



# General Assembly

Distr.: General  
9 February 2001  
English  
Original: Chinese/English/French/  
Spanish

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## Fifty-fifth session

Agenda item 166

**Election of judges of the International Tribunal for  
the Prosecution of Persons Responsible for Serious  
Violations of International Humanitarian Law  
Committed in the Territory of the Former  
Yugoslavia since 1991**

## Curricula vitae of candidates nominated by States Members of the United Nations

### Note by the Secretary-General

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## **I. Introduction**

The Secretary-General has the honour to submit to the General Assembly the curricula vitae of the candidates nominated by States Members of the United Nations for the election of permanent judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1 January 1991. The names of the candidates nominated for the election and the voting procedures to be followed in the Assembly are set out in a memorandum by the Secretary-General (A/55/769).

## II. Curricula vitae

### **Carmel A. Agius (Malta)**

Date and place of birth: 18 August 1945, Malta.

#### **Education and academic and other qualifications**

- |      |   |
|------|---|
| 1969 | Doctor of Law (LL.D), University of Malta.                                      |
| 1968 | Diploma, Notary Public, University of Malta.                                    |
| 1964 | Bachelor of Arts (B.A.) in English, Italian and Economics, University of Malta. |

#### **Professional activities**

##### **(a) Details of judicial activities**

###### *(i) Primary activities*

- |           |   |
|-----------|---|
| 1999      | Member of the Permanent Court of Arbitration, The Hague.  |
| 1995      | Acting Chief Justice in the absence of the Chief Justice.   |
| 1994      | Elected representative of the Bench of Judges, Constitutional Commission for the Administration of Justice. |
| 1992      | Member, Rule Making Board of the Courts of Justice.   |
| 1983      | Senior Judge of the Constitutional Court of Malta.  |
| 1983      | Senior Judge of the Court of Appeal of Malta.   |
| 1983      | Senior Judge of the Court of Criminal Appeals of Malta.   |
| 1982-1984 | Presiding Judge of the Criminal Court of Malta.   |
| 1982      | Appointed Judge of the Superior Courts of Malta.  |
| 1977-1982 | Presiding Magistrate, Courts of Magistrates, in both criminal and civil cases.                              |
| 1977      | Appointed Magistrate of the Courts of Magistrates.  |

###### *(ii) Secondary activities*

- |      |  |
|------|--|
| 1998 | Chairman, Commission on the Taking of Children's Evidence.   |
| 1996 | Representative of the Maltese Judiciary, Tenth Conference of European Constitutional Courts, Budapest, presenting two national reports (see "Publications"). |
| 1995 | Representative of the Chief Justice, Sixth Commonwealth Chief Justices Conference, Ottawa.   |
| 1995 | Representative of the Court of Appeal, Seventh International Appellate Judges Conference, Ottawa.  |

- 1995 Representative of the Court of Appeal and the Constitutional Court, Fifth Congress of the International Association of Supreme Administrative Jurisdictions, Rome; presented a national report.
- 1992 Keynote speaker, Seminar on Sentencing Policy, Malta.
- 1992 Representative of the Maltese Judiciary, Seminar on Organized Crime and Methods of Control — Judicial Experience, Centro Internazionale Magistrati Luigi Severini, Perugia, Italy.
- 1990-1997 Representative of the Maltese Judiciary, Meetings of the European Association of Judges, Prague (2000), Porto (1998), Ljubljana (1998), Milano (1997), Bratislava (1996), Vienna (1994), Seville (1992), Crans-Montana (1991), Helsinki (1990).
- 1990 Founder and Convenor of the Maltese Section of the European Association of Judges.
- 1990 Member, Board of Examiners of candidates applying for a warrant to practice as Advocate in Malta.
- 1989 Participant, meeting with the Plenum of the European Court of Human Rights as member of the Constitutional Court of Malta.
- 1988 Representative of the Maltese Judiciary, Central Council and First Study Commission of the International Association of Judges, Porto (1998), Amsterdam (1996), Tunis (1995), Athens (1994), Seville (1992), Crans-Montana (1991), Helsinki (1990), Berlin (1988); presented national reports. At the Berlin meeting, I presented the case of the Maltese judiciary for membership of the International Association of Judges.
- 1988 Founder and Convenor of the Maltese Section of the International Association of Judges.
- 1980-1982 Chairman, Board of Special Commissioners for Death and Donation Duty.

**(b) Details of non-judicial legal activities**

- 2000 Guest Speaker on International Humanitarian Law to the International Law Committee of the Philadelphia Bar Association.
- 2000 Guest Lecturer on International Human Rights to law students of Rutgers University School of Law at Camden, New Jersey, United States of America.
- 2000 Lecturer on Human Rights and the International Criminal Court, Mediterranean Masters in Human Rights and Democratization, a course for professionals from the Mediterranean and European countries organized by the University of Malta and sponsored by the European Union.
- 2000 Participant, speaker, International Conference on the Death Penalty, Palermo.

- 2000 Participant, paper presenter, European Intergovernmental Conference on the Rome Statute of the International Criminal Court, Rome.
- 2000 Deputy Head of the Maltese delegation, Tenth United Nations Congress on Crime Prevention and the Treatment of Offenders, Vienna.
- 2000 Participant, informal inter-sessional meeting of the Preparatory Commission for the International Criminal Court on Definitions of Crimes, Siracusa, Italy.
- 1999 Lecturer, Seminar on Legal Prevention and Legal Control of Corruption — International Development Law Institute (IDLI), Rome.
- 1999 Conference Organizer and Chairman, Thirteenth International Conference of the International Society for the Reform of Criminal Law on Commercial and Financial Fraud, Malta.
- 1999 Appointed Representative/Adviser of the Government of Malta to the Preparatory Commission for the International Criminal Court; attended all sessions to date.
- 1999 Participant, informal inter-sessional meeting of the Preparatory Commission for the International Criminal Court on Rules of Procedure and Evidence, Siracusa, Italy.
- 1999 Head of delegation of the Government of Malta, United Nations Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, Vienna.
- 1999 Consultant to the United Nations High Commissioner for Human Rights, Workshop on Human Rights and Criminal Procedure, Kathmandu.
- 1998 Elected as the first Maltese member of the American Law Institute.
- 1998 Acting head of delegation and Adviser of the Government of Malta, United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome.
- 1998 Participant, Twelfth International Conference of the Society for the Reform of Criminal Law, Bridgetown, Barbados.
- 1998 Participant, Council of Europe XIII Colloquy on Legal Data Processing, Vienna.
- 1998 Participant, paper presenter, Forty-second International Council on Alcohol and Addictions (ICAA) International Institute on the Prevention and Treatment of Dependencies, Malta.
- 1997 Nominated as the Government of Malta's second preferred candidate for the election of judge of the new European Court of Human Rights.
- 1997 Appointed representative of the Government of Malta to the United Nations Preparatory Committee for the International Criminal

- Court; attended the meetings of the Committee held in December 1997 and March 1998.
- 1997 Participant, informal inter-sessional meeting of experts on the International Criminal Court on “International cooperation”, Siracusa, Italy.
- 1997 Participant, Seminar on Paedophilia, International Institute of Higher Studies in Criminal Sciences (ISISC), Siracusa, Italy.
- 1997 Representative of the European Association of Judges, XXVIIth Council of Europe Colloquy on European Law on Legal Problems Relating to Parentage, Malta.
- 1997 Paper presenter, International Conference for the Establishment of a Permanent International Criminal Court sponsored by No Peace Without Justice International Campaign for the Establishment of an International Criminal Court by the year 1998 and the Government of Malta, Malta.
- 1997 Coordinator and keynote speaker, International Conference on Probation, United Nations Inter-regional Crime Research Institute (UNICRI), the Commonwealth Secretariat and the University of Malta, Malta.
- 1997 Elected member, Board of Directors of the International Society for the Reform of Criminal Law.
- 1997 Session Chairman, tenth anniversary conference of the International Society for the Reform of Criminal Law, London.
- 1996 Representative of the Maltese Judiciary, Commonwealth Law Conference, Vancouver, Canada.
- 1996 Participant, XXVIth Colloquy on European Law, Council of Europe, Stockholm.
- 1996 Participant, Tenth International Conference of the Society for Reform of Criminal Law, Whistler, British Columbia, Canada.
- 1996 Participant, Seminar on Child Abuse, International Institute of Higher Studies in Criminal Sciences (ISISC), Noto, Italy.
- 1995 Deputy head of the Maltese delegation, Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Cairo.
- 1995 Participant, Seminar on Introduction to the Law of the European Community, European Institute of Public Administration, Luxembourg.
- 1995 Coordinator and keynote speaker, Seminar on Crime and Criminal Justice in the Mediterranean Area: Promotion of Informed Decision-making and International Cooperation, United Nations Inter-regional Crime Research Institute (UNICRI) and the Centre for Criminology of the University of Malta, Malta.

- 1994 Head of delegation, Second Meeting of the Mediterranean Group on Crime Prevention, Malta.
- 1994 Head of delegation, annual meetings of the Committee of Experts on Legal Data Processing, Council of Europe, Strasbourg, France.
- 1993 Academic Coordinator, keynote speaker and Session Chairman, International Conference on Cross-Border Crime — International Cooperation in a Euro-Mediterranean Perspective, United Nations Inter-regional Crime Research Institute (UNICRI), Malta.
- 1993 Participant, Seminar on Mass Media, Justice and Criminality, International Institute of Higher Studies in Criminal Sciences (ISISC), Noto, Italy.
- 1993 Participant, Fifth International Congress on Legal Data Processing, Italian Supreme Court, Rome.
- 1992-2000 Head of Maltese delegation, all nine annual meetings of the United Nations Commission on Crime Prevention and Criminal Justice, Vienna.
- 1992 Appointed Permanent Representative of the Government of Malta to the United Nations Commission on Crime Prevention and Criminal Justice.
- 1992 Paper presenter, Interim Round-table Meeting of the Research Committee on Comparative Judicial Studies of the International Political Science Association, Forli, Italy.
- 1992 Chairman, Board of Examiners of candidates applying for the warrant of Notary Public.
- 1991 Head of Maltese delegation, first meeting of the United Nations Inter-Ministerial Working Group on Crime Prevention and Criminal Justice, Vienna.
- 1991 Session Chairman, Seminar on Mental Disorder and Crime, Institut Philippe Pinel of the University of Montreal, Castelvechio Pascoli, Italy.
- 1990 Head of Maltese delegation, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana.
- 1990 Keynote speaker, International Seminar on Cross-Examination Techniques, Criminal Bar Associations of Bari and Brindisi, Selva di Fasano, Italy.
- 1988 Participant, Fourth International Congress on Legal Data Processing, Italian Supreme Court, Rome.
- 1987 Chairman, Committee on Legal Data Processing of the Maltese Law Courts.
- 1985 Head of Maltese delegation, Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan.



- 1985 Keynote speaker, Forum on the Confidentiality of Records, Extended Studies Board, University of Malta.
- 1984 Keynote speaker, Forum on Legal Aspects of Drug Addiction and Control, Extended Studies Board, University of Malta.
- 1970-1977 Private practice as Advocate in Malta.

**(c) Other professional and academic activities**

- 1998 Member of the Editorial Board of the *Mediterranean Journal of Human Rights*, published by the Foundation for International Studies and the Faculty of Law of the University of Malta.
- 1996-1999 Pro-Chancellor of the University of Malta and President of the University Council.
- 1996-1999 Member of the Board of Directors of the Foundation for International Studies, Malta.
- 1996 Occasional lecturer on Human Rights and related procedures, Faculty of Law, University of Malta.
- 1996 Part-time lecturer, Comparative Correctional Law, Diploma in Correctional Studies, Centre for Criminology, University of Malta.
- 1995 Participant, annual meeting of the American Society of Criminologists, Boston.
- 1994 Guest lecturer, “The Humanization of Public International Law” Mediterranean Academy of Diplomatic Studies, University of Malta.
- 1994 Paper presenter, “Some Comments on the International Law Commission’s 1991 Draft Code of Crimes against the Peace and Security of Mankind”, International Conference on Cross-Border Crime — International Cooperation, UNICRI, Malta, in a Euro-Mediterranean Perspective.
- 1992-1993 Guest lecturer, “The Status of the Individual under Public International Law”, Academy of Diplomatic Studies, University of Malta.
- 1992 Representative of the Ministry of Justice, Board of the Institute of Forensic Studies, University of Malta.
- 1992 Consultant, University of Malta, on matters relating to the teaching of criminology.
- 1992 Part-time lecturer in Criminology, University of Malta.
- 1991 Lecturer, training course on human rights and crime prevention for police and army officers, United Nations Centre for Human Rights, Crime Prevention and Criminal Justice Branch, UNICRI and Foundation for International Studies of the University of Malta.
- 1979 External Examiner in Public International Law, Constitutional Law, Criminal Law and Criminal Procedure, University of Malta.

