

Chapter XII

OTHER DECISIONS AND CONCLUSIONS OF THE COMMISSION

A. Programme, procedures and working methods of the Commission and its documentation

284. At its 3248th meeting, on 8 May 2015, the Commission established a Planning Group for the current session.⁴⁰⁴

285. The Planning Group held three meetings. It had before it section I, entitled “Other decisions and conclusions of the Commission”, of the topical summary of the discussion held in the Sixth Committee of the General Assembly during its sixty-ninth session (A/CN.4/678); General Assembly resolution 69/118 of 10 December 2014 on the report of the Commission on the work of its sixty-sixth session; and General Assembly resolution 69/123 of 10 December 2014 on the rule of law at the national and international levels.

1. INCLUSION OF A NEW TOPIC IN THE PROGRAMME OF WORK OF THE COMMISSION

286. At its 3257th meeting, on 27 May 2015, the Commission decided to include the topic “*Jus cogens*” in its programme of work and to appoint Mr. Dire D. Tladi as the Special Rapporteur for the topic.

2. WORKING GROUP ON THE LONG-TERM PROGRAMME OF WORK

287. At its first meeting, on 11 May 2015, the Planning Group decided to reconstitute for the current session the Working Group on the long-term programme of work, under the chairmanship of Mr. Donald M. McRae. The Chairperson of the Working Group submitted an oral progress report on the work of the Working Group at the current session to the Planning Group at its third meeting, on 30 July 2015.

3. CONSIDERATION OF GENERAL ASSEMBLY RESOLUTION 69/123 OF 10 DECEMBER 2014 ON THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS

288. The General Assembly, in resolution 69/123 of 10 December 2014 on the rule of law at the national and international levels, *inter alia*, reiterated its invitation to the Commission to comment, in its report to the General

⁴⁰⁴ The Planning Group was composed of: Mr. A. S. Wako (Chairperson), Mr. L. Caffisch, Mr. P. Comissário Afonso, Mr. A. El-Murtadi Suleiman Gouider, Ms. C. Escobar Hernández, Mr. M. Forteau, Mr. H. A. Hassouna, Mr. M. D. Hmoud, Mr. H. Huang, Ms. M. G. Jacobsson, Mr. K. Kittichaisaree, Mr. A. Laraba, Mr. D. M. McRae, Mr. S. Murase, Mr. S. D. Murphy, Mr. B. H. Niehaus, Mr. G. Nolte, Mr. K. G. Park, Mr. E. Petrić, Mr. P. Sturma, Mr. D. D. Tladi, Mr. N. Wisnumurti, Sir Michael Wood and Mr. M. Vázquez-Bermúdez (*ex officio*).

Assembly, on its current role in promoting the rule of law. Since its sixtieth session (2008), the Commission has commented annually on its role in promoting the rule of law. The Commission notes that the comments contained in paragraphs 341 to 346 of its 2008 report⁴⁰⁵ remain relevant and reiterates the comments made at its previous sessions.⁴⁰⁶

289. The Commission recalls that the rule of law is of the essence of its work. The Commission’s object, as set out in article 1 of its statute, is the promotion of the progressive development of international law and its codification.

290. Having in mind the principle of the rule of law in all its work, the Commission is fully conscious of the importance of the implementation of international law at the national level and aims to promote respect for the rule of law at the international level.

291. In fulfilling its mandate concerning the progressive development of international law and its codification, the Commission will continue to take into account, where appropriate, the rule of law as a principle of governance and the human rights that are fundamental to the rule of law, as reflected in the preamble to and Article 13 of the Charter of the United Nations and in the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels.⁴⁰⁷

292. In its current work, the Commission is aware of “the interrelationship between the rule of law and the three pillars of the United Nations (peace and security, development, and human rights)”⁴⁰⁸ without emphasizing one at the expense of another. In fulfilling its mandate concerning the progressive development and codification of international law, the Commission is conscious of current challenges for the rule of law.

293. In the course of the present session, the Commission has continued to make its contribution to the rule of

⁴⁰⁵ *Yearbook ... 2008*, vol. II (Part Two), pp. 146–147.

