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F. International Law Seminar

253. Pursuant to General Assembly resolution 63/123 of 11 December 2008, the forty-fifth session of the International Law Seminar was held at the Palais des Nations from 6 to 24 July 2009, during the present session of the Commission. The Seminar is intended for advanced students specializing in international law and for young professors or government officials pursuing an academic or diplomatic career or in posts in the civil service in their country.

254. Twenty-seven participants of different nationalities, from all the regions of the world, were able to take part in the session⁸⁸⁹. The participants in the Seminar observed plenary meetings of the Commission, attended specially arranged lectures, and participated in working groups on specific topics.

255. The Seminar was opened by Mr. Ernest Petrič, Chairman of the Commission. Mr. Ulrich von Blumenthal, Senior Legal Adviser of the United Nations Office at Geneva (UNOG), was responsible for the administration, organization and conduct of the Seminar, assisted by Mr. Vittorio Mainetti, Legal Consultant at UNOG.

256. The following lectures were given by members of the Commission: Mr. Edmundo Vargas Careño: “*The Contribution of the International Law Commission to the Codification and Progressive Development of International Law*”; Mr. Giorgio Gaja: “*Responsibility of International Organizations*”; Mr. Enrique Candioti: “*Codification of the Law of Shared Natural Resources*”; Mr. Zdzislaw Galicki: “*The Obligation to Extradite and Prosecute (Aut dedere aut judicare)*”; Mr. Lucius Caflisch: “*The Effects of Armed Conflicts on Treaties*”; Ms. Marie Jacobsson: “*Piracy: Past, Present and Future*”; Mr. A. Rohan Perera: “*Towards a Comprehensive Convention on Terrorism*”; Mr. Donald McRae: “*The MFN Clause*”; Ms. Paula Escarameia: “*The Role of the International Law Commission in the United Nations Legislative Process*”.

257. Lectures were also given by Mr. Trevor Chimimba, Senior Legal Officer at the Codification Division: “*The Sixth Committee*”; Mr. Gionata Buzzini, Legal Officer at the Codification Division: “*The Work of the Office of Legal Affairs of the United Nations and in particular its Codification Division*”; Mr. Vittorio Mainetti, Assistant to the Director of the International Law Seminar: “*Introduction to the Work of the International Law Commission*”; Mr. Daniel Müller, Assistant to the Special Rapporteur Mr. Alain Pellet: “*Reservations to Treaties*”; Ms. Jelena Pejič, Legal Adviser of the International Committee of the Red Cross: “*Current Challenges to International Humanitarian Law*”.

⁸⁸⁹ The following persons participated in the forty-fifth session of the International Law Seminar: Mr. Antonios Abou Kasm (Lebanon), Ms. Riana Aji (Brunei Darussalam), Ms. Aua Baldé (Guinea Bissau), Ms. Veronika Bílková (Czech Republic), Mr. Marcelo Böhlke (Brazil), Mr. Krassimir Bojanov (Bulgaria), Mr. Amadou Camara (Guinea), Mr. Yifeng Chen (China), Mr. Jarrod Clyne (New Zealand), Ms. Kristin Hausler (Switzerland), Ms. Meklit Hessebon (Ethiopia), Mr. Mabvuto Katemula (Malawi), Mr. Bindu Kihangi (Democratic Republic of the Congo), Mr. Tamás Molnár (Hungary), Ms. Valentina Monasterio (Chile), Ms. Jasmine Moussa (Egypt), Mr. Marco Pertile (Italy), Ms. Ana Petric (Slovenia), Ms. Karla Ramirez Sanchez (Nicaragua), Mr. Yusnier Romero (Cuba), Mr. Victor Saco (Peru), Ms. Azucena Sahagún Segoviano (Mexico), Ms. Dinesha W.V.A. Samararatne (Sri Lanka), Ms. Cecilia Silberberg (Argentina), Ms. Betty Yakopya (Papua New Guinea), Ms. Deki Yangzom (Bhutan), Mr. Amirbek Zhemenev (Kazakhstan). The Selection Committee, chaired by Mr. Nicolas Michel, Professor at the University of Geneva, met on 30 April 2009 and selected 28 candidates out of 113 applications for participation in the Seminar. At the last minute, the twenty-eighth candidate selected failed to attend.

