



RCIL INTERNATIONAL LAW NEWS COVERAGE

Issue 5/2023

23 January – 29 January

2023

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UNITED NATIONS INTERNATIONAL LAW COMMISSION

*LATEST UPDATES TOPICS IN THE CURRENT PROGRAMME OF
WORK OF THE ILC*

No Updates Available



UNITED NATIONS – SIXTH COMMITTEE (LEGAL)

No Updates Available



UNITED NATIONS – DEPOSITORY NOTIFICATIONS

24th January 2023

1. The declares a state of national emergency, through Supreme Decree No. 09-2023-PCM, dated 14 January 2023, for a period of 30 Calendar days starting on 15 January 2023, in ceratin areas of Peru to ensure peace and internal order in view of the social conflict that has occurred in those areas. This has been reported to the Permanent Mission of Peru to the Treaty Section of the Office of Legal Affairs, United Nations Secretariat, in accordance with Article 4 of the International Covenant on Civil and Political Rights, bearing in mind note verbal LA 41 TR/2017/IV-A/Peru/1, dated 1 March 2017. [Chapter IV-A].

23rd January 2023

2. Solomon Islands ratifies Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the protocol shall come into force for the Solomon Islands on 20 February 2023 in accordance with its Article 10(2) [Chapter IV-11-b].

UNITED NATIONS – STATEMENTS ON INTERNATIONAL LAW

27th January 2023

1. Azerbaijan – Iran: Daily Press Briefing by the Office of the Spokesperson for the Secretary-General

“...about attacks on the Azerbaijani embassy in Tehran....We emphasize that attacks against diplomatic missions are strictly prohibited under international law. In particular, we recall the principle of the inviolability of diplomatic and consular premises and the obligations of host Governments, including under the 1961 Convention on Diplomatic Relations and under the 1963 Convention on Consular Relations....”.

2. Continuing Its 2023 Session, Non-Governmental Organizations Committee Takes Note of 528 Quadrennial Reports

The Committee on Non-Governmental Organizations continued its 2023 session today, deferring requests by one entity for special consultative status with the Economic and Social Council, while taking note of 527 new and 1 deferred quadrennial reports submitted by groups already in consultative status.

3. Electoral Plans Move Forward in Mali Amid Unabated Humanitarian Crisis, Officials Tell Security Council, as Members Weigh Strategic Review of Peacekeeping Mission

El-Ghassim Wane, Special Representative of the Secretary-General for Mali and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), told the 15-member Council that 2023 is a critical year for Mali with several elections scheduled and the recent completion of the Mission’s internal strategic review (document [S/2023/36](#)).

4. Recommit to Stand against Evil in All Its Forms, Work for World of Peace, Says Secretary-General at Holocaust Victims’ Remembrance Ceremony

“....The Holocaust was the culmination of millennia of antisemitic hate. Throughout history, the hatred that begins by declaring: “You have no right to live among us” sooner or later says: “You have no right to live.” The painful truth is: anti-Semitism is everywhere. In fact, it is increasing in intensity....”.

26th January 2023

1. **With Highest Number of Violent Conflicts Since Second World War, United Nations Must Rethink Efforts to Achieve, Sustain Peace, Speakers Tell Security Council**

Stressing that investments in development, people, human security and shared prosperity are also investments in peace, she noted, however, that such investments have fallen short in recent years. “When we fail to meet the development needs of our time, we fail to secure peace for our future,” Dpty Secretray General said, urging the Council to consider the fundamental role of sustainable development in securing peace for current and future generations.

2. **Continuing Its 2023 Session, Non-Governmental Organizations Committee Recommends 1 Group for Status, Defers Action on 103 Others**

The 19-member Committee considers applications for consultative status and requests for reclassification submitted by non-governmental organizations (NGOs). Once an application has been reviewed and approved by the Committee it is considered recommended for consultative status. Organizations which were granted general and special status can attend meetings of the Council and issue statements, while those with general status can also speak during meetings and propose agenda items.

3. **Daily Press Briefing by the Office of the Spokesperson for the Secretary-General**

The Security Council had an **open debate** today on the theme of investing in people to enhance resilience against complex challenges. The Deputy Secretary-General, Amina Mohammed, **said** that rethinking our efforts towards achieving sustainable peace is an absolute necessity.

25th January 2023

4. **Following 12 Years Filled with War, Sanctions, Syria Faces Worsening Humanitarian, Economic Crisis of ‘Epic Proportions’, Special Envoy Tells Security Council**

Geir O. Pedersen, Special Envoy for Syria, recounted a profound humanitarian, political, military, security, economic and human rights crisis of “great complexity and almost unimaginable scale” in a country that remains de facto divided into several parts, with five foreign armies, multiple Syrian armed groups and Security Council-listed terrorists all active on the ground.

5. **Sudan Not Meeting Cooperation Requirements with International Criminal Court, Prosecutor Tells Security Council, Urging Khartoum to Act Now**

While the International Criminal Court's trial stemming from the Security Council's first-ever referral of a situation has progressed swiftly with an intended close by February, Sudan has not met its commitments, the Court's top prosecutor told the 15-member organ today, urging it to not allow those who wish to frustrate accountability to run down the clock.

6. **Secretary-General Urges Restraint to Avoid Further Escalation of Violence in Peru**

The Secretary-General continues to follow the situation in Peru with deep concern. He is concerned about the number of deaths reported in the context of the protests and urges the authorities to conduct prompt, effective and impartial investigations into these deaths, and to avoid the stigmatization of victims.

24th January 2023

7. **Key Political Developments, Sanctions Offer Hope to Haiti's Recovery if Supported by International Community, Special Representative Tells Security Council**

Despite worsening security and humanitarian crises, key developments — including the establishment of a sanctions regime and the recent signing of a national accord — can bring accountability, the rule of law and democratic institutions back to Haiti if they are properly supported, the United Nations top official for that country told the Security Council today.