⁴⁰⁶ *Yearbook ... 2009*, vol. II (Part Two), para. 231; *Yearbook ... 2010*, vol. II (Part Two), paras. 389–393; *Yearbook ... 2011*, vol. II (Part Two), paras. 392–398; *Yearbook ... 2012*, vol. II (Part Two), paras. 274–279; *Yearbook ... 2013*, vol. II (Part Two), paras. 171–180; and *Yearbook ... 2014*, vol. II (Part Two), paras. 273–280.

⁴⁰⁷ General Assembly resolution 67/1 of 24 September 2012, para. 41.

⁴⁰⁸ Report of the Secretary-General on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations (S/2013/341), para. 70.

law, including by working on the topics “Protection of the atmosphere”, “Crimes against humanity”, “Identification of customary international law”, “Subsequent agreements and subsequent practice in relation to interpretation of treaties”, “Protection of the environment in relation to armed conflicts”, “Immunity of State officials from foreign criminal jurisdiction”, “Provisional application of treaties” and “Most-favoured-nation clause”. In addition, the Commission has appointed a Special Rapporteur for the topic “*Jus cogens*”.

294. The Commission notes that the General Assembly has invited Member States to comment in particular on “The role of multilateral treaty processes in promoting and advancing the rule of law”.⁴⁰⁹ The Commission wishes to recall its work on various topics that, on the basis of proposals under articles 16 and 23 of its statute, have become subject to multilateral treaty processes, such as the 1991 draft articles on jurisdictional immunities of States and their property,⁴¹⁰ the 1996 draft code of crimes against the peace and security of mankind,⁴¹¹ the 1994 draft statute for an international criminal court⁴¹² and the 1994 draft articles on the law of non-navigational uses of watercourses.⁴¹³ The Commission also draws attention to its recent work on different topics, including:

—the draft articles on responsibility of States for internationally wrongful acts, 2001;⁴¹⁴

—the draft articles on prevention of transboundary harm from hazardous activities, 2001;⁴¹⁵

—the draft articles on diplomatic protection, 2006;⁴¹⁶

—the draft articles on the law of transboundary aquifers, 2008;⁴¹⁷

—the draft articles on the effects of armed conflicts on treaties, 2011;⁴¹⁸

⁴⁰⁹ General Assembly resolution 69/123 of 10 December 2014, para. 20.

⁴¹⁰ *Yearbook ... 1991*, vol. II (Part Two), para. 28.

⁴¹¹ *Yearbook ... 1996*, vol. II (Part Two), para. 50.

⁴¹² *Yearbook ... 1994*, vol. II (Part Two), para. 91.

⁴¹³ *Ibid.*, para. 222.

⁴¹⁴ *Yearbook ... 2001*, vol. II (Part Two) and corrigendum, para. 76. The articles on responsibility of States for internationally wrongful acts adopted by the Commission at its fifty-third session are contained in the annex to General Assembly resolution 56/83 of 12 December 2001.

⁴¹⁵ *Yearbook ... 2001*, vol. II (Part Two) and corrigendum, para. 97. The articles on prevention of transboundary harm from hazardous activities adopted by the Commission at its fifty-third session are contained in the annex to General Assembly resolution 62/68 of 6 December 2001.

⁴¹⁶ *Yearbook ... 2006*, vol. II (Part Two), para. 49. The articles on diplomatic protection adopted by the Commission at its fifty-eighth session are contained in the annex to General Assembly resolution 62/67 of 6 December 2007.

⁴¹⁷ *Yearbook ... 2008*, vol. II (Part Two), para. 53. The articles on the law of transboundary aquifers adopted by the Commission at its sixtieth session are contained in the annex to General Assembly resolution 63/124 of 11 December 2008.

⁴¹⁸ *Yearbook ... 2011*, vol. II (Part Two), para. 100. The articles on the effects of armed conflicts on treaties adopted by the Commission at its sixty-third session are contained in the annex to General Assembly resolution 66/99 of 9 December 2011.