**Public activities**

1977 Chairman of several public boards of inquiry set up by the various successive Governments under the Inquiries Act, 1977, to investigate alleged irregularities in public affairs.

1977-1980 Chairman of the Public Transport Labour Board.

**Other activities**

1968-1969 President, Students Representative Council, University of Malta.

1964-1968 Secretary-General Students Representative Council, University of Malta.

**Publications and other works****(a) Published articles**

1999 “Giovanni Elio Longo — Personal Reminiscences” in *Judicial Independence Today — Liber Amicorum in honour of the Hon. Mr. Justice Giovanni E. Longo* (1999) Giuffre Editore.

1998 “For an Effective International Law: From the Preparatory Committee to the Diplomatic Conference for the Establishment of an International Criminal Court — The Commitment of the International Community”, with Professor David Attard, paper presented at the International Conference for the Establishment of a Permanent International Criminal Court, Malta (June, 1997) as part of the No Peace Without Justice International Campaign for the Establishment of an International Criminal Court by the year 1998, Malta. Published in “Towards the Establishment of a Permanent International Criminal Court”, *Mediterranean Journal of Human Rights*, vol. 2, No. 1, 1998, Foundation for International Studies, Malta.

1997 “Report of the Maltese Constitutional Court on Freedom of Expression with Special Regard to Mass Media Regulations in the Jurisprudence of the Constitutional Court”, prepared for the Tenth Conference of European Constitutional Courts, Budapest (1996). Published in *Freedom of Expression in the Jurisprudence of Constitutional Courts — National Reports*, vol. II, eds. Peter Paczolay and Botond Bitskey, Hungarian Constitutional Court, Budapest.

1997 “Report of the Maltese Constitutional Court on the Notion of Separation of Powers regarding the Constitutional Court’s Jurisdiction in Malta”, paper prepared for the Tenth Conference of European Constitutional Courts, Budapest (1996). Published in *Separation of Powers in the Jurisprudence of Constitutional Courts — National Reports*, vol. III, eds. Peter Paczolay and Botond Bitskey, Hungarian Constitutional Court, Budapest.

- 1995 “The Judiciary and Politics in Malta” with Professor Nancy Grosselfinger, paper presented at the Interim Round-table Meeting of the Research Committee on Comparative Judicial Studies, International Political Science Association, Forli, Italy (1992). Published in *The Global Expansion of Judicial Power*, eds. C. Neal Tate and Torbjörn Vallinder, New York University Press.
- 1995 *Criminal Justice Policies in Malta: Malta’s National Report for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Cairo (1995), Government Printing Press, Malta.
- 1993 “Significant Landmarks in the History of the Development of Human Rights and Fundamental Freedoms in Malta” in *Human Rights and Crime Prevention*, UNICRI, Rome.
- 1992 “The Protection of Judges from External Political, Economical and Social Influences and from Violence — The Malta Experience”. Meeting of the First Study Commission of the International Association of Judges, Helsinki (1990). Published in *The 33rd Meeting of the International Association of Judges — National Reports*, ed. Hannu Kiuru, Finnish Association of Judges, Helsinki.
- 1990 *Criminal Justice in Malta: Malta’s National Report for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Havana (1990). Government Printing Press, Malta.

**(b) Works in progress**

“The Criminal Justice System of Malta”, with Professor Nancy Grosselfinger, to form part of the Criminal Justice Systems in Europe and North America series being published by the European Institute for Crime Prevention and Control, affiliated with the United Nations.

“The Maltese Legal System”, in “Legal Systems of the World: A Political, Social and Cultural Encyclopaedia”, to be published by ABC-CLIO of Santa Barbara, United States.

“A Restatement of Victim’s Rights in International Criminal Law as a result of the Rome Statute of the International Criminal Court” — to be published in *International Criminal Law Forum*.

“The Right to a Fair Hearing as protected by the Rome Statute of the International Criminal Court”, to be published in *Mediterranean Journal of Human Rights*.

**(c) In press**

“Ratification and Implementation of the Rome Statute — Malta’s Approach, European Intergovernmental Conference on the Rome Statute of the International Criminal Court, Rome”, published by No Peace Without Justice.

**(d) Other works**

- 1999 “Maltese Law and Commercial Fraud”, Thirteenth International Conference of the International Society for the Reform of Criminal Law on Commercial and Financial Fraud, Malta.
- 1998 “Drug Abuse, Criminal Behaviour and Punishment: Balancing Punishment, Deterrence and Societal Reintegration”, Malta.
- 1996 “Limitations in the Protection of Human Rights in Malta”, with Professor Nancy Grosselfinger, Interim Round-table Meeting of the Research Committee on Comparative Judicial Studies of the International Political Science Association, Sherbrooke, Canada.
- 1994 “The Administration of the Judiciary in Malta”, meeting of the First Study Commission of the International Association of Judges, Athens.
- 1994 “The Judiciary and Political Corruption in Malta” with Professor Nancy Grosselfinger, Interim Round-table Meeting of the Research Committee on Comparative Judicial Studies of the International Political Science Association, Florence, Italy.
- 1992 “La Donna Nelle Attivita’ Intellettuali”, Keynote speech at the thirty-eighth seminar of the Centro Internazionale Magistrati Luigi Severini, Perugia, Italy.
- 1992 “The Rationale of Judicial Decisions in Civil Cases under the Maltese System”, First Study Commission of the International Association of Judges Meeting, Seville, Spain.
- 1991 “Methods of Elaboration of Judicial Decisions in Malta”, Meeting of the First Study Commission of the International Association of Judges, Crans-Montana, Switzerland.
- 1990 “The Art of Cross-Examination in Criminal Proceedings in Malta” — International Seminar on Cross-Examination Techniques, Selva di Fasano, Italy.

**Languages****(a) Mother tongue**

Maltese: Fluent in reading, writing and speaking.

**(b) Other languages**

English: Fluent in reading, writing and speaking.

Italian: Fluent in reading, writing and speaking.

French: Working knowledge in reading, beginner in speaking and writing but can generally follow a conversation.

Spanish: Working knowledge in reading and speaking, beginner in writing but can generally follow a conversation.

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**Other relevant information**
**(a) Scholarships, honours and grants**

- 2000 Council for International Exchange of Scholars (CIES) Fulbright Scholar Research Grant held at Rutgers University School of Law, Camden, New Jersey, United States of America.
- 1999 Medal Award for service rendered to the International Society for the Reform of Criminal Law.
- 1993 Invitee, Professor M. Cherif Bassiouni, De Paul University, Human Rights Law Institute, Chicago, to deliver a set of two lectures being a comparative review of the jurisprudence of the European Court of Human Rights with that of the Constitutional Court of Malta and the Supreme Court of the United States on freedom of expression.
- 1992 Invitee, Professor Walter M. Murphy, McCormick Professor of Jurisprudence, Department of Politics, Princeton University, New Jersey, to give a talk on judicial review in Malta to the Colloquium on Constitutionalism.
- 1988 United States Information Agency, Visitors' Program, to study the legal data-processing system operative in several United States courts and law offices and meet with members of the judiciary.
- 1988 Private meeting with Chief Justice Emeritus Warren Burger of the United States Supreme Court.
- 1988 Grantee, British Government, Visitors' Programme, to study the legal data-processing systems operative in courts in the London district.
- 1980 Scholarship, United States Information Agency, Salzburg Seminar, American Legal Studies, Constitutional Law, Salzburg.
- 1969 Grantee, British Council, to carry out postgraduate research work on Constitutional and Administrative Law at the University of London.
- 1964 Bursary, Italian Government, to enhance knowledge of Italian at the Università del Sacro Cuore, Rome.

**Richard Allen Banda (Malawi)**

Date of birth: November 1937.

Profession: Barrister-at-law, Gray's Inn, London in 1966.

**Experience**

- August 1966-January 1970 Served as Legal Aid Advocate, State Advocate, Traditional Courts Commissioner, Senior Resident Magistrate.
- February 1970 Appointed Director of Public Prosecutions and acted as Solicitor General.
- April 1972 Appointed Attorney General and Secretary for Justice. Later in the same year was created Senior Counsel and was the first Malawian to be so honoured after independence.
- February 1974 Appointed Minister of Justice and Attorney General and was also Minister of Local Government; was also responsible for parliamentary elections. Served in these capacities until February 1976.
- April 1980 Was reappointed into Malawi Civil Service as Chief Resident Magistrate.
- November 1980 Appointed Judge of the Supreme Court of Malawi and High Court of Malawi.
- 1992 Appointed Chief Justice of Malawi.
- 2000 Elected Honorary Life Fellow of the Society of Advanced Legal Studies, elected Honorary Bencher of Honourable Society of Gray's Inn. Elected President of Commonwealth Magistrates and Judges Association.
- Extra-curricular activities: Chairman of Olympic and Commonwealth Games Association of Malawi, past Chairman of the Football Association of Malawi. Played football in the National Team of Malawi in early 1960s.
- Hobbies: Plays golf, watches football and lawn tennis.

**Personal profile**

The Honourable Chief Justice Richard Allen Banda, SC, is barrister-at-law, having been called to the Bar by the Honourable Society of Gray's Inn in July 1966. After his call to the Bar, he entered the Malawi Government Legal Service where he served in different capacities until 1970, when he was appointed the Director of Public Prosecutions. During this period, he was asked to act as Solicitor General and Secretary for Justice. In April 1972, he was appointed Attorney General, and later in the same year, he was created Senior Counsel and was the first Malawian to be so honoured after independence. The status of Senior Counsel is equivalent to the status of Queens Counsel in England. He served as Attorney General for two years

until 1974, when he was appointed Minister of Justice and Attorney General and was also responsible for the Portfolio of Local Government. He served in these capacities until February 1976, when he left government.

He stayed out of practice for four years until April 1980, when he was reappointed into the Judicial Service to fill the new office of Chief Resident Magistrate. He served in this position for nine months, until November 1980, when he was appointed a judge of the High Court and Supreme Court of Malawi. He served in this position until February 1992, when he was appointed Chief Justice of Malawi. He continues to serve in this position up to the present. Chief Justice Banda was recently appointed an Honorary Life Fellow of the Society of Advanced Legal Studies, a constituent organization of the University of London. He has also recently been elected an Honorary Master of the Bench of the Honourable Society of Gray's Inn and as President of the Commonwealth Magistrates and Judges Association.

Chief Justice Banda is a person of high moral character, impartiality and integrity. He has vast experience in criminal law, international law, international humanitarian law and human rights law which he has gained through his long and enviable career both at the bar and on the bench.

On the social scene, Chief Justice Banda has been a keen sportsman in the past. He has played soccer and captained the National Team in his youth and was also an athlete, having represented Malawi in the high jump. Chief Justice Banda is a former President of the Football Association of Malawi and is the current President of the Olympic and Commonwealth Games Association of Malawi. He enjoys watching sports and he now plays golf. He is married with six children.

His nomination for election as judge of the International Tribunal for the Former Yugoslavia has the full support of the Malawi Government.

## **Mohamed Amin El Abbassi Elmahdi (Egypt)**

Date and place of birth: 24 November 1936, Cairo.

### **Professional career**

President of the Conseil d'État since July 2000 and Head of the Supreme Administrative Court.

President of the Section of Legislation at the Conseil d'État (entrusted with the revision of all project of laws and regulations before their introduction to the People's Assembly) 1998.

Head of the Second and Third Commissions of the *Section d'avis* of the Conseil d'État.

Member of several sections of the Conseil d'État since 1956.

President of the Administrative Court and Head of the First Section of the Court, 1999.

Member of the Administrative Court and of the Supreme Administrative Court, 1979-1991.

Member of the Board of the Faculty of Law, Cairo University.

Member of the Board of the Faculty of Law, Ain Shams University.

Visiting Professor at the Faculty of Law, Cairo University.

