

Canada's comments and observations

(1) Written comments on any future action regarding the articles

Canada values the important contributions of the International Law Commission and appreciates their work on this important topic. However, and as other States have stated, Canada considers that more consultations are required with relevant stakeholders before any further developments on the draft articles can be advanced, including on the current practice of international organizations, and with States. As such, Canada would not support the elaboration of a convention on the basis of the current articles at this time, but encourage the ILC to continue discussions, with a view to achieving the level of consensus required.

(2) Information regarding decisions of international courts, tribunals and other bodies referring to the articles for inclusion by the Secretary-General in an updated version of the compilation of information concerning such practice to be submitted well in advance of the eighty-first session of the General Assembly

There are no decisions of Canadian courts, tribunals, or other decision making bodies that expressly refer to or rely upon the International Law Commission's draft articles on the Responsibility of international organizations. Furthermore, Canada has not been party to any case before the International Court of Justice in which these draft articles have been considered.