—the draft articles on the responsibility of international organizations, 2011;⁴¹⁹ and

—the draft articles on the expulsion of aliens, 2014.⁴²⁰

Furthermore, the Commission recalls the Guide to Practice on Reservations to Treaties, 2011.⁴²¹

295. The Commission reiterates its commitment to the rule of law in all of its activities.

4. CONSIDERATION OF PARAGRAPHS 10 TO 13 OF GENERAL ASSEMBLY RESOLUTION 69/118 OF 10 DECEMBER 2014 ON THE REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS SIXTY-SIXTH SESSION

296. The Commission took note of paragraphs 10 to 13 of General Assembly resolution 69/118, by the terms of which the Assembly welcomed the efforts of the Commission to improve its methods of work, and encouraged it to continue this practice; recalled that the seat of the Commission is at the United Nations Office at Geneva; noted that the Commission was considering the possibility of holding part of its future sessions in New York, underlined, to that purpose, the importance of the Commission taking into account estimated costs and relevant administrative, organizational and other factors, and called upon the Commission to deliberate thoroughly the feasibility of holding part of its sixty-eighth session in New York; and decided, without prejudice to the output of those deliberations, to revert to the consideration of the recommendation contained in paragraph 388 of the report of the Commission on the work of its sixty-third session during the seventieth session of the General Assembly.⁴²²

297. The Commission recalled that, during its sixty-third session, in the context of the discussion of its relationship with the Sixth Committee, it had expressed the wish that consideration be given to the possibility of having one half-session each quinquennium in New York so as to facilitate direct contact between the Commission and delegates of the Sixth Committee. The Commission further recalled that it had on previous occasions held sessions elsewhere than at its seat. In particular, the Commission noted that, as part of the overall arrangements concerning the convening of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, it had held the first part of its fiftieth session at its seat at the United Nations Office at Geneva, from 20 April to 12 June 1998, and the second part at United Nations Headquarters in New York, from 27 July to 14 August 1998.

⁴¹⁹ *Yearbook ... 2011*, vol. II (Part Two), para. 87. The articles on the responsibility of international organizations adopted by the Commission at its sixty-third session are contained in the annex to General Assembly resolution 66/100 of 9 December 2011.

⁴²⁰ *Yearbook ... 2014*, vol. II (Part Two), para. 44.

⁴²¹ *Yearbook ... 2011*, vol. II (Part Two), chap. IV, para. 75, and *ibid.*, vol. II (Part Three). The text of the guidelines that make up the Guide to Practice on Reservations to Treaties, adopted by the Commission at its sixty-third session, is contained in the annex to General Assembly resolution 68/111 of 16 December 2013.

⁴²² *Yearbook ... 2011*, vol. II (Part Two), p. 177.

298. The Commission considered the feasibility of holding part of its sixty-eighth session in New York, based on information provided by the Secretariat regarding estimated costs and relevant administrative, organizational and other factors, including its anticipated workload in the final year of the present quinquennium. Having regard to all the factors at its disposal, the Commission came to the conclusion that it would not be feasible for it to hold part of its sixty-eighth session in New York without causing undue disruption. The Commission nevertheless affirmed its wish that consideration be given to the possibility of holding one half-session during the next quinquennium in New York. Such a possibility ought to be anticipated in the planning of future sessions of the Commission for the next quinquennium. In that regard, the Commission noted that such convening, taking into account the estimated costs and relevant administrative, organizational and other factors, could be anticipated during the first segment of a session either during the first (2017) or second (2018) year of the next quinquennium. Based on the information made available to it, the Commission recommends that preparatory work and estimates proceed on the basis that the first segment of its seventieth session (2018) would be convened at United Nations Headquarters in New York. Accordingly, the Commission requested the Secretariat to proceed to make the necessary arrangements for that purpose so as to facilitate the taking of the appropriate decision by the Commission at its sixty-eighth session, in 2016.

5. HONORARIA

299. The Commission reiterates its views concerning the question of honoraria, resulting from the adoption by the General Assembly of its resolution 56/272 of 27 March 2002, which has been expressed in previous reports of the Commission.⁴²³ The Commission emphasizes that resolution 56/272 especially affects Special Rapporteurs, as it compromises support for their research work.