Entrusted with a mission in the State of Kuwait for the position of Constitutional Expert to the Emir of the State of Kuwait, 1994-1997.

### **Academic qualifications**

Advanced studies diploma-postgraduate (DES) in Public Law from the Faculty of Law, University of Paris II, 1971.

Certificate of the École Nationale d'Administration (ENA) at Paris, 1967.

Postgraduate studies in Political Science (*Diplôme de Sciences Politiques*) 1958.

Postgraduate studies in Public Law (*Diplôme de droit public*) 1957.

Graduated from the Faculty of Law in 1956, Cairo University, with honours degree.

### **Missions and publications**

#### *Missions*

Arbitrator to several arbitrations; under the auspices of the International Centre for Settlement of Investment Disputes (his dissenting opinion in the case *Southern Pacific Properties (Middle East) Ltd. v. Arab Republic of Egypt* is published in *ICSID Review* vol. 8, No. 2, fall 1993, pp. 400-494), and under the auspices of the Regional Centre for Settlement of Commercial Disputes, Cairo.

Member of the Egyptian defence team before the Arbitration Court in Geneva concerning the dispute between Egypt and Israel over the exact location of certain boundary pillars and concerning the Tabaa area.



Member of the “Egyptian Underground Authority” defence team before the ICC arbitral tribunal concerning the dispute over the construction of the first underground line in Cairo.

Member of the observer team designated by the International Organization of la Francophonie for the supervision of elections, e.g., in Seychelles and Haiti.

Participant in several workshops organized by the International Organization of la Francophonie, on the theme “Law and Democracy”.

Participant in two round tables under the auspices of the Ford Foundation for social and economic development (Lebanon, 1968-1970).

During the course of his professional career, consultant to different Egyptian ministries and agencies, inter alia: Ministry of Justice, Ministry of Foreign Affairs and Ministry of Finance; also to the Investment Authority and the Central Agency for Administration and Organization.

#### *Publications*

Studies in Arabic concerning international humanitarian law presented at the Cairo Conference held in November 1999 to celebrate the fiftieth anniversary of the four Geneva Conventions of 1949 concerning international humanitarian law, and at the conference held in Cairo in October 2000 on national measures necessary for the implementation of the rules of the Geneva Conventions and the two Additional Protocols of 1977.

“Le rôle du juge civil dans l’administration de la preuve”, paper presented at the meeting of the Institut International de droit d’Expression Française, Brussels, 1984.

“Le rôle du juge administratif dans la protection des droits et des libertés publics”, published in a special edition to celebrate the fiftieth anniversary of the establishment of the Egyptian Conseil d’État.

“L’exécutif et l’armée en Amérique-Latine” *Review* of the Conseil d’État, 1976.

“L’Agence Centrale d’organisation et d’administration en Egypte”, paper presented at the round table in Lebanon, 1970.

“Le régime des organisations publiques en Egypte” paper presented at the round table in Lebanon, 1968.

“Le principe de l’égalité en Egypte dans la constitution et d’après la jurisprudence du Conseil d’État”, paper published in *Le juge de l’Administration et des droits fondamentaux dans l’espace francophone*”.

“Le rôle du Conseil d’État dans la création du droit administratif”, in press at the International Organization of la Francophonie.

### **Mohamed El Habib Fassi Fihri (Morocco)**

Mohamed El Habib Fassi Fihri, Chief Magistrate, was born at Essaouira on 12 January 1932.

He was appointed a judge for the regional tribunal of Casablanca in January 1957, the Vice-President of the same tribunal in August 1960. He was appointed Crown Procurator in November 1962.

He became Principal Private Secretary to the Minister of Justice in September 1964, then Secretary-General of the Ministry of Justice.

He was trial attorney at the Supreme Court from the end of 1971 until 25 September 1976, when he again occupied the post of Secretary-General of the Ministry of Justice until 31 March 1982.

In December of the same year, he was appointed Ambassador Extraordinary and Plenipotentiary of His Majesty the King of Morocco to the Hellenic Republic. When his diplomatic mission was over, he returned to the Supreme Court in the capacity of Divisional President.

On 19 June 1990, Mr. Fassi Fihri was appointed Ambassador Extraordinary and Plenipotentiary of His Majesty the King to the Republic of Austria and Permanent Representative of the Kingdom of Morocco to the United Nations Office at Vienna, the United Nations Industrial Development Organization (UNIDO) and the International Atomic Energy Agency (IAEA), where he discharged the function of Governor. He was also required to follow the work of the Organization for Security and Cooperation in Europe (OSCE).

In July 1995, he presided over the group of eminent persons to which the Seventh Summit of Heads of State had entrusted the task of evaluating, restructuring and determining the new objectives of the Organization of the Islamic Conference.

He is a founding member of the Association of Magistrates of Morocco and headed the editing of its journal from 1961 to 1985.

He is the author of a number of publications, including *Itinéraire de la justice marocaine*.

After being appointed to the Order of Civil Merit (special rank), he was promoted to Knight and then Officer of the Order of the Throne.

He is also a Grand Cordon of the Hellenic Order of the Phoenix (Greece) and a Grand Cordon of the Order of Merit of the Republic of Austria.

## David Hunt (Australia)

Date of birth: 15 February 1935.

Place of birth: Sydney, Australia.

Education: University of Queensland, Australia, Bachelor of Arts (1956), Bachelor of Laws (1958).

### Career

1998-present: In October 1998, the Hon. David Hunt was elected as a judge of the International Tribunal for the Former Yugoslavia. He assumed office on 16 November 1998, and was assigned to Trial Chamber II. However, as Trial Chamber II was in the course of a trial at the time, Judge Hunt was temporarily assigned to the Appeals Chamber, where he participated in many interlocutory appeals and appeals against conviction, as well as in a number of interlocutory applications in cases awaiting trial in Trial Chamber II. In February 2000, following the retirement of Judge Antonio Cassese, Judge Hunt was elected as Presiding Judge of Trial Chamber II.

As Presiding Judge, Judge Hunt is a member of the Tribunal's Bureau, a body that advises the President of the Tribunal on all major questions relating to the functioning of the Tribunal. He is currently the third most senior judge within the Tribunal.

1992-1999 Part-time Commissioner with the Law Reform Commission of New South Wales, taking part in the preparation of discussion papers and reports dealing with criminal law issues, including proposals to reform the partial defences to murder leading to a reduction of the crime to manslaughter (such as provocation and diminished responsibility) and the accused's right to silence.

1998 Consultant with the Judicial Commission of New South Wales on a project for revision of the directions to be given to juries in criminal trials.

1991 Appointed as Chief Judge at Common Law in the Supreme Court of New South Wales, with administrative responsibilities for the operation of the Criminal and Common Law (civil claims) Divisions of the Court.

As Chief Judge, Justice Hunt sat almost full-time in the Court of Criminal Appeal, usually as the senior judge. The New South Wales Court of Criminal Appeal deals with more than 50 per cent of all appellate criminal work throughout Australia. Further appeals are only available pursuant to leave granted by the High Court of Australia.

1979 Appointed as a judge of the Supreme Court of New South Wales. This is the highest court in New South Wales, with unlimited jurisdiction in civil and criminal cases and appeals.

1976-1977 Senior Counsel assisting the Commissioner in a Royal Commission into New South Wales prisons.

- 1975           Appointed as one of Her Majesty's Counsel (Senior Counsel).  
1958           Admitted as a Barrister.

**Publications and conference papers**

Many of Justice Hunt's judgements in criminal law have been published in *Australian Criminal Reports* and *New South Wales Law Reports*, both series published by LBC Information Services, Sydney, Australia.

Justice Hunt regularly delivered papers dealing with criminal law issues to conferences of the Supreme, District and Local courts of New South Wales. Some of these have been published in *The Judicial Review*, published by the Judicial Commission of New South Wales.

Judgements and decisions on international criminal law issues written by Judge Hunt (or in which he has participated) since his election to the International Tribunal for the Former Yugoslavia are available on the Tribunal home page ([www.un.org/icty](http://www.un.org/icty)).

Language:     English.

Decoration:   Created an Officer of the Order of Australia (AO) in January 2000 for service to the judiciary, to the law and to the community, particularly in areas of criminal law, the law of defamation and international law in defence of human rights.

## Claude Jorda (France)

Born on 16 February 1938 in Bone, Algeria.

### Degrees and other academic training

- 1963-1966 Student at the École Nationale de la Magistrature (National School for Magistrates) (ENM).
- 1965 Degree in Advanced Studies in Criminology (with honours). School of Law at the University of Aix en Provence.
- 1962-1963 Active military service (highest rank: non-commissioned officer). Degree in accounting.
- 1961 *Licence* in law (equivalent to a Master of Arts), School of Law at the University of Toulouse (with honours).
- 1961 Second place in admissions competition for ENM.  
First in class for the *Certificat d'aptitude à la profession d'avocat (CAPA)* for the Bar at Toulouse (Competition for admission to the bar).  
Second in class (lectures and practicals), 4th year of *licence*.
- 1960 Degree from the Institut d'Etudes Politiques (Foreign Affairs Department, with honours), University of Toulouse.  
First in class (lectures and practicals), 3rd year of the *licence*.

### Law career and professional experience

- 1999 Unanimously elected President of the International Tribunal for the Former Yugoslavia (ITFY).
- 1997 Re-elected judge at the International Tribunal for the Former Yugoslavia.
- 1995-1999 President of Trial Chamber I (ITFY).
- 1994-1996 Judge at the International Tribunal for the Former Yugoslavia.
- 1992-1994 Prosecutor-General at the Court of Appeals in Paris.
- 1985-1992 Prosecutor-General at the Court of Appeals in Bordeaux.
- 1982-1985 Director of Legal Services at the Ministry of Justice.
- 1978-1982 Vice-President at the Tribunal de Grande Instance in Paris.  
Seconded Deputy Director (training courses) at the École Nationale de la Magistrature.
- 1976-1978 Deputy Director for Legal Organization and Regulations at the Ministry of Justice.
- 1970-1976 Secretary-General at the École Nationale de la Magistrature.
- 1966-1970 Magistrate at the Central Administrative Services Department at the Ministry of Justice.

- 1963-1966      Auditeur de Justice (magistrate-in-training) (Student at the ENM).  
Third in class.
- 1996-1997      Fellow at the Institut d'Etudes Judiciaires at the University of  
Montesquieu-Bordeaux 4, responsible for teaching international  
criminal law and human rights.
- 1971-1976      Lecturer and Tutor at the Faculty of Law at the University of  
Bordeaux.  
Lecturer in civil law at the Training Centre for Banking  
Professionals.
- 1967-1970      Lecturer and Tutor at the Faculty of Law at the University of Paris-  
Assas.

#### **Legal and judicial cooperation missions**

- 1995            Chile: Judicial cooperation mission for the training of magistrates.  
Establishment of a School for Magistrates.
- 1994            Guatemala: Teaching and lectures on legal careers and the  
independence of the judiciary at the Centro de Estudios y  
Capacitación Judicial de Centroamerica.
- 1992            Côte d'Ivoire: Judicial organization mission (methodology and  
operations of courts).
- 1974-1984      Egypt: Cooperation with the Egyptian magistrate training project  
(Cairo).
- 1978            Algeria: Judicial cooperation in training.
- 1971            Canada: Franco-Quebecois judicial exchange mission.

#### **Colloquia, lectures and publications**

##### **(a) Publications**

###### *Most recent academic work*

“Status and role of the victim”, to be published in *The Statute of the International Court and International Law*, Oxford University Press.

*Un nouveau statut pour l'accusé dans la procédure du Tribunal pénal international pour l'ex-Yougoslavie*, essays on ICTY procedure and evidence in honour of Gabrielle Kirk McDonald, Kluwer International, 2000.

“Le rôle du Juge dans la procédure face aux enjeux de la répression internationale”, *Droit international pénal*, Pédone, Paris, 2000.

“L'oeuvre de Justice internationale”, *L'Inactuel* (France, 1999).

“*The International Criminal Tribunal for the former Yugoslavia: its functioning and future prospects*” (L. Friedman and S. Tiefenbrun, Editors), 1999.

“Le Tribunal pénal international”, *Crime contre l’humanité, mesure de la responsabilité?*, *Proceedings of the conferences “Droit, liberté et foi”* CERP, 1998.

