

Chapter I

Introduction

1. The International Law Commission held the first part of its seventy-fourth session from 24 April to 2 June 2023 and the second part from 3 July to 4 August 2023 at its seat at the United Nations Office at Geneva. The session was opened by Mr. Marcelo Vázquez-Bermúdez, Second Vice-Chair of the seventy-third session of the Commission.

A. Membership

2. The Commission consists of the following members:

Mr. Dapo Akande (United Kingdom of Great Britain and Northern Ireland)

Mr. Carlos J. Argüello Gómez (Nicaragua)

Mr. Masahiko Asada (Japan)

Mr. Bogdan Aurescu (Romania)

Mr. Yacouba Cissé (Côte d'Ivoire)

Mr. Ahmed Amin Fathalla (Egypt)

Mr. Rolf Einar Fife (Norway)

Mr. Mathias Forteau (France)

Mr. George Rodrigo Bandeira Galindo (Brazil)

Ms. Patrícia Galvão Teles (Portugal)

Mr. Claudio Grossman Guiloff (Chile)

Mr. Huikang Huang (China)

Mr. Charles Chernor Jalloh (Sierra Leone)

Mr. Ahmed Laraba (Algeria)

Mr. Keun-Gwan Lee (Republic of Korea)

Ms. Vilawan Mangklatanakul (Thailand)

Mr. Andreas D. Mavroyiannis (Cyprus)

Mr. Ivon Mingashang (Democratic Republic of the Congo)

Mr. Giuseppe Nesi (Italy)

Mr. Hong Thao Nguyen (Viet Nam)

Ms. Phoebe Okowa (Kenya)

Ms. Nilüfer Oral (Türkiye)

Mr. Hassan Ouazzani Chahdi (Morocco)

Mr. Mario Oyarzábal (Argentina)

Mr. Mārtiņš Pāparinskis (Latvia)

Mr. Bimal N. Patel (India)

Mr. August Reinisch (Austria)

Ms. Penelope Ridings (New Zealand)

Mr. Juan José Ruda Santolaria (Peru)

Mr. Alioune Sall (Senegal)

Mr. Louis Savadogo (Burkina Faso)
 Mr. Munkh-Orgil Tsend (Mongolia)
 Mr. Marcelo Vázquez-Bermúdez (Ecuador)
 Mr. Evgeny Zagaynov (Russian Federation)

B. Officers and the Enlarged Bureau

3. At its 3613th meeting, on 25 April 2023, the Commission elected the following officers:

Chair:	Ms. Nilüfer Oral (Türkiye), ¹ then Ms. Patrícia Galvão Teles (Portugal) ²
First Vice-Chair:	Mr. Marcelo Vázquez-Bermúdez (Ecuador)
Second Vice-Chair:	Mr. Charles Chernor Jalloh (Sierra Leone)
Chair of the Drafting Committee:	Mr. Mārtiņš Pāparinskis (Latvia)
Rapporteur:	Mr. Hong Thao Nguyen (Viet Nam)

4. The Enlarged Bureau of the Commission was composed of the officers of the present session, the Special Rapporteurs³ and the Co-Chairs of the Study Group on sea-level rise in relation to international law.⁴

5. On 27 April 2023, the Planning Group was constituted, composed of the following members: Mr. Marcelo Vázquez-Bermúdez (Chair); Mr. Dapo Akande, Mr. Masahiko Asada, Mr. Bogdan Aurescu, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Mārtiņš Pāparinskis, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Louis Savadogo, Mr. Evgeny Zagaynov and Mr. Hong Thao Nguyen (*ex officio*).

C. Drafting Committee

6. At its 3618th, 3620th, 3625th, and 3633rd meetings, on 3, 9, 16 and 26 May 2023, the Commission established a Drafting Committee, composed of the following members for the topics indicated:

(a) *Settlement of disputes to which international organizations are parties*: Mr. Mārtiņš Pāparinskis (Chair), Mr. August Reinisch (Special Rapporteur), Mr. Dapo Akande, Mr. Masahiko Asada, Mr. Ahmed Amin Fathalla, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Ms. Patrícia Galvão Teles, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Bimal N. Patel, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Alioune Sall, Mr. Louis Savadogo, Mr. Marcelo Vázquez-Bermúdez and Mr. Hong Thao Nguyen (*ex officio*);

(b) *General principles of law*: Mr. Mārtiņš Pāparinskis (Chair), Mr. Marcelo Vázquez-Bermúdez (Special Rapporteur), Mr. Dapo Akande, Mr. Carlos J. Argüello Gómez,

¹ Elected as Chair for the duration of the first part of the session.

² Elected at its 3634th meeting on 2 June 2023 as Chair for the remainder of the seventy-fourth session.

³ Mr. Yacouba Cissé, Mr. Claudio Grossman Guiloff, Mr. Charles Chernor Jalloh, Mr. August Reinisch and Mr. Marcelo Vázquez-Bermúdez.

⁴ Mr. Bogdan Aurescu, Mr. Yacouba Cissé, Ms. Patrícia Galvão Teles, Ms. Nilüfer Oral and Mr. Juan José Ruda Santolaria.