6. DOCUMENTATION AND PUBLICATIONS

300. The Commission reiterated its recognition of the particular relevance and significant value to the work of the Commission of the legal publications prepared by the Secretariat.⁴²⁴ It recalled that the Codification Division had been able to expedite the issuance of its publications significantly through its highly successful desktop publishing initiative, which had greatly enhanced the timeliness and relevance of these publications to the Commission's work for more than a decade. The Commission reiterated its regret at the fact that the initiative had been curtailed and might be discontinued owing to lack of resources and that consequently that no new legal publications had been distributed at its current session. The Commission

reiterated its view that the continuation of this initiative was essential to ensure the timely issuance of these legal publications, in particular *The Work of the International Law Commission*, in the various official languages. The Commission again reiterated the particular relevance and significant value of the legal publications prepared by the Codification Division to its work, and reiterated its request that the Codification Division continue to provide it with those publications.

301. The Commission reiterated its satisfaction that the summary records of the Commission, constituting crucial *travaux préparatoires* in the progressive development and codification of international law, would not be subject to arbitrary length restrictions. The Commission noted with satisfaction that the experimental measures to streamline the processing of the Commission's summary records introduced at the 2013 session had resulted in the more expeditious transmission of the provisional records to members of the Commission for timely correction and prompt release. The Commission also welcomed the fact that new working methods had led to the more rational use of resources and called on the Secretariat to continue its efforts to facilitate the preparation of the definitive records in all languages, without compromising their integrity.

302. The Commission expressed its gratitude to all services involved in the processing of documents, both in Geneva and in New York, for their timely and efficient processing of the Commission's documents, often under narrow time constraints. It noted that such timely and efficient processing contributed to the smooth conduct of the Commission's work.

303. The Commission expressed its appreciation to the United Nations Office at Geneva Library, which assisted members of the Commission very efficiently and competently.

7. YEARBOOK OF THE INTERNATIONAL LAW COMMISSION

304. The Commission reiterated that the *Yearbook of the International Law Commission* was critical to the understanding of the Commission's work in the progressive development of international law and its codification, as well as in strengthening the rule of law in international relations. The Commission took note that the General Assembly, in its resolution 69/118, had expressed its appreciation to governments that had made voluntary contributions to the Trust Fund on the backlog relating to the *Yearbook*, and encouraged further contributions to the Trust Fund.

305. The Commission recommended that the General Assembly, as it had in its resolution 69/118, *express its satisfaction* with the remarkable progress achieved in the last few years in catching up with the backlog of the *Yearbook* in all six languages and welcome the efforts made by the Division of Conference Management, especially its Editing Section, of the United Nations Office at Geneva in effectively implementing relevant resolutions of the General Assembly calling for the reduction of the backlog; and *encourage* the Division of Conference Management to continue providing all necessary support to the Editing Section in advancing work on the *Yearbook*.

⁴²³ See *Yearbook ... 2002*, vol. II (Part Two), paras. 525–531; *Yearbook ... 2003*, vol. II (Part Two), para. 447; *Yearbook ... 2004*, vol. II (Part Two), para. 369; *Yearbook ... 2005*, vol. II (Part Two), para. 501; *Yearbook ... 2006*, vol. II (Part Two), para. 269; *Yearbook ... 2007*, vol. II (Part Two), para. 379; *Yearbook ... 2008*, vol. II (Part Two), para. 358; *Yearbook ... 2009*, vol. II (Part Two), para. 240; *Yearbook ... 2010*, vol. II (Part Two), para. 396; *Yearbook ... 2011*, vol. II (Part Two), para. 399; *Yearbook ... 2012*, vol. II (Part Two), para. 280; *Yearbook ... 2013*, vol. II (Part Two), para. 181; and *Yearbook ... 2014*, vol. II (Part Two), para. 281.

⁴²⁴ See *Yearbook ... 2007*, vol. II (Part Two), paras. 387–395. See also *Yearbook ... 2013*, vol. II (Part Two), para. 185.

8. ASSISTANCE OF THE CODIFICATION DIVISION

306. The Commission expressed its appreciation for the valuable assistance of the Codification Division of the Secretariat in its substantive servicing of the Commission and, in particular, for the continuing assistance provided to Special Rapporteurs and the preparation of in-depth research studies pertaining to aspects of topics presently under consideration, as requested by the Commission.