*Articles of general interest on ITFY (1994-2000)*

In: *Le Journal des Tribunaux* (Bruxelles); *Revue Témoins* (Paris); *L’Observateur des Nations Unies* (Aix en Provence); *Le Bulletin du Centre d’information des Nations Unies* (October 2000).

**(b) Colloquia and lectures**

*Most recent addresses*

- December 2000 Italian Society for International Law (Rome), “International Justice and Human Rights”.  
Académie de Législation (Toulouse, France), “ICTY and Human Rights Protection”.
- September 2000 Solemn Opening of the Academic Year at Bordeaux Universities (France), “International Justice, new protection for Human Rights”.
- August 2000 University of Salzburg (Austria), “The Status of the victim before the International Criminal Court”.
- July 2000 University of the Basque Country (San Sebastian, Spain), “Souveraineté des Etats et justice internationale”.
- June 2000 University Institute for Advanced International Studies (U.H.E.I.) of Geneva, “Contribution of ICTY case-law to International Law”.

*Other addresses*

- 1994-1996 Universities: Bordeaux, Paris 1 Panthéon-Sorbonne, Paris-Sud Jean Monnet, Nanterre, Poitiers, Nice, etc.  
Bar Associations and human rights institutes: Paris, Bordeaux, Montpellier, etc.  
Congress of the SAF (French Lawyers Union) and UJA (Junior Lawyers Union).  
Conference of the Heads of the French Courts of Appeals.  
Addresses before the French Centre for Comparative Law, French Society for International Law (Association de droit international).  
Miscellaneous contributions: Amnesty International, Juristes sans frontières, Musée mémorial d’Izieu.  
Tunis: Colloquium on the implementation of humanitarian Law.

**Modern languages**

English: reading, speaking.

Spanish: fluent in reading, speaking, writing.

**Honours and decorations**

Officer of the Légion d'Honneur (29 March 1993).

Commander of the Ordre National du Mérite (July 2000).

Palme Académique (decoration for services to education in France).

Mérite Agricole (decoration for services to agriculture in France).

Médaille de l'Éducation Surveillée et de l'Administration Pénitentiaire (medal for services to young people in difficulty and prison administration).

**Other activities, culture and sports**

Member of the French Society for International Law.

Member of the Association "Le Siècle".

Classical music, reading, cinema.

Tennis, hiking.



## O-gon Kwon (Republic of Korea)

Date and place of birth: 2 September 1953, Republic of Cheong-ju, Korea.

### Education

- |           |   |
|-----------|---|
| 1972-1976 | LL.B., Seoul National University Law School ( <i>Magna cum laude</i> ).   |
| 1976-1978 | LL.M., Graduate School of Seoul National University.  |
| 1977-1979 | Bar Apprenticeship, Judicial Research and Training Institute, Supreme Court of Korea ( <i>Chief Justice Award; 1st grade</i> ). |
| 1984-1985 | LL.M., Harvard Law School (United States of America).   |

### Professional career

#### *Judiciary*

- |           |   |
|-----------|---|
| 1979-1980 | Judge, Seoul Civil District Court.  |
| 1986-1988 | Judge, Seoul Criminal District Court, sitting as the presiding judge of the Third Single-Judge Court.                       |
| 1988-1990 | Judge, Taegu High Court.  |
| 1992-1993 | Research Judge, Supreme Court.  |
| 1993-1995 | Senior Judge, Changwon District Court, sitting as the presiding judge of the Criminal Appellate Division.                   |
| 1995-1997 | Senior Judge, Suwon District Court, sitting as the presiding judge of the first instance, Criminal Division.                |
| 1997-1997 | Senior Judge, sitting as the presiding judge of the first instance, Criminal Division, East Branch of Seoul District Court. |
| 1999-2000 | Senior Judge, Seoul District Court.   |
| 2000-     | Senior Judge, Taegu High Court.   |

#### *Other professional careers*

- |           |  |
|-----------|--|
| 1980-1984 | Assistant Legal Adviser to the President of the Republic of Korea, Blue House (Presidential Office). |
| 1990-1992 | Planning Director, Ministry of Court Administration, Supreme Court.                                  |
| 1997-1999 | Director of Research, Constitutional Court of the Republic of Korea.                                 |

#### *Other concurrent positions*

- |           |  |
|-----------|--|
| 1994-1995 | Chair, Press Arbitration Committee of Kyung-nam Province.    |
| 1996-1997 | Chair, Election Management Committee of Kwon-sun Ku, Suwon.  |
| 1999-2000 | Chair, Election Management Committee of Sung-dong Ku, Seoul. |

**Academic activity**

*Co-authored book*

*Commentary on the Civil Code.*

*Articles*

*"A Study on Maritime Liens"*, (LL.M. paper, Graduate School of Seoul National University, 1983);

*"Small Claims Court in the U.S. and Korea"*, 15 *Korean Journal of Comparative Law* 95 (LL.M. paper, Harvard Law School, 1985).

*"Some Problems in Executing Foreign Vessels"*, 34 *Jai-pan-ja-ryo* 623 (1986).

*"The Meaning of Habitualness in Section 3 of article 3 of the Special Act for the Prosecution of Assault and Battery"*, 390 *Sa-bup-haing-jung* 85 (1993);

*"Methods for Securing the Efficiency of Compulsory Execution"*, 17 *Civil Case Study* 353 (1995);

*"Determination of Applicable Law in the case when the Proper Law is uncertain"*, 1 *Adjudication Practice* 355 (1996);

*"Meaning and Effect of Ex Officio Decision of Compulsory Mediation"*, 16-3 *Press Arbitration* 16 (1996).

Over 20 other articles.

*Lectures*

1986-1987      Lecture on Anglo-American law, Judicial Research and Training Institute, Seoul.

1987-1987      Lecture on Anglo-American Law, College of Law, Kyung-hee University, Seoul.

1999            Lecture on Civil Procedure of the Republic of Korea, Santa Clara University Law School Summer Program, Kook-min University, Seoul.

*Memberships*

Study Group of Criminal Practice, Supreme Court.

Civil Case Study Group.

**International conferences**

1981            Delegate of the Republic of Korea to the Lawasia Conference, Bangkok.

1999            Delegate of the Republic of Korea to the Eleventh Conference of the European Constitutional Courts, Warsaw.

**Profile**

Judge O-gon Kwon has been in the judiciary as a career judge for more than 20 years. As a judge, he is well known for his amicable personality and fair trial. Also, among Republic of Korea judges, he is classified as an expert in criminal cases: he sat as a criminal judge for almost eight years, either as a judge of a single-judge court or as a presiding judge of a collegiate body (panel of three judges).

His academic excellence was an unprecedented one and his record has not yet been broken: he ranked first in his class in three important academic endeavours, that is, in basic law studies at Seoul National University Law School, in the National Bar Examination and finally in the bar apprenticeship at the Judicial Research and Training Institute of the Supreme Court.

Judge Kwon's career as a judge may seem somewhat peculiar in comparison with ordinary Republic of Korea judges who usually have no experience outside the judiciary: he worked as an Assistant Legal Adviser to the President of the Republic of Korea (1980-1984), as an important staff member in the Judicial Administration (1990-1992) and as an important staff member of the Constitutional Court of the Republic of Korea. Such diverse experience outside the court has afforded him a broader perspective. Moreover, his experience with constitutional adjudication has strengthened his belief in human rights and humanitarianism.

Judge Kwon has constantly engaged in international activities: he graduated from Harvard Law School in 1985 and he was a representative of the Republic of Korea to the Lawasia Conference in 1981 and to the Eleventh Conference of European Constitutional Courts. He also played an important role for the Republic of Korea in joining the Vienna Commission as an observer, while he worked at the Constitutional Court.

**Liu Daqun (China)**

Date and place of birth: 20 September 1950, Shandong Province, China.

Current position: Member of Trial Chamber II, International Tribunal for the Former Yugoslavia.

**Educational background**

- 1973-1977 B.A., English Department, Beijing Foreign Language Institute.
- 1977-1978 Law Certificate, International Law, College of Foreign Affairs, Beijing.
- 1985-1986 M.A., International Law and International Relations, Fletcher School of Law and Diplomacy, Tufts University, United States of America.

**Professional experience**

- 1978-1982 Working in the Chinese Embassy in Iceland.
- 1984-1988 Director of Private International Law Division, Treaty and Law Department, Foreign Ministry.
- 1988-1991 Director of the Law of the Sea Division, Treaty and Law Department, Foreign Ministry.
- 1991-1993 Director of International Law Division, Treaty and Law Department, Foreign Ministry.
- 1993-1999 Deputy Director-General, Treaty and Law Department, Foreign Ministry.
- 1999-2000 Ambassador to Jamaica and Permanent Representative to the International Seabed Authority.
- 2000- Member of Trial Chamber II, International Tribunal for the Former Yugoslavia.

**Academic positions**

- 1982 Executive Member of Chinese Society of International Law.
- 1988 Executive Member of Chinese Society of Environmental Law.
- 1990 Executive Member of Chinese Society of the Law of the Sea.
- 1994 Professor of International Law, University of Law and Political Science of China.
- 2000 Guest Professor of International Humanitarian Law, Law School of Wuhan University.

### **Professional activities**

Delegate and legal adviser of the Chinese Delegation to:

United Nations General Assembly, Sixth Committee; Hague Conference on Private International Law; Asian-African Legal Consultative Committee; international conferences on Climate Change, Biodiversity, Desertification, Illicit Traffic of Narcotic Drugs and Law of the Sea; Deputy Head and Chief Negotiator of the Chinese delegation to the United Nations Conference of Plenipotentiaries on the Establishment of the International Criminal Court (Rome).

### **Academic activities**

Lecturer on International Human Rights Law, Law Department, People's University, 1989.

Lecturer on International Environmental Law, Environmental Centre, Wuhan University, 1990.

Lecturer on the Law of the Sea, Law Institute of the Chinese Academy of Social Sciences, 1993-1995.

Lecturer on the Establishment of the International Criminal Court, Law School of Beijing University, 1997-1998.

### **Professional writings**

#### *Co-authored Books*

*The Law of International Organizations*, Beijing University Publishing House, 1995.

*New Developments in International Law*, Chinese Academy of Social Sciences Publishing House, 1995.

*Commentary on the Charter of the United Nations*, Educational Publishing House of Shanxi Province, 1999.

#### *Published over 50 Articles, among them:*

"On the Subject of Extradition", *Studies in Law*, No. 1, 1989.

"On the Voting Procedure of the Security Council", *Law Review*, No. 1, 1992.

"United Nations and Regional Organization", *Chinese Yearbook of International Law*, 1993.

"On the Political Initiative of the Secretary-General of the United Nations", *Collections of essays on United Nations reform*, 1994.

"On the Establishment of an International Criminal Court", *Chinese Yearbook of International Law*, 1997.

"On the Establishment of Indictment by the Prosecutor in the Proposed International Criminal Court", *Chinese Yearbook of International Law*, 1998.

## **Mahbouli Abderaouf (Tunisia)**

Date and place of birth: 16 August 1950, Tunis.

### **Education**

Primary and secondary schooling: Sadiki College, Tunis, 1955-1967.

Licencié en Droit (Bachelor of Laws) (Faculty of Law, Political Science and Economics) (Tunis, 1971).

Diplômé d'Etudes Supérieures de Droit Privé (Diploma in Advanced Studies in Private Law) (Paris I, 1972).

Diplômé d'Etudes Supérieures de Droit Public (Diploma in Advanced Studies in Public Law) (Paris II, 1973).

Docteur d'Etat en Droit (Doctor of Laws) (Paris I, 1977).

Agrégé de Droit Public et Sciences Politiques (Holder of *agrégation* in Public Law and Political Science) (Tunis, 1980).

### **Experience**

Teaching assistant, Faculty of Law, Political Science and Economics (Tunis), 1980-1985.

Lecturer, Faculty of Law, Political Science and Economics (Tunis), 1985-1987, and Faculty of Juridical, Political and Social Sciences (Tunis), 1987-present.

Director-General for Higher Education, Ministry of Education and Higher Education, 1989-1995.

President, University of Arts and Sciences (Tunis I), 1995-present.