258. Seminar participants were invited to visit the World Trade Organization (WTO) and attended briefing sessions by Ms. Marisa Beth Goldstein, Legal Officer at the WTO Legal

Affairs Division, and Mr. Kaarlo Castren, Legal Officer at WTO Appellate Body Secretariat. The discussion focused on the current legal issues at the WTO and on the WTO Disputes Settlement System.

259. Seminar participants were also invited by the Permanent Representative of Brazil to the United Nations Office at Geneva to attend the Gilberto Amado Memorial Lecture delivered by Judge José Luis Jesus, President of the International Tribunal for the Law of the Sea, on “*Advisory opinions and urgent proceedings at the International Tribunal for the Law of the Sea*”.

260. Two special external sessions were organized at the University of Geneva and the Graduate Institute of International and Development Studies of Geneva. At the University of Geneva, seminar participants attended lectures given by Professor Marco Sassòli: “*The UN as Addressee of International Humanitarian Law and Human Rights Law*”, Professor Robert Kolb: “*Contemporary problems in the Law of Belligerent Occupation*”, and Professor Laurence Boisson de Chazournes: “*The United Nations and the Responsibility to Protect*”. At the Graduate Institute seminar participants attended lectures given by Professor Marcelo Kohen: “*Is the Creation of States a Pure Matter of Fact?*”; Professor Vera Gowlland-Debbas: “*The Status of Palestine in International Law*”; and Professor Eric Wyler: “*The Recognition of New States in Contemporary International Law*”.

261. Two Seminar working groups on “*Piracy*”, and “*The Future Role of the International Law Commission*” were organized. Seminar participants were assigned to one of two groups. Three members of the Commission, Ms. Paula Escarameia, Ms. Marie Jacobsson, and Mr. Enrique Candioti provided guidance to the working groups. Each group wrote a report and presented their findings to the Seminar in a special session organized for that purpose. A collection of the reports was compiled and distributed to all participants.

262. The Republic and Canton of Geneva offered its traditional hospitality to the participants with a guided visit of the Alabama Room at the City Hall followed by a reception.

263. The Chairman of the Commission, the Director of the Seminar, Mr. Ulrich von Blumenthal and Ms. Dinesha W.V.A. Samararatne (Sri Lanka), on behalf of the participants, addressed the Commission and the participants at the close of the Seminar. Each participant was presented with a certificate attesting to his or her participation in the forty-fifth session of the Seminar. During the closing ceremony, the Chairman of the Commission expressed appreciation for the services of Mr. Ulrich von Blumenthal, who is retiring in October 2009 from the United Nations and who directed the Seminar for 14 years.

264. The Commission noted with particular appreciation that during the last three years the Governments of Austria, China, Croatia, Cyprus, the Czech Republic, Finland, Germany, Hungary, Ireland, Lebanon, Mexico, New Zealand, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland had made voluntary contributions to the United Nations Trust Fund for the International Law Seminar. The financial situation of the Fund allowed the award of a sufficient number of fellowships to deserving candidates from developing countries in order to achieve adequate geographical distribution of participants. This year, full fellowships (travel and subsistence allowance) were awarded to 20 candidates.

265. Since 1965, year of the Seminar inception, 1,033 participants, representing 163 nationalities, have taken part in the Seminar. Of them, 618 have received fellowships.

266. 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, which have their headquarters in Geneva. The Commission recommends that the General Assembly should again appeal to States to make voluntary contributions in order to secure the holding of the Seminar in 2010 with as broad participation as possible.

267. The Commission noted with satisfaction that in 2009 comprehensive interpretation services were made available to the Seminar. It expresses the hope that the same services would be provided at the next session, within existing resources.