9. WEBSITES

307. The Commission expressed its deep appreciation to the Secretariat for establishing a new website for the Commission and called on it to continue updating and managing the website.⁴²⁵ The Commission reiterated that this website and others maintained by the Codification Division⁴²⁶ constitute an invaluable resource for the Commission and for those in the wider community conducting research into its work, and thereby contribute to the overall strengthening of the teaching, study, dissemination and wider appreciation of international law. The Commission welcomed the fact that the website on the work of the Commission includes information on the current status of the topics on the Commission's agenda, as well as advance, edited versions of the summary records of the Commission. The Commission also expressed its gratitude to the Secretariat for the successful completion of the digitization and posting on the website of the *Year-books* of the Commission in Russian.

10. UNITED NATIONS AUDIOVISUAL LIBRARY OF INTERNATIONAL LAW

308. The Commission noted with appreciation the extraordinary value of the United Nations Audiovisual Library of International Law⁴²⁷ in promoting a better knowledge of international law and the work of the United Nations in this field, including the International Law Commission.

B. Date and place of the sixty-eighth session of the Commission

309. The Commission recommended that the sixty-eighth session of the Commission be held in Geneva from 2 May to 10 June and 4 July to 12 August 2016.

C. Tribute to the Secretary of the Commission

310. At its 3263rd meeting, on 5 June 2015, the Commission paid tribute to Mr. George Korontzis, who had acted with high distinction as Secretary of the Commission since 2013, and who retired during the present session. It expressed its gratitude for the outstanding contribution made by Mr. Korontzis to the work of the Commission and to the codification and progressive development of international law; acknowledged with appreciation his professionalism, dedication to public service and commitment to international law; and extended its very best wishes to him in his future endeavours.

⁴²⁵ Available from <http://legal.un.org/ilc>.

⁴²⁶ Generally accessible through <http://legal.un.org/ola>.

⁴²⁷ Available from <http://legal.un.org/avl>.

D. Cooperation with other bodies

311. At the 3274th meeting, on 22 July 2015, Judge Ronny Abraham, President of the International Court of Justice, addressed the Commission and briefed it on the recent judicial activities of the Court.⁴²⁸ An exchange of views followed.

312. The Asian–African Legal Consultative Organization (AALCO) was represented at the present session of the Commission by its Secretary-General, Mr. Rahmat Mohamad, who addressed the Commission at the 3250th meeting, on 13 May 2015.⁴²⁹ He briefed the Commission on the Organization's current activities and provided an overview of deliberations at its fifty-fourth annual session, held in Beijing from 13 to 17 April 2015, which focused, *inter alia*, on four topics on the programme of work of the Commission: "Identification of customary international law"; "Expulsion of aliens"; "Protection of the atmosphere"; and "Immunity of State officials from foreign criminal jurisdiction". An exchange of views followed.

313. The Inter-American Juridical Committee was represented at the present session of the Commission by its Vice-Chairman, Mr. Carlos Mata Prates, who addressed the Commission at the 3265th meeting, on 7 July 2015.⁴³⁰ He gave an overview of the activities of the Committee in 2014–2015 on various legal issues in which the Committee was engaged. An exchange of views followed.

314. The Committee of Legal Advisers on Public International Law (CAHDI) of the Council of Europe was represented at the present session of the Commission by its Chair, Mr. Paul Rietjens, and by the Head of the Public International Law and Treaty Office Division of the Council of Europe's Directorate of Legal Advice and Public International Law and Secretary of the Committee, Ms. Marta Requena, both of whom addressed the Commission at the 3268th meeting, on 10 July 2015.⁴³¹ They focused on the Committee's current activities in the field of public international law and on the activities of the Council of Europe. An exchange of views followed.

315. The African Union Commission on International Law (AUCIL) was represented at the present session of the Commission by Justice Kholisani Solo and Mr. Ebenezer Appreku, both AUCIL members, and by Mr. Mourad Ben-Dhiab, Secretary to AUCIL. Justice Solo and Mr. Appreku addressed the Commission at the 3276th meeting, on 23 July 2015.⁴³² They gave an overview of the activities of AUCIL. An exchange of views followed.

316. The United Nations High Commissioner for Human Rights, Mr. Zeid Ra'ad Al Hussein, addressed the Commission at the 3272nd meeting, on 21 July 2015.⁴³³ He gave an overview of the activities of his Office and some of its concerns in the area of human rights and

⁴²⁸ This statement is recorded in the summary record of the meeting.