### **Teaching activities**

Courses taught at the Faculty of Law and Faculty of Economic Sciences and Management (Tunis), the Tunisian-Algerian Institute for Development Financing (IFID) and the Faculty of Juridical, Political and Social Sciences:

- Public Finances
- Taxation for Business
- Taxation Sciences and Techniques
- Comparative Political Systems
- Peaceful Settlement of Disputes.

Courses and doctoral seminars in international public law, international relations, law of international organizations, public finances, international commercial law and European Community law.

Director, Department of International Trade Law, Faculty of Juridical, Political and Social Sciences (Tunis), 1989-1990.

Expert-contributor, Institute for International Development Law (IDLI) (Rome), 1984.

Visiting professor (Faculty of Law and Economics, University of Nice), 1989.

Member of Selection Committees for: Assistant in Public Law, Master Assistant in Public Law (Ministry of Higher Education and Scientific Research); Secretaries for Foreign Affairs and Foreign Counsellors (Ministry of Foreign Affairs); Staff of the League of Arab States; Magistrates for the Administrative Tribunal (First Ministry).

Member, Jury for Agrégation en Droit Public et Sciences Politiques (*Agrégation* in Public Law and Political Science) (1987).

Chairman, Selection Committee for Teaching Assistants in Public Law and Political Science, (1988-1990).

Chairman, Advisory Committee for University Professors of Public Law and Political Science, (1988-1990).

Editor-in-Chief, *Revue Tunisienne de Droit* (1989-1993).

#### **Administrative and advisory positions (1989-1995)**

Member, High Commission for Human Rights and Fundamental Freedoms.

Chairman of: National Accounting Referral Committee; National Equivalency and Accreditation Committee for Technical Schools; Joint Administrative Committee for the four categories of Higher Education Personnel and the Disciplinary Councils for those categories.

Member of the Board of Directors:

National Centre for Informatics  
Cité des Sciences (Hall for the Sciences).

Member, Management Committee, National School of Administration.

Member, Scientific Board, National Institute for Office Automation and Micro-informatics.

Member, Research and Higher Education in Agriculture Board of the Institute for Research and Higher Education in Agriculture.

Member, Tunisian National Education, Science and Culture Commission (UNESCO — ALESCO (Arab League Educational, Cultural and Scientific Organization) — ISESCO (Islamic Educational, Scientific and Cultural Organization)) and Coordinator of the Commission's Legal Committee.

#### **Additional training**

Diploma from the National Defence Institute (IDN), 14th class (1996-1997).

#### **International experience**

Member, Tunisian delegation to the United Nations General Assembly; representative to the Sixth Committee of the General Assembly at its thirty-sixth, thirty-seventh and thirty-eighth sessions (New York: 1981, 1982, 1983).

Expert Member of the United Nations Regional Conference on Security, Disarmament and Development in Africa and Observer at the OAU Regional Ministerial Conference on the same topic (Lomé, Togo, 1985).

Guest of the United States Government (State Department; International Visitors Programme, July-August 1986).

Member, Tunisian delegation to the 25th, 26th, 27th and 28th General Conferences of UNESCO (Paris, October 1989, 1991, 1993, 1995), member and Rapporteur of the Legal Committee.

Head, Tunisian delegation to the Expert preparatory meetings for the first, second, third, fourth and fifth sessions of the Council of Ministers of Education of the Arab Maghreb Union (Rabat, March 1990, November 1990, July 1991; Tripoli, December 1991; Tunis, December 1993).

Participant at the Meetings of Experts preparatory to the meetings of the Ministerial Committee on Human Resources of the Arab Maghreb Union (Tunis, February 1990, May 1990; Rabat, November 1990, July 1991; Tripoli, December 1991; Tunis, December 1993).

President, International Conference of Experts for the Elaboration of an International Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education (UNESCO, Paris, May 1990).

Delegate to the International Conference on Recognition of Diplomas and Academic Mobility (UNESCO, Paris, October 1992).

Vice-Chairperson of the seventh session of the Regional Conference for Implementation of the Convention on the Recognition of Studies, Diplomas and Degrees in the Arab States (UNESCO, Amman, November 1994).

Head or member of the Tunisian delegation at numerous bilateral meetings dealing with higher education and scientific research: Paris, December 1989; Tunis, March 1990 (CMCU); Tripoli, February 1990; Paris, June 1990 (CPP); Moscow, October 1990; Damascus, May 1991; Paris, October 1991 (Grand Joint Commission); Tripoli, March 1992; Paris, March 1993 (CPP); Ankara, December 1993; Paris, November 1994 (CMCU); Montreal, November 1995 and others.

Member, Board of Directors, Union of Universities of the Mediterranean (UNIMED), Rome, 1995-1996 and Vice-President of UNIMED 1997 to present.

### **Publications and conferences**

“Les préférences tarifaires généralisées dans la Communauté Economique et Européenne”, thesis for Doctor of Laws (Paris I, 1997).

“Indexation, matières premières et Droit International” (*Revue Tunisienne de Droit*, 1979-II).

“La Cour des Comptes: Situation et perspectives” (*Revue Tunisienne de Droit*, 1981).

“La violence dans les relations internationales” (*Etudes Internationales* No. 2, January-February-March 1982).

“Effectivité et sanctions des normes du droit international du développement”, introductory report, Aix-en-Provence Colloquium on “Training in international development law”, 1982 (Editions du Centre National de Recherches Scientifiques (CNRS), Paris/OPU, Algiers, 1984).



“Note sur le Traité Tuniso-Algérien de fraternité et de Concorde” (*Revue Tunisienne de Droit*, 1984).

“Administration, coopération internationale et développement” in “Administration et développement en Tunisie” (LISA-ATSA, Tunis, 1985).

“Les accords de coopération marine en Méditerranée à la lumière de la convocation des Nations Unies sur le droit de la mer”; Proceedings of the symposium on “Methods for maritime cooperation” (Tunis: Association des études internationales, 1986).

“Aperçu sur l’évolution des frontières tunisiennes” (*Revue Tunisienne de Droit*, 1987).

“Constitution et développement économique en Tunisie”; paper delivered at the Franco-Tunisian Meeting on Constitutional Law (Tunis, March 1988).

“Institutions et instruments internationaux relatifs au maintien de la paix”; paper delivered at the UNESCO seminar on teaching human rights and peace (Tunis, May 1988).

“L’impôt et la politique économique et sociale”; paper delivered at the meeting on business of the Arab Institute of Heads of Businesses (Sousse, December 1988; Proceedings).

“Cadre juridique et procédures du contrôle fiscal”; paper delivered at the colloquium on fiscal procedures (Tunis, April 1995).

“Constitution et droit des relations économiques internationales”. Course at the International Academy of Constitutional Law in Tunis, July 1998; “Academy Course Notes 8” (Tunis: University Press, 2000, pp. 261-305).

“L’Union européenne à l’avant-garde de la mondialisation”; communication to the colloquium “The European Union and Globalization” (Tunis, October 2000).

### **Decorations**

Officer of the Order of the Republic.

National Order of Merit for Education, 3rd class.

Commander of the Royal Order of the Ouissam Alaouite (Morocco).

## **Richard George May (United Kingdom of Great Britain and Northern Ireland)**

Date of birth: 12 November 1938.

Education: Haileybury and I.S.C., and Selwyn College, Cambridge (B.A., LL.B.).

National service: 1958-1960 (Commission in Durham Light Infantry).

### **Professional experience**

- 1965                      Called to the English Bar by Inner Temple.
- Chambers:            Devereux Chambers, Devereux Court, London.
- Circuit                South-Eastern, transferred to Midland and Oxford Circuit.
- Practice:             For the last 12 years at the Bar, essentially criminal prosecution for the Thames Valley Police and some defence work.
- 1979                      First sat as Deputy Circuit Judge.
- 1985                      Appointed Recorder, South-Eastern Circuit.

### **Judicial experience**

#### *United Nations*

- 1997                      Sworn in as judge of the International Tribunal for the Former Yugoslavia (November 1997). Member of Trial Chamber II, November 1997, sitting on trials of:
- Dokmanović*  
*Furundžija*  
*Kovacević*  
*Kupreskić et al.*
- 1999                      Presiding Judge, Trial Chamber III, November 1998 to date, sitting on trials of *Kordić* and *Cerkez*: April 1999 to date.
- 1999-2000                Appeals Chamber (Presiding) sitting on two appeals in *Aleksovski* case.
- 1998                      Chair of Tribunal Committee on Rules of Procedure and Evidence, 1998 to date.

#### *United Kingdom*

- 1987                      Appointed Circuit Judge, Midland and Oxford Circuit, sitting at Birmingham Crown Court, Northampton and Oxford Combined Courts.  
From 1993, sitting mainly at Oxford.  
1996, appointed Nominated Care Judge.  
1996-1997, Magistrate Liaison Judge for Oxfordshire.  
1996-1997, Member of Oxfordshire and Buckinghamshire Probation Committee.

Experience in both Crown and County Courts (and the Family Court) but mainly in criminal cases, including a number of long criminal cases, e.g., 1989/1990 two advertising fraud trials at Birmingham Crown Court; a riot trial in 1991 at Bedford Crown Court involving 30 defendants (on appeal, reported *sub nom*, Jefferson [1994] 1 AER 270); a fraudulent trading case at Coventry Crown Court, 1993; an animal rights trial at Oxford Crown Court, 1993; a mortgage fraud, worth £43m, tried at Oxford Crown Court, 1994; a case of fraudulent trading in the motor trade tried at Oxford Crown Court, 1996-1997.

### **Political experience**

General elections      Contested Dorset South (1970) and Finchley (1979) as Labour Party candidate.

Local government      Member, Westminster City Council, 1971-1978.  
Leader of Opposition on Council, 1974-1977.

### **Publications**

#### *As author*

*Criminal Evidence* (Pub., Sweet and Maxwell Ltd., London). First edition 1986, second edition 1990, third edition 1995, fourth edition 1999.

#### *As joint editor*

*Phipson on Evidence*, 12th (1976) and 13th (1982) editions.

Criminal Practice Series, 1995-1999.

Online supplement to *Criminal Evidence* (see above) 1999 to date.

*Essays on ICTY Procedure and Evidence in Honour of Gabrielle Kirk McDonald*, 2000.

#### *As annotator*

Criminal Justice and Public Order Act, 1994.

Criminal Procedure and Investigations Act, 1996.

(Both for *Current Law Statutes*, published by Sweet and Maxwell.)

#### *As contributor*

*Principles and Practice of Forensic Psychiatry*, 1990 (Churchill Livingstone, London).

*Reflections on the International Criminal Court*, 1999, TMC Asser Press (publication of contribution to the MFA Seminar, see below).

### **Articles**

*Admissibility of Photographs and Video Evidence* (1987), 51 *Journal of Criminal Law* 437.

*Fair Play at Trial: An Interim Assessment of Section 78, Police and Criminal Evidence Act* [1988] Criminal Law Review 722.

*Admissibility of Confessions* (1991) 55 Journal of Criminal Law 366.

*Similar Facts and Joinder*, Archbold News, Issue 14, 1 May 1992.

*Interpreting Video Evidence*, Archbold News, Issue 20, 27 November 1992.

*The Criminal Justice Bill: Evidence Provisions*, Archbold News, Issue 2, 25 February 1994.

*Video Recording in Children's Cases*, Family Matters, Issue 6/94, 22 June 1994.

*Part V of the CJPOA 1994 — the Public Order Provisions*, Archbold News, Issue 3, 5 April 1995.

*Pre-Trial Reviews in the Crown Court*, COUNSEL, July/August 1995.

*The Legal Effect of a Police Caution* [1997] Criminal Law Review 491.

*The Trial of Nazi War Criminals under Control Council Law No. 10* (unpublished), research during sabbatical at the United States Federal Judicial Center, Washington, D.C., October 1997.

*Jury Selection in the United States: Are there Lessons to be Learned?* [1998] Criminal Law Review 270.

*No Hiding Place*, Counsel, October 1998 (Journal of Bar of England).

*Crimes of War*, JSB, 1999, Issue 7 (Journal of English Judicial Studies Board).

[Jointly] *Trends in International Criminal Evidence: Nuremberg, Tokyo, The Hague and Arusha*, 1999, 37 Columbia Journal of Transnational Law 725.

*Evidence Before the ICTY*, International Law Forum du Droit International 1:197, 1999.

## **Lectures**

1986 Bar Conference: *The Law of Evidence after the Police and Criminal Evidence Act*.

Conference organized by Sweet and Maxwell Ltd., on Criminal Evidence in the Eighties: *Cross-examination of Accused on his Character*.

