

70th ANNIVERSARY CELEBRATION SYMPOSIUM

The Role and Contributions of the ILC to the Development of International Law

FIU | Law

Day 1 – Friday, October 26, 2018

8:00 a.m. – 9:00 a.m. **Breakfast/Registration** *Atrium*

9:00 a.m. – 9:15 a.m. **Welcome Remarks** *Large Courtroom*

Prof. Antony Page, *Dean, FIU College of Law*

Prof. Charles Jalloh, *FIU College of Law Faculty
Symposium Organizer and International Law
Commission (“ILC”)*

9:15 a.m. – 10:15 a.m. **Opening Keynote Address** *Large Courtroom*

The ILC and Seven Decades Shaping International Law

Judge Abdul G. Koroma, *formerly International Court of Justice and ILC*

Introduction by Dr. Olufemi Elias, *International Residual Mechanism for Criminal Tribunals*

10:15 a.m. – 11:45 a.m. **Panel 1: The Progressive Development and Codification Mandates of the International Law Commission** *Large Courtroom*

Moderator: Prof. Kristen Boon, *Seton Hall University*

Speakers:

Prof. Jeffrey Morton, *Florida Atlantic University*

Prof. Phoebe Okowa, *Queen Mary, University of London*

Mr. Arnold Pronto, *United Nations, Codification Division*

This opening session will discuss the original mandate of the International Law Commission (“ILC”/ “the Commission”), as envisaged by the Committee of Seventeen, which prepared recommendations for the UN General Assembly setting forth options for the establishment, composition and functioning of the Commission. The key goal of this panel will be to examine the meaning(s) of “progressive development of international law” and its “codification”, as envisaged by the legal experts and ultimately by States as manifested in the Statute of the Commission adopted in 1947.

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| 11:45 a.m. – 12:00 p.m. | Coffee/Tea Break | Atrium |
| 12:00 p.m. – 1:30 p.m. | <p>Panel 2: The ILC’s Past Practice on Progressive Development of International Law and Its Codification in General International Law</p> <p>Moderator: Prof. Dapo Akande, <i>University of Oxford</i></p> <p>Speakers: Prof. Patricia Galvão Teles, <i>Autonomous University of Lisbon and ILC</i> Prof. Donald McRae, <i>University of Ottawa and formerly ILC</i> Prof. Bernard Oxman, <i>University of Miami School of Law</i></p> <p><i>This session will examine how the ILC gave effect to its statutory mandate in the past seventy years. Did its practice, over the course of the decades, distinguish between “progressive development of international law”, on the one hand, and “its codification” on the other? If so, how was this practice reflected in its contributions on topics in general international law such as the law of treaties, the law of State responsibility, and the law of the sea? What, if any, are the lessons that can be learned from the ILC’s past work on the codification and progressive development of general international law?</i></p> | Large Courtroom |
| 1:30 p.m. – 2:30 p.m. | Lunch/Coffee/Tea | Grand Reading Room |
| 2:30 p.m. – 4:00 p.m. | <p>Panel 3: The ILC’s Past Practice on Progressive Development of International Law and Its Codification in Specialized Areas of International Law</p> <p>Moderator: Prof. Larissa van den Herik, <i>Leiden University</i></p> <p>Speakers: Prof. Claudio Grossman Guiloff, <i>American University and ILC</i> Prof. Nilüfer Oral, <i>Istanbul Bilgi University and ILC</i> Prof. Ki Gab Park, <i>Korea University Seoul and ILC</i></p> <p><i>This session will examine how the ILC gave effect to its statutory mandate in the past seventy years. Did its practice, over the course of the decades, distinguish between “progressive development of international law”, on the one hand, and “its codification” on the other? If so, how was this reflected in its contributions on topics in specialized areas of international law such as international criminal law, international environmental law, and international human rights law? What, if any, are the lessons that can be learned from the ILC’s past work on the codification and progressive development of specialized subfields of international law?</i></p> | Large Courtroom |
| 4:00 p.m. – 4:15 p.m. | Coffee/Tea Break | Atrium |

4:15 p.m. – 5:45 p.m.

**Panel 4: Key Contributions of the ILC to the
Development of International Law**

Large Courtroom

Moderator: Prof. Noah Weisbord, *Queen's University*

Speakers:

Prof. Danae Azaria, *University College London*

Prof. Charles Jalloh, *FIU College of Law Faculty Symposium Organizer and ILC*

Prof. Siegfried Wiessner, *St. Thomas University*

During the past seventy years, the ILC has made significant contributions to the development of modern international law. This celebratory session will reflect on some of the key contributions of the Commission that led to widely known global treaties in areas as diverse as the law of the sea, the law of treaties, and diplomatic protection. But the impact of the Commission's work may extend beyond treaties to softer forms that might require further examination. This includes shaping State practice and legal opinion in the international legal community, as evidenced by reliance on the ILC's work in the decisions of international and national courts, in the work of legal advisers to governments and international organizations, and in scholarly writings.