Mr. Masahiko Asada, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Ms. Patrícia Galvão Teles, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Alioune Sall, Mr. Louis Savadogo, Mr. Munkh-Orgil Tsend and Mr. Hong Thao Nguyen (*ex officio*);

(c) *Prevention and repression of piracy and armed robbery at sea*: Mr. Mārtiņš Pāparinskis (Chair), Mr. Yacouba Cissé (Special Rapporteur), Mr. Dapo Akande, Mr. Masahiko Asada, Mr. Ahmed Amin Fathalla, Mr. Rolf Einar Fife, Mr. George Rodrigo Bandeira Galindo, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Keun-Gwan Lee, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Louis Savadogo and Mr. Hong Thao Nguyen (*ex officio*);

(d) *Subsidiary means for the determination of rules of international law*: Mr. Mārtiņš Pāparinskis (Chair), Mr. Charles Chernor Jalloh (Special Rapporteur), Mr. Dapo Akande, Mr. Carlos J. Argüello Gómez, Mr. Masahiko Asada, Mr. Ahmed Amin Fathalla, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Ms. Patrícia Galvão Teles, Mr. Huikang Huang, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Mr. Mario Oyarzábal, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Alioune Sall, Mr. Louis Savadogo, Mr. Marcelo Vázquez-Bermúdez, Mr. Evgeny Zagaynov and Mr. Hong Thao Nguyen (*ex officio*).

7. The Drafting Committee held a total of 28 meetings on the four topics indicated above.

D. Working Groups and Study Group

8. On 28 April 2023, the Planning Group established the following Working Groups:

(a) *Working Group on the long-term programme of work*: Mr. Marcelo Vázquez-Bermúdez (Chair), Mr. Dapo Akande, Mr. Carlos J. Argüello Gómez, Mr. Masahiko Asada, Mr. Bogdan Aurescu, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Mārtiņš Pāparinskis, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Alioune Sall, Mr. Louis Savadogo, Mr. Evgeny Zagaynov and Mr. Hong Thao Nguyen (*ex officio*);

(b) *Working Group on methods of work*: Mr. Charles Chernor Jalloh (Chair), Mr. Dapo Akande, Mr. Carlos J. Argüello Gómez, Mr. Masahiko Asada, Mr. Bogdan Aurescu, Mr. Ahmed Amin Fathalla, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Ms. Nilüfer Oral, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Mārtiņš Pāparinskis, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Juan José Ruda Santolaria, Mr. Louis Savadogo, Mr. Marcelo Vázquez-Bermúdez, Mr. Evgeny Zagaynov and Mr. Hong Thao Nguyen (*ex officio*).

9. At its 3614th meeting, on 26 April 2023, 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, and Chair at the current session), Mr. Yacouba Cissé (Co-Chair), Ms. Patrícia Galvão Teles (Co-Chair), Ms. Nilüfer Oral (Co-Chair, and Chair at the current session), Mr. Juan José Ruda Santolaria (Co-Chair), Mr. Dapo Akande,

Mr. Carlos J. Argüello Gómez, Mr. Masahiko Asada, Mr. Ahmed Amin Fathalla, Mr. Rolf Einar Fife, Mr. Mathias Forteau, Mr. George Rodrigo Bandeira Galindo, Mr. Claudio Grossman Guiloff, Mr. Huikang Huang, Mr. Charles Chernor Jalloh, Mr. Ahmed Laraba, Mr. Keun-Gwan Lee, Ms. Vilawan Mangklatanakul, Mr. Andreas D. Mavroyiannis, Mr. Ivon Mingashang, Mr. Giuseppe Nesi, Ms. Phoebe Okowa, Mr. Hassan Ouazzani Chahdi, Mr. Mario Oyarzábal, Mr. Mārtiņš Pāparinskis, Mr. Bimal N. Patel, Mr. August Reinisch, Ms. Penelope Ridings, Mr. Louis Savadogo, Mr. Munkh-Orgil Tsend, Mr. Marcelo Vázquez-Bermúdez and Mr. Hong Thao Nguyen (*ex officio*).

10. At its 3621st meeting, on 10 May 2023, the Commission established an open-ended Working Group on “Succession of States in respect of State responsibility” chaired by Mr. August Reinisch.

11. At its 3638th meeting, on 13 July 2023, the Commission established an open-ended Working Group on “Commentaries submitted for the topic on prevention and repression of piracy and armed robbery at sea” chaired by Ms. Nilüfer Oral.

E. Secretariat

12. 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. Mr. Arnold Pronto, Principal Legal Officer, served as Principal Assistant Secretary to the Commission. Ms. Patricia Georget, Mr. Carlos Ivan Fuentes, Ms. Carla Hoe and Ms. Paola Patarroyo, Legal Officers, and Mr. Alexey Bulatov and Ms. Raissa Urquiza, Associate Legal Officers, served as Assistant Secretaries to the Commission.

F. Agenda

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

1. Organization of the work of the session.
2. Succession of States in respect of State responsibility.
3. General principles of law.
4. Sea-level rise in relation to international law.
5. Settlement of disputes to which international organizations are parties.
6. Prevention and repression of piracy and armed robbery at sea.
7. Subsidiary means for the determination of rules of international law.
8. Programme, procedures and working methods of the Commission and its documentation.
9. Date and place of the seventy-fifth session.
10. Cooperation with other bodies.
11. Other business.