### *Lectures to Birmingham Bar*

1988 and 1992 *Developments in Criminal Evidence*.

1994 *Update, including Public Interest Immunity*.

1992 Criminal Bar Association: *Indictments and Similar Fact Evidence*.

1994 Berkshire, Buckinghamshire and Oxfordshire Law Society: Oxford Family Law Seminar: *Evidence*.

1997 Criminal Bar Association: *The Evidence of Child Witnesses*.

- American Society of International Law and the Federal Judicial Center, Washington, D.C.: *The International Criminal Tribunal for the Former Yugoslavia*.
- 1998 United Nations International Student Conference of Amsterdam: *An Overview of the Work of the International Criminal Tribunal*.
- Bar of England and Wales, Annual Conference: *Judging War Crimes*.
- Seminar organized by the Ministry of Foreign Affairs of the Netherlands, The Hague, on the International Criminal Court: *Relations Between the Court and the ICTY*.
- 1999 Oxford University International Law Association: *ICTY — Recent Developments*.
- World Conference on New Trends in Investigation and Evidence, Amsterdam: *Proof-Taking before International Tribunals*.
- 2000 Durham University Law Department: *Trials before the ICTY*.
- Oundle School, England: *War Crimes Tribunals*.
- South-Eastern Circuit (England) Conference, The Hague: *ICTY — Experience of Judges*.
- Law Society of England and Wales: *Impressions of the Work of the ICTY*.

#### **Other**

Legalnetwork TV (1993): Criminal Evidence Update.

Visiting Foreign Judicial Fellow, United States Federal Judicial Center, Washington, D.C., October 1997.

Participant as Presiding Judge in ITFY presentation at the International Moot Court, The Hague, November 1998.

Address (on behalf of the ITFY judges) to the fourth session of the Preparatory Commission for the International Criminal Court, United Nations Headquarters, March 2000.

## **Theodor Meron (United States of America)**

Professor Meron, currently the Counsellor on International Law to the United States Department of State, is the Charles L. Denison Professor of Law at New York University Law School. He immigrated to the United States in 1978 and became a citizen of the United States in 1984. He received his legal education in the universities of Jerusalem, Harvard, where he received his doctorate, and Cambridge. Since 1978 he has been Professor of International Law at New York University School of Law. Between 1991 and 1995 he was also Professor of International Law at the Graduate Institute of International Studies in Geneva. In 1994 he was named to the Charles L. Denison Chair.

He is a leading scholar of international criminal law, international humanitarian law and human rights. He was a rapporteur of a study group of the Council on Foreign Relations which recommended the establishment of the International Criminal Tribunal for the Former Yugoslavia.

He was Co-Editor-in-Chief of the *American Journal of International Law* (1993-1998) and is now an honorary editor. He is a member of the Board of Editors of the *Yearbook of International Humanitarian Law*, a member of the Council on Foreign Relations, of the American Society of International Law, of the French Society of International Law, of the American Branch of the International Law Association, of the Bar of the State of New York and of the International Institute of Humanitarian Law. He served on the advisory committees or boards of several human rights organizations, including Americas Watch and the International League for Human Rights. In 1990, he was a Public Member of the United States Delegation to the Conference on Security and Cooperation in Europe Conference on Human Dimensions in Copenhagen. In 1998, he served as a member of the United States delegation to the United Nations Conference of Plenipotentiaries on the establishment of an International Criminal Court, at Rome. He served on two sessions of the Preparatory Commission for the Establishment of the International Criminal Court. He was a member of several committees of experts of the International Committee of the Red Cross (ICRC): on Internal Strife, on Environment and Armed Conflicts, and was a member of the steering committee of ICRC experts on Customary Rules of International Humanitarian Law. He is a rapporteur of the Institute of International Law on the universality of jurisdiction for genocide, crimes against humanity and war crimes. He was a counsel and advocate of the United States before the International Court of Justice. He served as consultant to the World Bank, the Asian Development Bank and to the United States Department of State. Professor Meron is fluent in French.

He was a Humanitarian Trust Scholar at the University of Cambridge and Carnegie Lecturer at the Hague Academy of International Law, Fellow of the Rockefeller Foundation, Max Planck Institute Fellow (Heidelberg), Sir Hersch Lauterpacht Memorial Lecturer at the University of Cambridge, Visiting Fellow at All Souls College, Oxford, and a Special Fellow of UNITAR. He has lectured at many universities and at the International Institute of Human Rights (Strasbourg) and presented papers at many conferences. He leads the annual ICRC seminars for United Nations diplomats on humanitarian law at New York University and in Geneva. He leads ICRC seminars on international humanitarian law for university teachers in Geneva. In 1997, he was elected Associate Member of the Institute of International Law. In fall 1999, he was a Visiting Professor of Law at Harvard and

in spring 2000 at the University of California at Berkeley. In March 2000, he was a rapporteur of the committee of legal advisers of the Council of Europe (CAHDI) on the influence of the European Convention of Human Rights on public international law.

The following are his principal publications:

















## **Florence Ndepele Mwachande Mumba (Zambia)**

Date of birth: 17 December 1948.

Qualifications: LL.B, 1972 (Zambia).  
Certificate in French Language, 1968.

Admission to the Bar: 30 April 1973.

Current position: 1997: elected judge of the International Tribunal for the Former Yugoslavia; Vice President of the Tribunal as from November 1999.

### **Professional experience**

Litigation in the Subordinate Courts, High Court and Supreme Court in cases of criminal law, civil law, family law, commerce, tort, matrimonial causes.

1973	Legal Aid Counsel.
1975	Assistant Senior Legal Aid Counsel.
1977	Senior Legal Aid Counsel.
1978	Director of Legal Aid Department.

### **October 1980, High Court Judge**

Adjudicating in matters of criminal law and procedure. Trying crimes as a court of first instance; adjudicating in civil matters, family law, contract law, torts, commerce, probate, adopting election petition as a court of first instance. Hearing and determining appeals in criminal matters and civil matters from Subordinate Courts and Magistrates Courts.

### **March 1989, Investigator General**

Investigating complaints of an administrative nature in public institutions.

### **July 1997, Supreme Court Judge**

Final Appellate Court, Zambia.

### **Ad hoc offices held**

1985	Chairperson of the Commission of Inquiry appointed by the Head of State to investigate the Zambia National Provident Fund Industrial Unrest. Presented a report of recommendations to the Head of State.
1991	Chairperson of the Commission of Inquiry appointed by the Head of State to investigate a road traffic accident in which the Vice-President of Zambia was seriously injured and his aide-de-camp killed.

1993 Chairperson of Commission of Inquiry appointed by the Head of State to examine the conditions of service and salaries of the whole public service with a view to making recommendations for reform.

**Professional membership**

1976-1979 Commission of the Law Development of Zambia.  
1981-1983 Council of Law Reporting Editorial Board of Zambia.  
1985-1990 Council of Legal Education of Zambia.  
1992-1994 Electoral Commission of Zambia.  
1992-1995 United Nations Commission on the Status of Women.  
1992-1996 Director for Africa on the International Ombudsman Institute Board.  
1994-1996 Vice President, International Ombudsman Institute.  
1995-1997 Vice-Chairman, University of Zambia Council.  
1996-1997 Rhodes Scholarship Selection Committee, Zambia chapter.  
1996 Commissioner, International Commission of Jurists.

**Conferences/seminars attended**

1972 International Moot Court Competition, Washington, D.C. Participated in the Moot Court on International Law regarding Rhodesia and its unilateral declaration of independence.  
1977 Annual meeting of Academy of American and International Law.  
1985 United Nations World Conference on women, Kenya, as counsel for the Zambian delegation.  
1987 Course of study: American Legal Institutions on Family and Juvenile Law, National Council of Juvenile and Family Court Judges, United States of America.  
1990 "Ombudsman Idea and Systems in Africa", United Republic of Tanzania.  
1991 Congress on the Judicial Ombudsman, Puerto Rico.  
1992 Commonwealth Secretariat Workshop on the Ombudsman, Canada.  
1992 Fifth World Congress on the Ombudsman, Austria.  
1994 Commonwealth Workshop on "Promoting Democracy, Human Rights and Development", Namibia.  
1994 African Regional Conference on women, preparatory meeting for Beijing Conference, Senegal.



- 1994 Commonwealth African Regional Judicial Colloquium for Senior Judges on the Domestic Application of International Laws on Gender Issues, Zimbabwe.
- 1995 As Commissioner on the International Commission of Jurists, participated in the drafting of Protocol to the African Charter on Human and Peoples' Rights on the establishment of an African Court of Human Rights, Cape Town, South Africa.
- 1995 ICJ Conference on the role of lawyers in the implementation of economic and social rights, Bangalore, India.
- 1996 Workshop designed to examine the effectiveness of the African Commission on Human and Peoples' Rights in dealing with human rights complaints in the region of Africa, Burkina Faso.
- 1996 Judges Conference on the framework of the South African Constitution.
- 1996 As International Ombudsman Institute (IOI) Director for the African Region, organized and participated in the IOI Workshop for Investigations Officers in the African Region, Pretoria.
- 1996 Attended the Sixth World Conference of Ombudsman as Director for the African Region and as Vice-President of IOI, Argentina.

*Presented numerous papers at conferences*

- 1990 First African Regional Ombudsman Conference on the theme "Justice for All": "The effectiveness of the Commission for Investigations: Zambia's Ombudsman Institution", Uganda.
- 1991 International Workshop on the theme "The Ombudsman and Constitutional Complaints": "The Commission for Investigations and constitutional complaints in Zambia", Spain.
- 1991 Second African Regional Conference on the Ombudsman, "Establishment and operations of the Commission for Investigations in Zambia", Lusaka.
- 1993 South African Seminar on the Ombudsman: presented a paper on "The Challenges Facing the institution of the Ombudsman", Pretoria.
- 1993 Commonwealth Workshop on the establishment of the Ombudsman institutions in the Gambia: "An effective Ombudsman", Banjul.
- 1994 Ombudsman Workshop organized by the Carter Centre and the Government of Denmark, on the need for the establishment of an Ombudsman institution for Ethiopia: "The Ombudsman in an African Perspective".
- 1994 International Ombudsman Institute Conference on the Ombudsman Concept: "The Ombudsman Concept in the African Region", Taiwan Province of China.

- 1995 Ombudsman, India and the World Community Colloquium: "The Ombudsman: The Need for Protection and Control", India.
- 1995 First meeting of European and African Ombudsmen: "Common Issues Approach and Cooperation for European and African Ombudsman", France.
- 1995 Fourth African Regional Ombudsman Conference: "The effectiveness of the Ombudsman Institution in Building and Ensuring Integrity in the Civil Service", Sudan.

**Publications**

- 1995 "The Ombudsman: the need for protection and control", in *Ombudsman — India and the Work Community*, pp. 33-40.
- "Development and Essential Features of the Ombudsman Institution", in *The Ombudsman in Southern Africa*, pp. 17-26.
- "The Commission for Investigations in Zambia", *ibid.*, pp. 233-239.

## **Rafael Nieto Navia (Colombia)**

Born in Bogotá on 5 February 1938.

Judge in the Appeals Chambers of the International Tribunals for the former Yugoslavia and Rwanda since November 1997.

Judge and President of the Argentine-Chilean International Arbitral Tribunal to delimit the boundary between marker 62 and Mount Fitz-Roy (1991-1995).

Former judge (1982-1994) and President (1987-1989 and 1993-1994) of the Inter-American Court of Human Rights.

Member of the Colombian National Group of the Permanent Court of Arbitration at The Hague since 1988.

Member of the Advisory Committee on Foreign Affairs of Colombia (1982-1986).

Associate Judge in the Constitutional Division of the Supreme Court of Justice of Colombia (1980-1984).

### **Education**

Javeriana University: Doctor of Laws and Economic Sciences (1962).

University of the Andes (International Law Academy of The Hague, external session), International Law (1969).

Javeriana University: Bonds and securities (1971).

University of Buenos Aires (International Law Academy of The Hague, external session), International Law (1972) (recipient of a scholarship).

Fundação Getúlio Vargas (Rio de Janeiro) (Organization of American States, Inter-American legal Commission) International Law (1974).

### **Teaching Experience**

Professor of Public International Law at the Faculty of Law of Javeriana University (1962-1997).