8. **Daily Press Briefing by the Office of the Spokesperson for the Secretary-General**

The UN Chief on the occasion of International Day of Education stressed that it's time to end all discriminatory laws and practices that hinder access to education. He called for the de facto authorities in Afghanistan, in particular, to reverse the outrageous and self-defeating ban on access to secondary and higher education for girls. His message is online.

9. **Continuing Its 2023 Resumed Session, Non-Governmental Organizations Committee Recommends 69 Groups for Consultative Status, Defers Action on 87 Others**

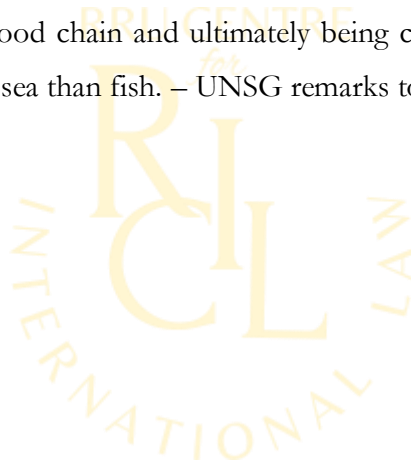
The 19-member Committee considers applications for consultative status and requests for reclassification submitted by non-governmental organizations (NGOs). Action on several applications was postponed because Committee members requested further information from

the candidates about, among other items, details of their organizations' activities, partners, expenditures and sources of funding.

23rd January 2023

10. 'Let's All Become the Champions the Ocean Needs', Secretary-General Tells Race Summit, Calling 2023 Year of Super Action in Ending Seas' Emergency

Around 35 per cent of global fish stocks in the world are over-exploited. Global heating is pushing ocean temperatures to new heights, fuelling more frequent and intense storms, rising sea levels, and the salinization of coastal lands and aquifers. Once-rich coral habitats are being bleached to oblivion. Mangrove forests are being destroyed, taking the species they host with them. And meanwhile, toxic chemicals and millions of tons of plastic waste are flooding into coastal ecosystems — killing or injuring fish, sea turtles, seabirds and marine mammals, and making their way into the food chain and ultimately being consumed by us. By 2050, there could be more plastic in the sea than fish. – UNSG remarks to the Ocean Race Summit.



INTERNATIONAL COURT OF JUSTICE

No Updates Available



INTERNATIONAL CRIMINAL COURT

26th January 2023

1. [ICC Pre-Trial Chamber I authorises Prosecutor to resume investigation in the Philippines](#)

On 26 January 2023, Pre-Trial Chamber I of the International Criminal Court granted the [Prosecutor's request](#) to resume investigation into the Situation of the Republic of the Philippines. Following a careful analysis of the materials provided by the Philippines, the Chamber is not satisfied that the Philippines is undertaking relevant investigations that would warrant a deferral of the Court's investigations on the basis of the complementarity principle.

2. [Statement of ICC Prosecutor, Karim A. A. Khan KC, to the United Nations Security Council on the Situation in Darfur, pursuant to Resolution 1593 \(2005\)](#)

The question really must be not whether we can deliver on the mandate, but how. I think through the adoption of the new strategy, by new resources, by running investigations more diligently, we can ensure that steps towards justice continue to be taken. The question of the moment perhaps is whether this can be achieved; whether this will be achieved in partnership, in sincere partnership with the Government of Sudan or not.

25th January 2023

3. [Thirty-sixth report of the Prosecutor of the International Criminal Court to the United Nations Security Council pursuant to resolution 1593 \(2005\) \[Download\]](#)

4. [Introduction to the ICC: International Criminal Court launches new educational video series in French and Spanish](#)

On 25 January 2023, the International Criminal Court (ICC) launched a new series of 15 videos in French and Spanish, in which experts of the Court and of the Assembly of States Parties Secretariat develop key themes on the study of International Criminal Law (ICL) and the ICC. Topics include the creation of the ICC, the general principles of individual criminal responsibility, the crimes under the Rome Statute, the cooperation of States, the rights of victims and defendants, preliminary examinations and investigations, among others.

24th January 2023

5. **Mokom case: Pre-Trial Chamber II postpones confirmation of charges hearing**

On 23 January 2023, Pre-Trial Chamber II of the International Criminal Court (ICC) decided to postpone the commencement of the confirmation hearing in the case *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gavaka* to a new date, which will be announced in due course. The hearing had been initially scheduled to open on 31 January 2023. The hearing was postponed following the delays resulting from the litigation relating to the appointment of Mr Mokom's Counsel.

Upcoming hearings (Up to 2nd February 2023)

1. **Case: The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona (ICC-01/14-01/18) – Trial hearing**

Date: 2 February 2023



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

No Updates Available



UPCOMING INTERNATIONAL LAW EVENTS

1. **6 February 2023:** *After Mythology: Contemporary Challenges for the Law of International Organisations*
2. **14 February 2023:** *The Silala Case between Chile and Bolivia before the International Court of Justice: Future Implications for International Water Law*
3. **22 February 2023:** *The Law of the Sea and Sea-level rise: between the Holocene and Anthropocene*

THIS WEEK'S READS

1. **Archipelagic Atoll States and Sea Level Rise** – Clive Schofield and David Freestone
2. **New Multilateralism – The United Nations and Governance in the Era of Nonstate Actors** – Elizabeth A. Bloodgood
3. **The Need to Provide International Protection to Persons Mobile in the Context of Disasters and Climate Change** – Aylin Yildiz Noorda

Next Issue: 6 February 2023

Email: ilc@rru.ac.in