

RESOLUTION No.6/2016

NON-STATE ACTORS AND INTERNATIONAL LAW

The 77th Conference of the International Law Association, held in Johannesburg, South Africa, 7 - 11 August 2016:

HAVING CONSIDERED the Reports of the Committee on Non-State Actors and International Law;

NOTING, first, the challenges that a growing and diverse group of non-state actors pose for international law; second, the range of distinctive and dissimilar practices which currently exist with regard to non-state actors; and third, the increasing significance attaching to the legal status, rights and responsibilities of non-state actors under international law;

NOTING IN PARTICULAR the continuing efforts in international humanitarian and human rights law to control the activities of transnational companies and armed opposition groups; the need to regulate the rising cooperation between NGOs and IGOs; and the trend to extend international enforcement, sanctioning and dispute settlement systems to non-state actors;

ACKNOWLEDGING the fact that the Committee has adopted a broad working definition of non-state actors, and that it is not possible to draw general or particular conclusions, in terms of *de lege lata* or *de lege ferenda*, without more specific analysis of individual types of non-state actor;

RECOGNISING a corresponding need for an applied typology of non-state actors and a differentiated examination of the status, rights and/or duties of specific types of non-state actors under international law;

COMMENDS the work of the Committee which introduced the many facets of this topic;

RECOMMENDS that the Executive Council dissolve the Committee which has achieved its mandate, while being prepared to consider favourably proposals for a new Committee with a more focused mandate.