



General Assembly

Distr.
LIMITED

A/CN.4/L.615
6 June 2002

Original: ENGLISH

INTERNATIONAL LAW COMMISSION
Fifty-fourth session
Geneva, 29 April-7 June and 22 July-16 August 2002

DRAFT REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FIFTY-FOURTH SESSION

Rapporteur: Mr. Valery KUZNETSOV

CHAPTER I

Introduction

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
A. Membership	2 - 3	
B. Officers and the Enlarged Bureau	4 - 6	
C. Drafting Committee	7 - 8	
D. Working Groups	9 - 10	
E. Secretariat	11	
F. Agenda	12	

1. The International Law Commission held the first part of its fifty-fourth session from 29 April to 7 June 2002 and the second part from 22 July to 16 August 2002 at its seat at the United Nations Office at Geneva. The session was opened by Mr. Enrique Candioti, Second Vice-Chairman of the Commission.

A. Membership

2. The Commission consists of the following members:

Mr. Emmanuel Akwei Addo (Ghana)

Mr. Husain Al-Baharna (Bahrain)

Mr. Ali Mohsen Fetais Al-Marri (Qatar)

Mr. Joao Clemente Baena Soares (Brazil)

Mr. Ian Brownlie (United Kingdom)

Mr. Enrique J.A. Candioti (Argentina)

Mr. Choung Il Chee (Republic of Korea)

Mr. Pedro Comissario Afonso (Mozambique)

Mr. Riad Daoudi (Syrian Arab Republic)

Mr. Christopher John Robert Dugard (South Africa)

Ms. Paula Escarameia (Portugal)

Mr. Salifou Fomba (Mali)

Mr. Giorgio Gaja (Italy)

Mr. Zdzislaw Galicki (Poland)

Mr. Peter C.R. Kabatsi (Uganda)

Mr. Maurice Kamto (Cameroon)

Mr. James Lutabanzibwa Kateka (United Republic of Tanzania)

Mr. Fathi Kemicha (Tunisia)

Mr. Martti Koskenniemi (Finland)

Mr. Valery Kuznetsov (Russian Federation)

Mr. William Mansfield (New Zealand)

Mr. Djamchid Momtaz (Islamic Republic of Iran)

Mr. Bernd H. Niehaus (Costa Rica)

Mr. Didier Operti Badan (Uruguay)

Mr. Guillaume Pambou-Tchivounda (Gabon)

Mr. Alain Pellet (France)

Mr. Pemmaraju Sreenivasa Rao (India)

Mr. Victor Rodríguez Cedeño (Venezuela)

Mr. Robert Rosenstock (United States)

Mr. Bernardo Sepúlveda (Mexico)

Mr. Bruno Simma (Germany)

Mr. Peter Tomka (Slovakia)

Ms. Hanqin Xue (China)

Mr. Chusei Yamada (Japan)

3. At its 2711th meeting on 29 April 2002 the Commission elected Mr. Peter C.R. Kabatsi (Uganda) to fill the casual vacancy caused by the demise of Mr. Adegoke Ajibola Ige.

B. Officers and Enlarged Bureau

4. At its 2711th meeting on 29 April 2002, the Commission elected the following officers:

Chairman:	Mr. Robert Rosenstock
First Vice-Chairman:	Mr. Enrique Candioti
Second Vice-Chairman:	Mr. James L. Kateka
Chairman of the Drafting Committee:	Mr. Chusei Yamada
Rapporteur:	Mr. Valery Kuznetsov

5. 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

6. On the recommendation of the Enlarged Bureau the Commission set up a Planning Group composed of the following members: Mr. E. Candioti (Chairman), Mr. E.A. Addo, Mr. A. M. F. Al-Marri, Mr. J.C. Baena Soares, Mr. I. Brownlie, Mr. P. Commissario Afonso, Ms. P. Escameia, Mr. S. Fomba, Mr. Z. Galicki, Mr. J. L. Kateka, Mr. F. Kemicha, Mr. W. Mansfield, Mr. D. Momtaz, Mr. B. H. Niehaus, Mr. D. Operti Badan, Mr. G. Pambou-Tchivounda, Mr. A. Pellet, Mr. P. Tomka and Mr. V. Kuznetsov (ex-officio).

¹ Mr. J.C. Baena Soares, Mr. Z. Galicki, Mr. P.C.R. Kabatsi, Mr. A. Pellet, Mr. P.S. Rao and Mr. C. Yamada.

