

**EVENT SUMMARY: INTERACTIVE DIALOGUE  
WITH DR. VILAWAN MANGKLATANAKUL, THAILAND'S CANDIDATE  
FOR THE INTERNATIONAL LAW COMMISSION (ILC) FOR THE TERM 2023-2027**

An “Interactive Dialogue with Dr. Vilawan Mangklatanakul, Thailand’s Candidate for the International Law Commission (ILC) for the Term 2023-2027” was virtually held on Wednesday 2 June 2021, 9 - 10 Am (EST). The event, co-hosted by the Ministry of Foreign Affairs of Thailand and the Permanent Mission of Thailand to the United Nations in New York, was attended by more than 150 participants from diplomatic corps in New York, Geneva, Bangkok as well as capital-based representatives.

As Thailand’s first and the only woman candidate in the Asia-Pacific group for the ILC for the term 2023-2027, Dr. Vilawan answered to the question on having more gender balance in the ILC that first and foremost ILC members need to be competent and well qualified in the field of international law. Having more competent women members would bring the ILC a step closer to gender balance, a goal the UN strives for, and new dynamics to international law-making process.

Reiterating her commitment to the international rule of law and multilateralism, Dr. Vilawan stated, in response to a question from the floor, the three aspects she would like to focus on, should she be elected to the ILC. First, on codification, she proposed to revisit some classical topics through the lens of modern world for possible updates in order to respond to technology transformation and new practices. For example, the law of treaty in the digital era and the contemporary use of non-legally binding instruments could be considered by the ILC.

On progressive development of international law, Dr. Vilawan viewed that there should be a right mix between issues of pressing concerns and traditional topics. While highlighting the importance of the ILC’s work on the provisional application of treaties and sea-level rise, which are being discussed at the current session of the ILC, Dr. Vilawan suggested that the ILC could take up the issues of international law in relation to pandemics as well as the fair and equitable treatment standard for foreign investment as international investment will continue to be an important impetus for the post-COVID recovery.

Her third focus would be to improve the ILC’s working methods, especially in the aspect of topic selection in which involvement of States should be enhanced. The ILC should increase its interaction with the UN Member States through the Sixth Committee and the General Assembly so that their voices and concerns can be better reflected in the work of the ILC. It is also critical that the ILC prioritises its agenda by reducing the number of issues in each session.

Asked about her perspective on the future of the ILC, Dr. Vilawan envisaged the ILC to remain crucially important and influential in the development of international legal principles although it might also need to adapt itself to the changing landscape of international law in order to provide practical solutions to effectively resolve global challenges. The ongoing pandemic is already a proof that international

cooperation based on international rule of law is needed and the ILC undoubtedly has a lot to contribute in this respect. For example, the draft articles on the protection of persons in the event of disasters adopted by the ILC in 2016 could serve as a good basis as the COVID-19 pandemic can certainly fit in with the definition of disaster, while other relevant and interdisciplinary elements such as intellectual property rights, trade in goods and/or services and other trade-related issues could be built therefrom.

In responding to the question on how the candidate expects to represent the interest of Small Islands Developing States (SIDS), Dr. Vilawan stressed that the voices of those States must be heard as the international law is there to serve all States, regardless of their size or level of development, and their peoples. In addition, addressing a question from a member of the African Group on mainstreaming customary local law or tribal law in the ILC's work, Dr. Vilawan viewed that diverse legal systems should be considered when drafting international rules. Coordination among States to submit their positions and comments to the ILC is strongly encouraged in this regard.

On the Pacific's proposal for fixed maritime zone boundaries in the context of sea level rise, while acknowledging that the rights of Member States in relation to maritime zones and boundaries established pursuant to UNCLOS should be protected, Dr. Vilawan reiterated the need to thoroughly analyse State practice as well as related legal questions in order to produce objective, well-adjusted and practical responses to the escalating and multifaceted threats posed by sea-level rise as it affects not only maritime boundaries, but also statehood and livelihoods of millions of people.

In addressing a question from youth, Dr. Vilawan reiterated her passion for international law which, in her views, does not only apply to the conduct of States but also essentially have impact on their peoples. It is therefore important for the ILC to foster closer relations with States as well as reach out to the public to ensure that the ILC's work responds to the evolving needs of the international community for the benefit of humankind.

View a video of the whole event:

<https://treaties.mfa.go.th/Director-General/Campaign-for-ILC-Candidacy/The-Latest>



Find more information on Dr. Vilawan Mangklatanakul's candidature:

 [treaties.mfa.go.th](https://treaties.mfa.go.th)

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