Taught at Santo Tomás University, Bogotá (1996); at the International Law and Diplomacy Institute of Jorge Tadeo Lozano University, Bogotá (1974-1976); at the international law specialization course at Colegio Mayor de Nuestra Señora del Rosario (Bogotá) (1975); at Nueva Granada University (Bogotá) (1979-1981); at Sergio Arboleda University (Bogotá) (1986-1990); in the Political Science Faculty of Javeriana University (1985-1991).

### *Other academic activities*

Professor of Bonds and Securities at the College of Higher Administration Studies, Bogotá (1977-1997).

Guest lecturer or professor: Centre for Colombian Studies, International Studies Institute of the Ministry of Foreign Affairs, Higher Military School of Colombia, External Studies Programme of the University of Colombia, Aspen Institute for Humanistic Studies, Inter-American Institute of Human Rights (San José), OAS-ICJ International Law Course (Rio de Janeiro), International Institute of Human Rights

(René Cassin Foundation) (Strasbourg), National University of Córdoba (Argentina), University of Texas at Tyler, University of Lomas de Zamora (Buenos Aires), Council of Europe (Strasbourg), Ibero-American University (Mexico City), Pontifical University of Salamanca (Spain), Institute of Public International Law (Thessaloniki), Colombian Institute of Administration.

*Other experience*

Member of the Colombian Government commission that organized the Fourth Congress of the Hispanic-Luso-American Institute of International Law (1962).

Member of the First Subcommission for the study of the Concordat problems of the Episcopal Conference of Colombia (1972-1973).

Chief delegate to the Second Latin American Congress on Savings (Guatemala, 1966).

Director of the International Policy Section (1968-1971) and co-Director of the Policy Section (1971-1982) of the journal *Javeriana*.

Former President of the Centre for Colombian Studies and Director of its journal (1982-1984).

Member of the Colombian Government's Commission for Constitutional and Legal Matters, which prepared draft proposals for constitutional reform (1984-1985).

Member of the Consultative Council of the Inter-American Centre of Consultant and Electoral Promotion (San José, Costa Rica) since 1984 and of the Inter-American Institute of Human Rights (San José, Costa Rica) from 1983 to 1995.

Vice-President of the Inter-American Institute of Human Rights (San José, Costa Rica) (May 1992-June 1994).

Representative, as Ambassador Extraordinary and Plenipotentiary of Colombia, to the Ninth Conference of Heads of State or Government of Non-Aligned Countries (1989).

Representative, as Ambassador Extraordinary and Plenipotentiary of Colombia, to the forty-fourth session of the General Assembly of the United Nations and the Security Council (1989).

Represented the Inter-American Court, from 1985 to 1994 in the ordinary sessions of the General Assembly of the Organization of American States.

Member of the Committee of Honour for the twenty-fifth anniversary of the International Institute of Human Rights.

**Publications**

*La Doctrina de Monroe, Presencia Histórica* (thesis), Bogotá, 1962.

*El Pensamiento Político del Libertador* (ed.), Bogotá, 1983.

*El bien común*, Instituto Juan Pablo II, Bogotá, 1989.

*Derecho Internacional Público* — Lectures (selected by Rafael Nieto Navia), Javeriana University, Bogotá (1990).

*La Corte Interamericana de Derechos Humanos: su Jurisprudencia como Mecanismo de Avance en la Protección de los Derechos humanos y sus Limitaciones*, Inter-American Institute of Human Rights (IIDH), NGO series, No. 2, San José, Costa Rica 1991.

*Introducción al Sistema Interamericano de Protección a los Derechos Humanos*, IIDH, Editorial Temis, San José — Bogotá (2nd ed., 1993).

*Estudios sobre Derecho Internacional Público*, Javeriana University, Bogotá, 1993.

*La Corte y el Sistema Interamericano de Derechos Humanos* (ed.), IDH Court (San José 1994).

*Other published material*

La Jurisprudencia de la Corte Interamericana de Derechos Humanos, in: *XI Curso de Derecho Internacional* (OAS, Washington, 1984).

La Jurisprudencia de la Corte Interamericana de Derechos Humanos, in *Revista IIDH* (San José, January-June 1985).

La Jurisprudencia de la Corte Interamericana de Derechos Humanos sobre la Convención de Viena sobre el Derecho de los Tratados, in: *Derechos Humanos en las Américas, Libro Homenaje a la Memoria de Carlos A. Dunshee de Abranches*, OAS (ed.) (Washington, 1985).

La Constitución colombiana y los Tratados internacionales, in OAS, *Inter-American Juridical Yearbook* (Washington, 1985).

El Golfo y San Andrés, in *Credencial* (Bogotá, November 1987).

Comentarios al Discurso del Papa en la Casa de Nariño in *Hacia la Civilización del Amor* (Instituto de Estudios Sociales Juan Pablo II and Centro de Estudios Colombianos, ed., Bogotá, 1987).

La Subjetividad internacional de la Iglesia católica a la luz del Derecho internacional vigente, in *Matrimonio, Educación y Paz en Colombia* (Secretariado permanente del Episcopado colombiano, Sección de Universidades, Bogotá, 1988).

Derechos humanos, ... pero también deberes, in: *II Ciencia Política* (Bogotá, II Trimestre 1988).

La Democracia como Marco del Sistema interamericano de Derechos humanos, in: *Revista IIDH*, special issue (San José, May 1989).

Jurisprudencia de la Corte Interamericana de Derechos Humanos, in: *La Convención Interamericana de Derechos Humanos, 9 Cuadernos de la Facultad de Derecho y Ciencias Sociales*, Second Series (Montevideo, 1989).

Los Intringulis de la Constituyente, in: *Credencial* (Bogotá, November 1990).

La Actualidad de Intermediación en el Negocio de Seguros, in: *Fasecolda, Memorias de la Segunda Convención Nacional de Seguros*, 3-5 October 1990, Cartagena (Bogotá, 1989).

Democracia y Derechos humanos, in: *II Papel Político* (Bogotá, December 1990).

Democracia y Bien Común como Marco para los Derechos humanos, in: *Revista IIDH* (San José, July-November 1990).

Derechos humanos en la Constitución colombiana de 1991, in: *Constitución y libertad* (DHIAC, Mexico, 1991).

Los Titulos Valores según el Derecho incorporado y la Ley de Circulación, in (Bogotá Stock Exchange ed.) *Titulos Valor* (June 1991).

Concordato y Constitución, *Futuro Colombiano* (April-June 1993, Bogotá).

Los Casos contra Honduras en la Corte Interamericana de Derechos Humanos, 84/86 *Boletim da Sociedade Brasileira de Direito Internacional* (Brasilia).

Comentarios sobre las Libertades y algunos Derechos Humanos contemplados en la nueva Constitución colombiana, ed. Juan Carlos Castro Lorie, *Homenaje al Profesor Eduardo Ortiz Ortiz* (Colegio Santo Tomás de Aquino, Universidad Autónoma de Centroamérica, San José, 1994).

La Corte Interamericana de Derechos Humanos, ed. Rodolfo Cerdas Cruz y Rafael Nieto Loaiza, *Estudios Básicos de Derechos Humanos I*, IIDH-Commission of the European Union (San José, 1994).

Las Medidas provisionales en la Corte Interamericana de Derechos Humanos: Teoría y Praxis, ed. R. Nieto, *La Corte y el Sistema Interamericanos de Derechos Humanos* (San José, 1994).

Prólogo, ed. Mario Alejandro Quintero y Federico Andrés Torres, *Colombia y el Derecho Internacional de los Derechos Humanos* (Universidad Externado de Colombia — Cipe, Bogotá, 1994).

La Función judicial internacional, in: *Revista IDH* (San José, January-June 1994).

Aplicación por la Corte Interamericana de Derechos Humanos de las Normas de la Convención de Viena sobre el Derecho de los Tratados sobre Interpretación en diversos Idiomas, in *The Modern World of Human Rights, Essays in Honour of Thomas Buergenthal* (IIDH; San José, 1996).

Un Problema puntual de la Constitución colombiana: Los Derechos a la Igualdad y a la Propiedad y la Expropiación sin Indemnización, in: Amicorum Liber Héctor Gros Espiell, *Personne Humaine et Droit International*, vol. I (Bruylant, Bruxelles, 1997).

Jurisprudencia en Materia de Delimitación marítima, in: Liber Amicorum In Memoriam of Judge José Maria Ruda (Kluwer, Netherlands, 2000).

*Monographs published in Revista Universitas, Faculty of Law, Javeriana University (Bogotá)*

Población y Territorio de Colombia en Comparación con los demás Países del Mundo, No. 17, December 1959.

Evaluación de la Alianza para el Progreso, No. 22, July 1962.

De la Socialización en la Alianza para el Progreso y otras Observaciones, No. 24, June 1963.

Observaciones sobre el Problema Chino-soviético, No. 25, November 1963.

El Reconocimiento de los Gobiernos de Hecho, No. 27, November 1964.

Del Derecho internacional aéreo al ultraaéreo, No. 31, November 1966.

- La Concepción soviética del Derecho internacional, No. 33, November 1967.
- Acuerdo de Integración Subregional del Grupo Andino, su Caracterización y algunos Aspectos jurídicos y estructurales, No. 38, June 1970.
- De la Nulidad de los Tratados por Violación del Derecho interno de los Estados en la Convención de Viena de 1969, No. 43, November 1972.
- Las Reservas a los Tratados multilaterales en la Convención de Viena de 1969, No. 46, June 1974.
- La Subjetividad internacional de la Iglesia católica, No. 49, November 1975.
- El Derecho imperativo (Jus Cogens) a la Luz de la Convención de Viena sobre el Derecho de los Tratados de 1969, No. 52, June 1977.
- Apuntes para un Estudio sobre “El Libro Blanco de Nicaragua sobre el Archipiélago de San Andrés y Providencia” No. 61, December 1981.
- Análisis histórico, jurídico y político del Conflicto de las Malvinas, No. 63, November 1982.
- El Sistema interamericano de Derechos humanos, No. 65, November 1983.
- La Política internacional colombiana, No. 66, May 1984.
- La Jurisprudencia de la Corte Interamericana de Derechos Humanos, No. 67, November 1984. (Repr. in Revista IIDH, Instituto Interamericano de Derechos Humanos, San José, Costa Rica, No. 1, January-June 1985.)
- Soberanía en la Órbita geostacionaria? Una Propuesta alternativa, No. 69, November 1985.
- La Constitución colombiana y los Tratados internacionales, No. 71, November 1986.
- La Ley, la Justicia y la Guerra en Santo Tomás de Aquino, No. 73, November 1987.
- Realidad de los Derechos humanos en América Latina, No. 75, November 1988.
- Derecho Natural y de Gentes en la Escolástica tardía española, No. 78, June 1990.
- Democracia, Elecciones y Derechos humanos No. 81, November 1991. (Repr. in Constitución y Libertad DHIAC, Mexico, 1991, and in VI Boletín Electoral Latinoamericano, IIDH-CAPEL, July-December 1991.)
- Teólogos y Filósofos salmantinos y los Derechos humanos de los Naturales, No. 82, June 1992. (Repr. Revista IIDH, San José, No. 15, January-June 1992.)
- Aplicación por la Corte Interamericana de Derechos Humanos de las Normas de la Convención de Viena sobre el Derecho de los Tratados sobre Interpretación de Convenios en diversos Idiomas, No. 88, June 1995.
- Los Estados de Excepción y la Constitución colombiana de 1991, No. 91, December 1996.
- In addition, *Revista Javeriana* (Bogotá) and *Revista del Centro de Estudios Colombianos* (Bogotá) contain many monographs and lectures published between 1960 and 1990.

**Associations**

Academia de Historia de Bogotá (académico de número).

American Society of International Law.

Centro de Estudios Colombianos.

Colegio de Abogados Javerianos.

International Law Association (Colombian chapter).

Hispano-Luso-American Institute of International Law.

Sociedad Colombiana de Derecho Internacional.

**Decorations**

Orden de San Carlos (Ministry of Foreign Affairs of Colombia) (Gran Cruz).

Orden Francisco de Miranda (Republic of Venezuela).

Orden de San Silvestre Papa (Holy See) (Comendador).

Orden Universidad Javeriana (Bogotá) (Cabellero).



