

The Permanent Missions of Sweden and Austria to the United Nations
cordially invite you to the annual

Interactive Dialogue

between the Sixth Committee and the International Law Commission

24 October 2018, 4.30 pm – 6 pm

Trusteeship Council Chamber

With the presence of the following Members of the ILC:

Patricia Galvão Teles

Sean D. Murphy: *Crimes against humanity*

Dire Tladi: *Peremptory norms of general international law (jus cogens)*

Michael Wood: *Identification of Customary International Law*

Moderated by **Helmut Tichy, Legal Adviser of the Austrian Foreign Ministry**

The interactive dialogue aims to provide a platform for an informal exchange and discussions between Members of the ILC and the 6th Committee, including visiting Legal Advisers from capitals. Members of the audience are encouraged to ask questions and make comments on the work of the ILC.

This year discussions will focus on the following topics:

Crimes against humanity:

Last year, the Commission concluded its first reading of the set of 15 draft articles and commentaries thereto and invited comments by 1 December 2018. In 2019 the Commission will consider the draft articles in a second reading with a view to concluding its work on the topic.

Peremptory norms of general international law (jus cogens):

The Commission had before it the third report of the Special Rapporteur, which considered the consequences and legal effects of peremptory norms of general international (jus cogens). The Drafting Committee presented interim reports on its deliberations.

Identification of Customary International Law:

This year, the ILC adopted a set of 16 draft conclusions together with commentaries thereto and recommended that the General Assembly, *inter alia*, take note of the draft conclusions and of the Secretariat memorandum on ways and means for making the evidence of customary international law more readily available in a resolution. The Sixth Committee will consider such a resolution at its current session.

Looking to the future:

Following the fruitful exchanges in the context of the 70th anniversary, it would appear to be timely to continue discussion and reflection on

- possible future topics which Member States may find useful for the ILC to address,
- topics on the long-term programme of work,¹
- how the work of the ILC is received and followed-up on by the 6th Committee.

¹ Topics on the long-term programme of work: "Ownership and protection of wrecks beyond the limits of national maritime jurisdiction", "Jurisdictional immunity of international organizations", "Protection of personal data in transborder flow of information", "Extraterritorial jurisdiction", "The fair and equitable treatment standard in international investment law", "Settlement of international disputes to which international organizations are parties", "Evidence before international courts and tribunals", "Universal criminal jurisdiction", "Sea-level rise in relation to international law".