



# General Assembly

Distr.: General  
4 June 2021

Original: English

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## Seventy-sixth session

Item 118 (f) of the preliminary list\*\*

### Elections to fill vacancies in subsidiary organs and other elections

## Election of the members of the International Law Commission

### Note by the Secretary-General

1. The International Law Commission was established by the General Assembly in its resolution [174 \(II\)](#) of 21 November 1947 for the promotion of the progressive development of international law and its codification. The Commission is composed of 34 members, whose term of office will expire at the end of 2022.<sup>1</sup> The election of the members of the Commission for the next five-year term, beginning on 1 January 2023, will be held at the seventy-sixth session of the Assembly.

2. Article 3 of the statute of the Commission requires that the members of the Commission be elected by the General Assembly from a list of candidates nominated by the Governments of States Members of the United Nations. In accordance with that article and other relevant provisions of the statute of the Commission, the Secretary-General, in a note verbale dated 23 October 2020, requested the permanent representatives of States Members of the United Nations to submit to him by 1 June 2021 the names of the candidates whom the Governments of Member States might wish to nominate for election to the Commission, together with statements of qualifications of such candidates.

3. Article 6 of the statute of the Commission provides that the Secretary-General shall, as soon as possible, communicate to the Governments of States Members of the United Nations the names of the candidates nominated, and any statements of qualifications of candidates that may have been submitted by the nominating Governments. The nominations submitted by Governments to the Secretary-General, in reply to his request, are, pursuant to article 6 of the statute, set out below:

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\* Reissued for technical reasons on 16 June 2021.

\*\* [A/76/50](#).

<sup>1</sup> In accordance with General Assembly decision 74/566 of 12 August 2020, the term of office of the current membership of the International Law Commission was extended exceptionally by one year such that it will expire on 31 December 2022.



<i>Name and nationality</i>	<i>Nominated by</i>
Abreu Bonilla, Sergio (Uruguay)	Uruguay
Akande, Dapo (United Kingdom of Great Britain and Northern Ireland)	Japan, Kenya, Nigeria, Slovenia, United Kingdom of Great Britain and Northern Ireland
Argüello Gómez, Carlos J. (Nicaragua)	Nicaragua
Asada, Masahiko (Japan)	Japan, United Kingdom of Great Britain and Northern Ireland
Aswad, Evelyn (United States of America)	United States of America
Aurescu, Bogdan (Romania)	Romania
Becker, Tal (Israel)	Israel
Cissé, Yacouba (Côte d'Ivoire)	Côte d'Ivoire
Escobar Hernández, Concepción (Spain)	Spain
Fall, Aly (Mauritania)	Mauritania
Fathalla, Ahmed Amin (Egypt)	Egypt
Fife, Rolf Einar (Norway)	Denmark, Finland, Iceland, Norway, Sweden
Forteau, Mathias (France)	France
Galindo, George Rodrigo Bandeira (Brazil)	Brazil
Galvão Teles, Patrícia (Portugal)	Portugal
Grossman Guilloff, Claudio (Chile)	Chile, Sierra Leone
Huang, Huikang (China)	China
Jalloh, Charles C. (Sierra Leone)	Chile, New Zealand, Sierra Leone
Kalaluka, Likando (Zambia)	Zambia
Kocharyan, Vigen (Armenia)	Armenia
Laraba, Ahmed (Algeria)	Algeria
Lee, Keun-Gwan (Republic of Korea)	Republic of Korea
Mangklatanakul, Vilawan (Thailand)	Thailand
Mashamba, Clement Julius (United Republic of Tanzania)	United Republic of Tanzania
Mavroyiannis, Andreas D. (Cyprus)	Cyprus
Mingashang, Ivon (Democratic Republic of the Congo)	Democratic Republic of the Congo
Mohamed Lemine, Mohamed Yeslem (Mauritania)	Mauritania
Nesi, Giuseppe (Italy)	Italy

<i>Name and nationality</i>	<i>Nominated by</i>
Nguyen, Hong Thao (Viet Nam)	Viet Nam
Okowa, Phoebe (Kenya)	Kenya, United Kingdom of Great Britain and Northern Ireland
Oral, Nilüfer (Turkey)	Turkey
Ouazzani Chahdi, Hassan (Morocco)	Morocco
Oyarzábal, Mario (Argentina)	Argentina
Paparinskis, Mārtiņš (Latvia)	Estonia, Latvia, Lithuania
Patel, Bimal N. (India)	India
Pieris, Mohan (Sri Lanka)	Sri Lanka
Reinisch, August (Austria)	Austria
Ridings, Penelope (New Zealand)	Australia, Canada, New Zealand, Sierra Leone
Roque, Herminio Harry L. (Philippines)	Philippines
Ruda Santolaria, Juan José (Peru)	Peru
Sall, Alioune (Senegal)	Senegal
Savadogo, Louis (Burkina Faso)	Burkina Faso
Šturma, Pavel (Czechia)	Czechia
Tsend, Munkh-Orgil (Mongolia)	Mongolia
Tungo, Muaz Ahmed (Sudan)	Sudan
Varga, Réka (Hungary)	Hungary
Vázquez-Bermúdez, Marcelo (Ecuador)	Ecuador
Zagaynov, Evgeny (Russian Federation)	Russian Federation
Zarbiyev, Fuad (Azerbaijan)	Azerbaijan
Ziadé, Nassib G. (Lebanon)	Bahrain, Lebanon

4. The statements of qualifications of candidates received from the nominating Governments are to be found in an addendum to the present note.

