

## Chapter I Introduction

1. The International Law Commission held the first part of its seventy-second session from 26 April to 4 June 2021 and the second part from 5 July to 6 August 2021 at its seat at the United Nations Office at Geneva. Both parts were held in a hybrid format (in person and virtually). The session was opened by Mr. Pavel Šturma, Chair of the seventy-first session of the Commission.

### A. Membership

2. The Commission consists of the following members:

Mr. Ali Mohsen Fetais Al-Marri (Qatar)

Mr. Carlos J. Argüello Gómez (Nicaragua)

Mr. Bogdan Aurescu (Romania)

Mr. Yacouba Cissé (Côte d'Ivoire)

Ms. Concepción Escobar Hernández (Spain)

Mr. Mathias Forteau (France)

Ms. Patrícia Galvão Teles (Portugal)

Mr. Juan Manuel Gómez Robledo (Mexico)

Mr. Claudio Grossman Guiloff (Chile)

Mr. Hussein A. Hassouna (Egypt)

Mr. Mahmoud D. Hmoud (Jordan)

Mr. Huikang Huang (China)

Mr. Charles Chernor Jalloh (Sierra Leone)

Mr. Ahmed Laraba (Algeria)

Ms. Marja Lehto (Finland)

Mr. Shinya Murase (Japan)

Mr. Sean D. Murphy (United States of America)

Mr. Hong Thao Nguyen (Viet Nam)

Ms. Nilüfer Oral (Turkey)

Mr. Hassan Ouazzani Chahdi (Morocco)

Mr. Ki Gab Park (Republic of Korea)

Mr. Chris Maina Peter (United Republic of Tanzania)

Mr. Ernest Petrič (Slovenia)

Mr. Aniruddha Rajput (India)

Mr. August Reinisch (Austria)

Mr. Juan José Ruda Santolaria (Peru)

Mr. Gilberto Vergne Saboia (Brazil)

Mr. Pavel Šturma (Czech Republic)

Mr. Dire D. Tladi (South Africa)

Mr. Eduardo Valencia-Ospina (Colombia)  
 Mr. Marcelo Vázquez-Bermúdez (Ecuador)  
 Mr. Amos S. Wako (Kenya)  
 Sir Michael Wood (United Kingdom of Great Britain and Northern Ireland)  
 Mr. Evgeny Zagaynov (Russian Federation)

## B. Casual vacancy

3. At its 3511th meeting, on 29 April 2021, the Commission elected Mr. Mathias Forteau (France) to fill the casual vacancy occasioned by the resignation of Mr. Georg Nolte, who had been elected to the International Court of Justice.

## C. Officers and the Enlarged Bureau

4. At its 3508th meeting, on 26 April 2021, the Commission elected the following officers:

Chair:	Mr. Mahmoud D. Hmoud (Jordan)
First Vice-Chair:	Mr. Dire D. Tladi (South Africa)
Second Vice-Chair:	Mr. Evgeny Zagaynov (Russian Federation)
Chair of the Drafting Committee:	Ms. Patrícia Galvão Teles (Portugal)
Rapporteur:	Mr. Juan José Ruda Santolaria (Peru)

5. The Enlarged Bureau of the Commission was composed of the officers of the present session, the previous Chairs of the Commission,<sup>1</sup> the Special Rapporteurs<sup>2</sup> and the Co-Chairs of the Study Group on sea-level rise in relation to international law.<sup>3</sup>

6. On 29 April 2021, the Planning Group was constituted, composed of the following members: Mr. Dire D. Tladi (Chair), Mr. Carlos J. Argüello Gómez, Mr. Yacouba Cissé, Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Ms. Patrícia Galvão Teles, Mr. Claudio Grossman Guiloff, Mr. Hussein A. Hassouna, Mr. Mahmoud D. Hmoud, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Ahmed Laraba, Ms. Marja Lehto, Mr. Shinya Murase, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Pavel Šturma, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*).

## D. Drafting Committee

7. At its 3508th, 3515th, 3522nd, 3537th and 3546th meetings, on 26 April, on 4 and 14 May and on 12 and 21 July 2021, the Commission established a Drafting Committee, composed of the following members for the topics indicated:

(a) *Immunity of State officials from foreign criminal jurisdiction*: Ms. Patrícia Galvão Teles (Chair), Ms. Concepción Escobar Hernández (Special Rapporteur), Mr. Carlos J. Argüello Gómez, Mr. Yacouba Cissé, Mr. Mathias Forteau, Mr. Juan Manuel Gómez Robledo, Mr. Claudio Grossman Guiloff, Mr. Mahmoud D. Hmoud, Mr. Charles Chernor Jalloh, Ms. Marja Lehto, Mr. Sean D. Murphy, Ms. Nilüfer Oral, Mr. Hassan Ouazzani

<sup>1</sup> Mr. Ernest Petrič, Mr. Pavel Šturma and Mr. Eduardo Valencia-Ospina.

<sup>2</sup> Ms. Concepción Escobar Hernández, Mr. Juan Manuel Gómez Robledo, Ms. Marja Lehto, Mr. Shinya Murase, Mr. Pavel Šturma, Mr. Dire D. Tladi and Mr. Marcelo Vázquez-Bermúdez.

<sup>3</sup> Mr. Bogdan Aurescu, Mr. Yacouba Cissé, Ms. Patrícia Galvão Teles, Ms. Nilüfer Oral and Mr. Juan José Ruda Santolaria.

