

70th ANNIVERSARY CELEBRATION SYMPOSIUM

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

FIU | Law

Day 2 – Saturday, October 27, 2018

8:00 a.m. – 9:00 a.m.

Breakfast/Registration

Atrium

9:00 a.m. – 10:00 a.m.

Keynote Address

Large Courtroom

The Contributions of the International Law Commission to the Development of International Law: Codification, Progressive Development, or Both?

Prof. Pavel Šturma, *Charles University, Prague and First Vice Chair of the ILC (70th Session) and Special Rapporteur, ILC*

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

10:00 a.m. – 11:30 a.m.

Panel 5: The ILC's Current Topics from the Perspective of Progressive Development of International Law and Its Codification

Large Courtroom

Moderator: Prof. Linda Carter, *Pacific McGeorge University*

Speakers:

Prof. Concepción Escobar Hernández, *Special Rapporteur, ILC*

Amb. Marja Lehto, *Special Rapporteur, ILC*

Prof. Dire Tladi, *Special Rapporteur, ILC*

*This session will address some of the current topics of the ILC from the perspective of progressive development of international law and its codification. We will examine whether there is, in its ongoing work, a coherent approach to the mandate of the Commission in light of the draft articles, guidelines, conclusions and principles proposed on topics such as crimes against humanity, immunity of State officials from foreign criminal jurisdiction, protection of the environment in relation to armed conflicts, and peremptory norms of general international law (*jus cogens*).*

11:30 a.m. – 11:45 a.m. **Coffee/Tea Break** Atrium

11:45 a.m. – 1:15 p.m. **Panel 6: How Well Equipped is the ILC to Perform its Tasks?**

Moderator: Judge Abdul Koroma, *formerly International Court of Justice and ILC*

Speakers:

Ms. Catherine Boucher, *Permanent Mission of Canada to the U.N.*

Amb. Osman Kamara, *formerly Permanent Mission of Sierra Leone to the U.N.*

Mr. Patrick Luna, *Permanent Mission of Brazil to the U.N.*

This session will examine the composition and working methods of the ILC. We will consider if and how well the Commission is equipped to carry out its mandate of progressive development and codification of modern international law. Does the professional background and gender composition of the ILC membership have implications for its work? What is the role of special rapporteurs, the drafting committee, working groups and study groups? Could those be improved? If so, how? If not, why not? What about the Secretariat of the Commission? Are there structural, budgetary and other impediments to the improvements of the working methods and efficiency of the Commission? If so, how could those be overcome? What, if any, are the pros and cons of the ILC's seeming shift to draft conclusions rather than draft articles destined to become conventions?

1:15 p.m. – 2:15 p.m. **Lunch/Coffee/Tea** Grand Reading Room

2:15 p.m. – 4:00 p.m. **Panel 7: The ILC's Future Role and the Changing Landscape of International Law** Large Courtroom

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

Speakers:

Prof. Elena Baylis, *University of Pittsburgh*

Prof. Eirik Bjorge, *University of Bristol*

Dr. Michael Kanu, *Permanent Mission of Sierra Leone to the U.N.*

Prof. Juan José Ruda Santolaria, *Ministry of Foreign Affairs of Peru and ILC*

In this session, we will look to the future and consider the topics that the ILC ought to consider working on in the next seventy years. In general, we will examine whether the days of codification are really over, and, if so, what this should mean for the work of the ILC. Are there particular topics in newer and specialized areas of international law requiring the attention of a body like the ILC? What role can States and international organizations play in identifying topics for the Commission? How could the ILC improve its relationship with States, especially the Sixth Committee of the General Assembly? Should the ILC strategically develop closer relationships with regional and other bodies? If so, what form should such relationships take?

4:00 p.m. – 4:15 p.m.

Coffee/Tea Break

Atrium

4:15 p.m. – 5:45 p.m.

Closing Panel: Final Reflections on the Contributions of the ILC to the Development of International Law

Large Courtroom

Moderator: Dr. Olufemi Elias, *International Residual Mechanism for Criminal Tribunals*

Speakers:

Prof. Dapo Akande, *University of Oxford*

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

Prof. Dire Tladi, *University of Pretoria and ILC*

The goal of this last session is to bring together the two days of discussion in an intellectually coherent way to identify initial conclusions that may be drawn regarding the mandate and contributions of the ILC to the development of international law. All presenters and participants at the conference are invited to participate.

6:00 p.m.

Symposium Adjourns