⁴²⁹ *Idem*.

⁴³⁰ *Idem*.

⁴³¹ *Idem*.

⁴³² *Idem*.

⁴³³ *Idem*.

commented on some of the topics on the Commission's programme of work, namely "Crimes against humanity" and "Immunity of State officials from foreign criminal jurisdiction". An exchange of views followed.

317. On 9 July 2015, an informal exchange of views was held between members of the Commission and the ICRC on topics of mutual interest. Presentations were given on the preparations for the 32nd International Conference of the Red Cross and Red Crescent Movement and the updating of the ICRC commentaries on the 1949 Geneva Conventions and Additional Protocols. Presentations were also made on topics on the Commission's programme of work, including "Subsequent agreements and subsequent practice in relation to interpretation of treaties" and "Crimes against humanity".⁴³⁴

E. Representation at the seventieth session of the General Assembly

318. The Commission decided that it should be represented at the seventieth session of the General Assembly by its Chairperson, Mr. Narinder Singh.

F. International Law Seminar

319. Pursuant to General Assembly resolution 69/118, the fifty-first session of the International Law Seminar was held at the Palais des Nations from 6 to 24 July 2015, during the present session of the Commission. The Seminar is intended for young jurists specializing in international law and young professors or government officials pursuing an academic or diplomatic career in posts in the civil service of their country.

320. Twenty-four participants of different nationalities, from all regional groups, took part in the session.⁴³⁵ The participants attended plenary meetings of the Commission and specially arranged lectures and participated in working groups on specific topics.

321. Mr. Narinder Singh, Chairperson of the Commission, opened the seminar. Mr. Markus Schmidt, Senior Legal Adviser to the United Nations Office at Geneva,

⁴³⁴ Statements were made by Ms. Christine Beerli, Vice President of the ICRC, and Mr. Narinder Singh, Chairperson of the Commission. Presentations were made on "Subsequent agreements and subsequent practice in relation to interpretation of treaties", by Mr. Georg Nolte; "Crimes against humanity", by Mr. Sean D. Murphy; "Preparations for the 32nd International Conference of the Red Cross and Red Crescent Movement", by Dr. Knut Doermann, Chief Legal Officer and Head of the ICRC Legal Division; and "Updating the ICRC commentaries on the Geneva Conventions and Additional Protocols", by Mr. Jean-Marie Henckaerts, Head of the Commentaries Update Project, ICRC.

⁴³⁵ The following persons participated in the Seminar: Kakanang Amaranand (Thailand), Hamed Camara (Mauritania), Eleen A. Cañas Vargas (Costa Rica), Francis W. Changara (Zimbabwe), Namgay Dorji (Bhutan), Fatoumata P. Doumbouya (Guinea), Pilar Eugenio (Argentina), Soaad Hossam (Egypt), Gedeon Jean (Haiti), Akino Kowashi (Japan), Gift Kweka (United Republic of Tanzania), Lucia Leontiev (Republic of Moldova), Matilda Mendy (Gambia), Momchil Milanov (Bulgaria), Quyen T.H. Nguyen (Viet Nam), Elinathan Ohiomoba (United States of America), Francisco J. Pascual Vives (Spain), Ye Joon Rim (Republic of Korea), Matteo Sarzo (Italy), Cornelius V.N. Scholtz (South Africa), Darcel G. Smith-Williamson (Bahamas), Luka M. Tomažič (Slovenia), Shuxi Yin (China) and Franz J. Zubieta (Plurinational State of Bolivia). The Selection Committee, chaired by Mr. Makane Moïse Mbengue, Professor of International Law at the University of Geneva, met on 7 April 2015 and selected 25 candidates out of 102 applications. One selected candidate could not attend the seminar.

was responsible for the administration, organization and conduct of the seminar. The University of Geneva ensured the scientific coordination of the seminar. Mr. Vittorio Mainetti, international law expert from the University of Geneva, acted as coordinator, assisted by Mr. Cédric Apercé, Ms. Yusra Suedi, legal assistants, and Ms. Cami Schwab, intern, in the Legal Liaison Office of the United Nations Office at Geneva.