Chahdi, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Dire D. Tladi, Mr. Eduardo Valencia-Ospina, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*);

(b) *Protection of the atmosphere*: Ms. Patrícia Galvão Teles (Chair), Mr. Shinya Murase (Special Rapporteur), Mr. Yacouba Cissé, Mr. Mathias Forteau, Mr. Claudio Grossman Guiloff, Mr. Mahmoud D. Hmoud, Mr. Charles Chernor Jalloh, Ms. Marja Lehto, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Ms. Nilüfer Oral, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Dire D. Tladi, Mr. Eduardo Valencia-Ospina, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*);

(c) *Provisional application of treaties*: Ms. Patrícia Galvão Teles (Chair), Mr. Juan Manuel Gómez Robledo (Special Rapporteur), Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Mr. Claudio Grossman Guiloff, Mr. Charles Chernor Jalloh, Ms. Marja Lehto, Mr. Sean D. Murphy, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. Pavel Šturma, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*);

(d) *Succession of States in respect of State responsibility*: Ms. Patrícia Galvão Teles (Chair), Mr. Pavel Šturma (Special Rapporteur), Mr. Claudio Grossman Guiloff, Mr. Charles Chernor Jalloh, Mr. Sean D. Murphy, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*);

(e) *General principles of law*: Ms. Patrícia Galvão Teles (Chair), Mr. Marcelo Vázquez-Bermúdez (Special Rapporteur), Mr. Carlos J. Argüello Gómez, Mr. Yacouba Cissé, Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Mr. Claudio Grossman Guiloff, Mr. Mahmoud D. Hmoud, Mr. Charles Chernor Jalloh, Ms. Marja Lehto, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. Gilberto Vergne Saboia, Mr. Pavel Šturma, Mr. Dire D. Tladi, Mr. Eduardo Valencia-Ospina, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*).

8. The Drafting Committee held a total of 37 meetings on the five topics indicated above.

## **E. Working Groups and Study Group**

9. The Planning Group established the following Working Groups:

(a) *Working Group on the long-term programme of work*: Mr. Mahmoud D. Hmoud (Chair), Mr. Bogdan Aurescu, Mr. Yacouba Cissé, Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Ms. Patrícia Galvão Teles, Mr. Claudio Grossman Guiloff, Mr. Hussein A. Hassouna, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Ahmed Laraba, Ms. Marja Lehto, Mr. Shinya Murase, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Ki Gab Park, Mr. Chris Maina Peter, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Pavel Šturma, Mr. Dire D. Tladi, Mr. Marcelo Vázquez-Bermúdez, Mr. Amos S. Wako, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*);

(b) *Working Group on methods of work*: Mr. Hussein A. Hassouna (Chair), Mr. Bogdan Aurescu, Mr. Yacouba Cissé, Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Ms. Patrícia Galvão Teles, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Ms. Marja Lehto, Mr. Shinya Murase, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Pavel Šturma, Mr. Dire D. Tladi, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood, Mr. Evgeny Zagaynov and Mr. Juan José Ruda Santolaria (*ex officio*).

10. At its 3529th meeting, on 27 May 2021, the Commission established a Study Group on sea-level rise in relation to international law, composed of the following members: Mr.

Bogdan Aurescu (Co-Chair at the current session), Mr. Yacouba Cissé (Co-Chair), Ms. Patrícia Galvão Teles (Co-Chair), Ms. Nilüfer Oral (Co-Chair at the current session), Mr. Juan José Ruda Santolaria (Co-Chair), Ms. Concepción Escobar Hernández, Mr. Mathias Forteau, Mr. Juan Manuel Gómez Robledo, Mr. Claudio Grossman Guiloff, Mr. Hussein A. Hassouna, Mr. Mahmoud D. Hmoud, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Ahmed Laraba, Ms. Marja Lehto, Mr. Shinya Murase, Mr. Sean D. Murphy, Mr. Hong Thao Nguyen, Mr. Hassan Ouazzani Chahdi, Mr. Ki Gab Park, Mr. Ernest Petrič, Mr. Aniruddha Rajput, Mr. August Reinisch, Mr. Gilberto Vergne Saboia, Mr. Pavel Šturma, Mr. Dire D. Tladi, Mr. Eduardo Valencia-Ospina, Mr. Marcelo Vázquez-Bermúdez, Sir Michael Wood and Mr. Evgeny Zagaynov.

## **F. Secretariat**

11. Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, represented the Secretary-General. Mr. Huw Llewellyn, 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. Jessica Elbaz and Mr. Arnold Pronto, Principal Legal Officers, served as Principal Assistant Secretaries to the Commission. Mr. Trevor Chimimba, Senior Legal Officer, served as Senior Assistant Secretary to the Commission. Ms. Christiane Ahlborn, Mr. Carlos Ivan Fuentes, Ms. Patricia Georget and Ms. Carla Hoe, Legal Officers, and Ms. Rina Kuusipalo and Mr. Douglas Pivnichny, Associate Legal Officers, served as Assistant Secretaries to the Commission.

## **G. Agenda**

12. The Commission adopted an agenda for its seventy-second session consisting of the following items:

1. Organization of the work of the session.
2. Filling of casual vacancies.
3. Immunity of State officials from foreign criminal jurisdiction.
4. Provisional application of treaties.
5. Protection of the atmosphere.
6. Succession of States in respect of State responsibility.
7. General principles of law.
8. Sea-level rise in relation to international law.
9. Programme, procedures and working methods of the Commission and its documentation.
10. Date and place of the seventy-third session.
11. Cooperation with other bodies.
12. Other business.