, Mr. Maurice Kamto, Mr. Teodor Viorel Melescanu, Mr. Víctor Rodríguez Cedeño, Mr. Robert Rosenstock, Mr. Bruno Simma and Mr. Qizhi He (*ex officio*).

7. The Drafting Committee held a total of 34 meetings on the three topics indicated above.

D. Working groups

8. At its 2673rd, 2688th and 2695th meetings, on 4 May, 12 July and 25 July 2001 respectively, the Commission also established the following working groups composed of the members indicated:

(a) State responsibility:

(i) Commentaries: Mr. Teodor Viorel Melescanu (Chairman), Mr. Ian Brownlie, Mr. Enrique Candioti, Mr. James Crawford, Mr. Christopher John Robert Dugard, Mr. Constantin Economides, Mr. Giorgio Gaja, Mr. Djamchid Momtaz, Mr. Guillaume Pambou-Tchivounda, Mr. Bernardo Sepúlveda, Mr. Peter Tomka and Mr. Qizhi He (*ex officio*);

(ii) Outstanding issues: open-ended informal consultations chaired by the Special Rapporteur;

(b) Diplomatic protection: open-ended informal consultations chaired by the Special Rapporteur, Mr. Christopher John Robert Dugard;

(c) Unilateral acts of States: open-ended working group chaired by the Special Rapporteur, Mr. Víctor Rodríguez Cedeño.

E. Secretariat

9. Mr. Hans Corell, Under-Secretary-General for Legal Affairs, 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 and Mr. Renan Villacis, Legal Officers, and Mr. Arnold Pronto and Ms. Ruth Khalastchi, Associate Legal Officers, served as Assistant Secretaries to the Commission.

F. Agenda

10. At its 2665th meeting, on 23 April 2001, the Commission adopted an agenda for its fifty-third session consisting of the following items:

1. Organization of work of the session.
2. State responsibility.
3. Diplomatic protection.
4. Unilateral acts of States.
5. Reservations to treaties.
6. International liability for injurious consequences arising out of acts not prohibited by international law (prevention of transboundary damage from hazardous activities).
7. Programme, procedures and working methods of the Commission, and its documentation.
8. Cooperation with other bodies.
9. Date and place of the fifty-fourth session.
10. Other business.