322. The following members of the Commission gave lectures: Mr. Ernest Petrič, "The Work of the International Law Commission"; Mr. Dire D. Tladi, "*Jus cogens*"; Mr. Pavel Šturma, "State succession in relation to State responsibility"; Ms. Concepción Escobar Hernández, "Immunity of State officials from foreign criminal jurisdiction"; Mr. Shinya Murase, "Protection of the atmosphere"; Mr. Georg Nolte, "Subsequent agreements and subsequent practice in relation to interpretation of treaties"; Sir Michael Wood, "Identification of customary international law"; Ms. Marie G. Jacobsson, "Protection of the environment in relation to armed conflicts"; and Mr. Sean D. Murphy, "Crimes against humanity".

323. Seminar participants attended six external sessions. They attended a workshop organized by the University of Geneva, in collaboration with the Geneva Water Hub, on the topic "International Water Law: Issues of Implementation". The following speakers made statements: Ms. Danae Azaria (Lecturer, University College London), Ms. Laurence Boisson de Chazournes (Professor, University of Geneva), Mr. Lucius Cafilisch (member of the International Law Commission), Mr. Maurice Kamto (member of the International Law Commission), Mr. Attila Tanzi (Professor, University of Bologna, Italy), Ms. Christina Leb (World Bank), Mr. Marco Sassòli (Professor, University of Geneva) and Ms. Mara Tignino (University of Geneva). The workshop was followed by a reception offered by the Geneva Water Hub. A special session on "International administrative tribunals" was held at the International Labour Organization, led by Mr. Dražen Petrović, Registrar of the Administrative Tribunal of the International Labour Organization. Seminar participants also took part in a presentation on "International refugee law" given by Mr. Cornelis Wouters, Senior Legal Adviser in the Office of the United Nations High Commissioner for Refugees. They also attended the annual LALIVE Lecture, at the invitation of the Graduate Institute of International and Development Studies. The lecture was given by Mr. Sean D. Murphy, on the topic "A Rising Tide: Dispute Settlement under the Law of the Sea". A briefing at the International Telecommunication Union was also given by Mr. Nikos Volanis, Legal Officer with the Union, followed by a visit to the Union's museum. Finally, a special session was organized at WHO, where presentations on "International law and health" were given by Mr. Steven A. Solomon, Principal Legal Officer, and Mr. Jakob Quirin, Associate Legal Officer.

324. Two seminar working groups, on "*Jus cogens*" and "State succession in relation to State responsibility", were organized. Each seminar participant was assigned to one of them. Two members of the Commission, Mr. Dire D. Tladi and Mr. Pavel Šturma, supervised and provided guidance to the working groups. Each group prepared a report and presented its findings during the last working

session of the seminar. The reports were compiled and distributed to all participants, as well as to the members of the Commission.

325. The Republic and Canton of Geneva offered its traditional hospitality at the Geneva Town Hall, where the seminar participants visited the Alabama Room and attended a cocktail reception.

326. The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva invited the seminar participants to a reception at the residence.

327. Mr. Narinder Singh, Chairperson of the Commission, Mr. Markus Schmidt, Director of the International Law Seminar, and Mr. Momchil Milanov, on behalf of the seminar participants, addressed the Commission during the closing ceremony of the seminar. Each participant was presented with a certificate of attendance.

328. The Commission noted with particular appreciation that since 2013 the Governments of Argentina, Austria, China, Finland, India, Ireland, Mexico, Sweden, Switzerland and the United Kingdom had made voluntary contributions to the United Nations Trust Fund for

the International Law Seminar. The *Circolo di diritto internazionale di Roma*, a private association for the promotion of international law based in Rome, also contributed to the seminar. Even though the financial crisis of recent years had seriously affected the seminar's finances, a sufficient number of fellowships for deserving candidates, especially from developing countries so as to achieve adequate geographical distribution of participants, had been awarded from the Trust Fund. This year, 14 fellowships (nine for travel and living expenses, three for living expenses only and two for travel expenses only) were granted.

329. Since 1965, when the seminar first began, 1,163 participants, representing 171 nationalities, have taken part in the seminar. A total of 713 have received a fellowship.

330. 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 based in Geneva. The Commission recommends that the General Assembly should again appeal to States to make voluntary contributions in order to secure the organization of the seminar in 2016 with the broadest participation possible.