5. The General Assembly, by its resolution [36/39](#) of 18 November 1981, decided that the 34 members of the International Law Commission should be elected according to the following pattern:

- (a) Eight nationals from African States;
- (b) Seven nationals from Asia-Pacific States;
- (c) Three nationals from Eastern European States;
- (d) Six nationals from Latin American and Caribbean States;
- (e) Eight nationals from Western European and other States;

(f) One national from African States or Eastern European States in rotation, with the seat being allocated to a national of an African State in the first election held after the adoption of the resolution;

(g) One national from Asia-Pacific States or Latin American and Caribbean States in rotation, with the seat being allocated to a national of an Asia-Pacific State in the first election held after the adoption of the resolution.

6. The rotational seat referred to in subparagraph 5 (f) above was allocated to a national of an Eastern European State at the election held in 2016. Accordingly, the seat shall be allocated to a national of an African State at the forthcoming election.

7. The rotational seat referred to in subparagraph 5 (g) above was allocated to a national of a Latin American and Caribbean State at the election held in 2016. Accordingly, the seat shall be allocated to a national of an Asia-Pacific State at the forthcoming election.

8. Thus, the allocation of seats on the Commission for the five-year term beginning on 1 January 2023 will be as follows:

Nine nationals from African States;

Eight nationals from Asia-Pacific States;

Three nationals from Eastern European States;

Six nationals from Latin American and Caribbean States;

Eight nationals from Western European and other States.

9. The election will be held under the appropriate provisions of the statute of the Commission and of the rules of procedure of the General Assembly.

10. Article 2, paragraph 1, of the statute of the Commission provides that the Commission shall consist of persons of recognized competence in international law. Article 8 states that at the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured.

11. Article 7 of the statute provides that the Secretary-General shall prepare the list provided for in article 3, comprising in alphabetical order the names of all the candidates duly nominated, and shall submit the list to the General Assembly for the purposes of the election. The Secretary-General will at a later date, pursuant to article 7 of the statute, prepare and submit to the Assembly such a list of all the candidates nominated.

12. By rule 92 of the rules of procedure of the General Assembly, the election shall be held by secret ballot and, accordingly, under the terms of rule 88, there shall be no explanation of vote, either before or after the voting.

13. According to article 9 of the statute of the Commission, those candidates, up to the maximum number prescribed for each regional group, who obtained the greatest number of votes and at least a majority of the votes of the States Members present and voting shall be elected. If the maximum number of persons prescribed for each regional group is not elected on the first ballot, there shall be additional ballots to fill the remaining places in accordance with the appropriate provisions of rule 94 of the rules of procedure of the General Assembly.

14. Article 10 of the statute of the Commission states that the members of the Commission shall be eligible for re-election. The current membership of the Commission, whose term expires at the end of 2022, is set out in the annex to the present note.

## Annex

### **Current membership of the International Law Commission, whose term of office expires at the end of 2022**

Al-Marri, Ali bin Fetais (Qatar)  
 Argüello Gómez, Carlos J. (Nicaragua)  
 Aurescu, Bogdan (Romania)  
 Cissé, Yacouba (Côte d'Ivoire)  
 Escobar Hernández, Concepción (Spain)  
 Forteau, Mathias (France)  
 Galvão Teles, Patrícia (Portugal)  
 Gómez-Robledo, Juan Manuel (Mexico)  
 Grossman Guiloff, Claudio (Chile)  
 Hassouna, Hussein A. (Egypt)  
 Hmoud, Mahmoud Daifallah (Jordan)  
 Huang, Huikang (China)  
 Jalloh, Charles Chernor (Sierra Leone)  
 Laraba, Ahmed (Algeria)  
 Lehto, Marja (Finland)  
 Murase, Shinya (Japan)  
 Murphy, Sean David (United States of America)  
 Nguyen, Hong Thao (Viet Nam)  
 Oral, Nilüfer (Turkey)  
 Ouazzani Chahdi, Hassan (Morocco)  
 Park, Ki Gab (Republic of Korea)  
 Peter, Chris Maina (United Republic of Tanzania)  
 Petrič, Ernest (Slovenia)  
 Rajput, Aniruddha (India)  
 Reinisch, August (Austria)  
 Ruda Santolaria, Juan José (Peru)  
 Saboia, Gilberto Vergne (Brazil)  
 Šturma, Pavel (Czechia)  
 Tladi, Dire D. (South Africa)  
 Valencia-Ospina, Eduardo (Colombia)  
 Vázquez-Bermúdez, Marcelo (Ecuador)  
 Wako, S. Amos (Kenya)  
 Wood, Michael (United Kingdom of Great Britain and Northern Ireland)  
 Zagaynov, Evgeny (Russian Federation)