² Mr. Ch.J.R. Dugard, Mr. G. Gaja, Mr. A. Pellet, Mr. V. Rodríguez Cedeño and Mr. C. Yamada.

C. Drafting Committee

7. At its 2712th and 2721st meetings on 5 June, 30 April and 17 May 2002 respectively, the Commission established a Drafting Committee, composed of the following members for the topics indicated:

(a) Diplomatic Protection: Mr. C. Yamada (Chairman), Mr. Ch.J.R. Dugard (Special Rapporteur), Mr. I. Brownlie, Mr. E. Candioti, Mr. C. Chee, Mr. P. Comissario Afonso, Mr. R. Daoudi, Mr. G. Gaja, Mr. Z. Galicki, Mr. D. Momtaz, Mr. V. Rodríguez Cedeño, Mr. R. Rosenstock, Mr. B. Simma, Ms. H. Xue and Mr. V. Kuznetsov (ex-officio).

(b) Reservations to treaties: Mr. C. Yamada (Chairman), Mr. A. Pellet (Special Rapporteur), Mr. P. Comissario Afonso, Ms. P. Escameia, Mr. S. Fomba, Mr. G. Gaja, Mr. M. Kamto, Mr. F. Kemicha, Mr. M. Koskenniemi, Mr. B. Simma, Mr. P. Tomka, Ms. H. Xue and Mr. V. Kuznetsov (ex-officio).

8. The Drafting Committee held a total 15 meetings on the two topics indicated above.

D. Working Groups

9. At its 2717th meeting on 8 May 2002 the Commission also established the following Working Groups and Study Group composed of the members indicated:

(a) Working Group on International liability for injurious consequences arising out of acts not prohibited by international law: Mr. P.S. Rao (Chairman), Mr. J.C. Baena Soares, Mr. I. Brownlie, Mr. E. Candioti, Mr. P. Comissario Afonso, Ms. P. Escameia, Mr. Z. Galicki, Mr. M. Kamto, Mr. J.L. Kateka, Mr. M. Koskenniemi, Mr. W. Mansfield, Mr. D. Operti Badan, Mr. R. Rosenstock, Ms. H. Xue, Mr. C. Yamada and Mr. V. Kuznetsov (ex-officio).

(b) Working Group on Responsibility of international organizations: Mr. G. Gaja (Chairman), Mr. J.C. Baena Soares, Mr. I. Brownlie, Mr. E. Candioti, Mr. R. Daoudi, Ms. P. Escameia, Mr. S. Fomba, Mr. M. Kamto, Mr. J.L. Kateka, Mr. M. Koskenniemi, Mr. W. Mansfield, Mr. B. Simma, Mr. P. Tomka, Mr. C. Yamada and Mr. V. Kuznetsov (ex-officio).

(c) Study Group on the Fragmentation of international law: Mr. B. Simma (Chairman), Mr. E.A. Addo, Mr. I. Brownlie, Mr. E. Candioti, Mr. Ch.J.R. Dugard, Ms. P. Escameia, Mr. G. Gaja, Mr. Z. Galicki, Mr. M. Kamto, Mr. J.L. Kateka, Mr. M. Koskenniemi, Mr. D. Momtaz, Mr. B. Niehaus, Mr. G. Pambou-Tchivounda, Mr. A. Pellet, Mr. P.S. Rao, Mr. R. Rosenstock, Mr. B. Sepúlveda, Mr. P. Tomka, Ms. H. Xue, Mr. C. Yamada and Mr. V. Kuznetsov (ex-officio).

10. On 1 May 2002 the Planning Group established a Working Group on the Long-term programme of work which was composed of the following members: Mr. A. Pellet (Chairman), Mr. J.C. Baena Soares, Mr. Z. Galicki, Mr. M. Kamto, Mr. M. Koskenniemi, Ms. H. Xue and Mr. V. Kuznetsov (ex-officio).

E. Secretariat

11. 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, Senior Legal Officer served as Senior Assistant Secretary, Mr. Renan Villacis, Legal Officer and Mr. Arnold Pronto, Associate Legal Officer, served as Assistant Secretaries to the Commission.

F. Agenda

12. At its 2711th meeting, on 29 April 2002, the Commission adopted an agenda for its fifty-fourth session consisting of the following items:

1. Filling of a casual vacancy.
2. Organization of work of the session.
3. Reservations to treaties.
4. Diplomatic protection.
5. Unilateral acts of States.
6. Programme, procedures and working methods of the Commission and its documentation.
7. Cooperation with other bodies.
8. Date and place of the fifty-fifth session.
9. Other business.