## **Leopold Ntahompagaze (Burundi)**

Place and date of birth: Gishubi, 20 June 1959.

Occupation: Senior political officer in the First Vice-Presidency of the Republic.

### **Educational background**

1967-1975 Gishubi Primary School, National certificate.

1975-1982 Collège Notre Dame de Gitega, Certificate in General Humanities.

1982-1987 University of Burundi, Bachelor's Degree in Law.

### **International seminars and courses**

October 1995 Seminar on human rights: Belgium, France, Luxembourg; certificate.

July 1996 Internship at the International Institute of Human Rights, Strasbourg; certificate.

### **Professional experience**

April 1987-June 1988 Deputy Public Prosecutor, Municipality of Bujumbura.

July 1988-September 1991 Public Prosecutor, Muramvya.

October 1991-July 1996 Judge at the Court of Appeal of Bujumbura.

August 1993-December 1996 President of the Court of Appeal of Bujumbura.

September 1995-December 1996 President of the Court of Criminal Appeal and of the Court of Appeal of Bujumbura.

December 1996-August 1998 Judge at the Administrative Court of Bujumbura.

August 1998-October 1999 Political and Diplomatic Adviser to the First Vice-Presidency of the Republic.

Since November 1999 Principal Adviser for Legal and Administrative Questions to the First Vice-Presidency of the Republic.

October -December 2000 Principal Private Secretary a.i. of the First Vice-President of the Republic.

### **Other activities**

Member of the National Electoral Commission for the June 1993 presidential and legislative elections.

Member of the Supreme Council of Justice, 1993.

Member of the Police Disciplinary Council, 1993.

Part-time Professor of Law at the Higher Institute for Business Studies.

Part-time Professor of Law at the National Police Academy, 1992.

Training officer for lower court judges, 1992.

**Alphonsus Martinus Maria Orié (Netherlands)**

Date and place of birth: 23 November 1947, Groningen, the Netherlands.

**Education**

- 1958-1966      Gymnasium  $\beta$
- 1966-1971      Legal education, University of Leyden, Master's degree in law, Course in European Law (Criminal Law), Free University, Brussels

**Languages**

Fluent English, French and German.

**Present positions**

- 1997-            Justice of the Supreme Court of the Netherlands (Second Chamber, deciding criminal cases).
- 1998-            Crown-appointed Judge at the Disciplinary Court of Appeal for the Netherlands Bar.
- 2000-            Member of the ad hoc working group, advising the ministries of Justice and Foreign Affairs on the implementing legislation for the Rome Statute of the International Criminal Court.
- 2000-            Chairman of the Committee advising the Netherlands judiciary on the integrated use of electronic data sources.
- 2000-            Member of the Committee advising the Minister of Justice of Belgium on the research carried out by the Universities of Antwerp, Ghent and Liège with regard to the development of coherent and transparent legislation in the field of international criminal cooperation.
- 1997-            Member of the Board of the Netherlands International Law Association.
- 1980-            Co-founder and Chairman of the Society for International Criminal Law (Gezelschap voor International Strafrecht), Dutch section of the International Association of Penal Law.

**Previous positions***Full-time*

- 1980-1997      Admitted to the Bar of the Supreme Court of the Netherlands, partner in the law firm Wladimiroff and Spong, The Hague. Main area of practice: criminal law, especially international criminal cases (transborder defence, extradition, transfer of prisoners, international judicial cooperation) and Supreme Court criminal cases.

- 1995-1997 Experience as assigned defence counsel in the International Tribunal for the Former Yugoslavia, especially dealing with fundamental issues regarding the establishment and the jurisdiction of the Tribunal and the examination of expert witnesses.
- 1971-1980 Lecturer at Leyden University, Department of Criminal Law.
- Part-time*
- 2000 Member of the delegation advising the Ministry of Justice of the Czech Republic on international criminal cooperation and criminal law.
- 1998 Member of the delegation advising on the dialogue between the European Union and China on international criminal law matters.
- 1997 Adviser to the Legal Adviser of the Minister of Foreign Affairs on the *Lockerbie* case.
- 1997-1998 Member of the ad hoc working group assisting the Ministry of Foreign Affairs in the preparation for the Rome Conference on the International Criminal Court.
- 1994-1997 Subsidiary Judge of the Court of Appeal, Amsterdam.
- 1994 Member of an ad hoc informal working group assisting the Registrar of the ITFY in the preparation of a directive on the assignment of defence counsel.
- 1990- Member of various committees advising the Minister of Justice on research carried out in the field of international criminal law.
- 1989-1994 Member of the Council of the Bar of the Supreme Court of the Netherlands (portfolio: criminal law, immigration law and education).
- 1983-1996 Member of three ad hoc legislative advisory committees to the Minister of Justice on:
- The position of the defendant in the field of international cooperation in criminal matters (1992-1994);
  - Review of Supreme Court procedures in criminal cases (1995-1996);
  - Simplified administrative procedure for minor traffic offences (1983-1985).
- 1972-1975 Subsidiary clerk of the District Court of The Hague.

### **Teaching experience**

Since 1980 (upon leaving the position of lecturer at the University of Leyden) frequent teaching and lecturing in a great variety of graduate and postgraduate courses, seminars and conferences, mainly on subjects of international criminal law, among them:

The law of the International Tribunals, Arusha School of Law, Arusha.

International criminal law, at various colloquia of the International Bar Association, in Dublin, London, Madrid and Munich.

International criminal law, at the universities of Utrecht (Netherlands), Tilburg (Netherlands), Maastricht (Netherlands), Amsterdam (Netherlands), Groningen (Netherlands), Leyden (Netherlands), Hamburg (Germany), Frankfurt (Germany), Vienna, Athens, Siracusa (ISISC, Italy), Kiev (Ukraine).

International criminal law, at various Association International de Droit Penal conferences and preparatory colloquia, in Strasbourg (France), Hammamet (Tunisia), Helsinki (Finland), Utrecht (Netherlands), Hamburg (Germany), Cairo, Vienna, Rio de Janeiro (Brazil) and Budapest.

**Selected publications**



## **Fausto Pocar (Italy)**

Place and date of birth: Milan, 21 February 1939.

### **Education and degrees**

LL.D., University of Milan Law School, *cum laude* (1961).

“Libero Docente” of International Law (1969).

### **Languages**

Italian (native speaker).

French (reading, writing and speaking): excellent.

English (reading, writing and speaking): excellent.

Spanish (reading, writing and speaking): very good.

German (reading, writing and speaking): good.

### **Academic and teaching experience**

Professor of International Law, University of Milan (since 1976, currently on leave).

Vice-Rector and member of the Administration Board, University of Milan (1984-1997); Founder and Director of the Postgraduate School of EC Law and Economics, University of Milan (1989-2000); Dean of the Faculty of Political Sciences and member of the academic Senate, University of Milan (1981-1984); Director of the Institutes of International Law, University of Milan (1980-1984, 1986-1987, 1991-1994).

Member of the Committee on Legal Research of the National Council for Universities (1981-1987).

Professor of European Law (1970-1976), private international law (since 1985), European Labour Law (1989-1999), University of Milan.

Professor of International Organization Law at the Faculty of Public Relations, Istituto Universitario di Lingue Milano (IULM), Milan (1995-2000).

Editor-in-Chief, *Rivista di diritto internazionale privato e processuale* and member of the editorial board of the periodicals *Italian Yearbook of International Law*, *La Comunità internazionale* and *Relazioni internazionali*.

Professor of International Organizations Law at the Postgraduate School of the University of Parma (1981-1983).

Professor of EC Law at the Johns Hopkins University, Bologna Centre (1983-1984).

Courses at the Hague Academy of International Law (1983, 1993, General Course); Director of Studies at the Academy (1981).

Courses at the Institut universitaire international, Luxembourg (1979).

**Professional experience in the field of international humanitarian law and human rights**

Judge of the International Tribunal for the Former Yugoslavia (as of February 2000) and member of its Appeals Chamber and of the Appeals Chamber of the International Criminal Tribunal for Rwanda (as of April 2000).

Member (1985-2000) and Chairman (1991-1992) of the United Nations Human Rights Committee: Vice-Chairman (1987-1988), Rapporteur (1989-1990), Rapporteur for new individual communications (1995-1999), Rapporteur for follow-up of final views (1999-2000).

Special Representative of the United Nations High Commissioner for Human Rights for visits to Chechnya (1995) and the Russian Federation (1995, 1996).

Invited speaker to several workshops organized by the United Nations Centre for Human Rights in various countries: Lomé (1988, 1996), Kigali (1988), Moscow (1988, 1989, 1991), Conakry (1989), Banjul (1989), Tokyo (1989), Ottawa (1990), Belgrade (1990), Sofia (1990), Barcelona (1992), Jakarta (1993), Tunis (1994), Turin (1994, 1996), Port of Spain (1999).

Legal Adviser of the Italian delegation, thirty-ninth to forty-first, forty-fifth to forty-ninth sessions of the United Nations General Assembly (1984-1986, 1990-1994).

Legal Adviser to the Italian delegation, United Nations Commission on Human Rights (1984, 1988-1995).

Member of the Italian delegation, World Conference on Human Rights, Vienna, 1993.

Italian delegate and Chairman of the informal working group of the United Nations Commission on Human Rights for the elaboration of a Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities (1990-1991).

Legal Adviser to the Italian delegation at the Third Committee of the United Nations General Assembly (1993).

Member of the Italian Commission on Human Rights.

Member of the Council of the International Institute of Humanitarian Law (San Remo).

Member of the Board of Editors of the periodicals *I diritti dell'uomo, Cronache e battaglie* (Rome) and *Pace, diritti dell'uomo, diritti dei popoli* (Padua).

Professor of Human Rights Law at the Faculty of Diplomatic and International Sciences of the University of Trieste-Gorizia (1989-1993).

Course entitled "Mise en oeuvre universelle et régionale des droits de l'homme" at the Institute of International Public Law and International Relations, Thessaloniki, Greece (1994).

Professor of International Human Rights Law at the Law Faculty of the University of Milan (1999).



Rapporteur at several scientific meetings and Visiting Lecturer in various Italian and foreign universities and institutes, dealing with issues related to human rights and international humanitarian law.

### **Associations**

Associate Member of the *Institut de droit international* (since 1997).

Correspondent Member of the Istituto Lombardo, Academy of Sciences and Letters (Milan).

Member of the National Board of the Italian Society for International Organization (SIOI) and former Chairman of its Milan section.

Member of the Italian Society for International Law, of the Société française de droit international, and of the American Society of International Law.

President and former Vice-President (1997-2000) and Secretary-General (1982-1997) of the Italo-German Association of Jurists.

Member of the Governing Board, Institute for Studies in International Politics (ISPI), Milan.

Member of the International Law Association, and of its Committee on International Civil and Commercial Litigation.

Member and former Chairman of the European Group for Private International Law.

### **Distinctions**

Gold Medal for education, culture and art, awarded by the President of the Italian Republic.

Commander of the Order of the Italian Republic.

“Verdienstkreuz 1. Klasse” of the Federal Republic of Germany.

“Milano Produttiva” award of the Chamber of Commerce of Milan.

### **Other professional activities**

Member of the Milan Bar and attorney before the Court of Cassation and the other Italian Superior Courts.

Arbitrator and counsel in national and international cases.

Member of the Scientific Committee of the Institute for the promotion of arbitration (ISDACI), Milan.

Member of the Association suisse de l'arbitrage (ASA).

Member of the Italian delegation, the Hague Conference on Private International Law (1980, 1996-1999).

Italian delegate, European Patent Organization Building Committee, Munich (1980-1981).

Legal Adviser to the Italian delegation, United Nations Committee on the Peaceful Uses of Outer Space and member of its Legal Subcommittee (1984-1995).

Rapporteur of the ad hoc group on revision of the Brussels and Lugano Conventions of the Council of the European Union (1997-1999).

Co-Rapporteur of the Special Commission on the question of jurisdiction, recognition and enforcement of foreign judgements of the Hague Conference on Private International Law (1997-2000).

Member of the Scientific Council of the European Union Alfa programme (América Latina Formación Académica) (1995-1998).

Member of the Control Committee of the Lombardy Region (1971-1972).

Member of the Legislative Committee of the Lombardy Region with the Presidency of the regional Administration (1977-1982).

Member of the Committee for the Reform of Private International Law, Italian Ministry of Justice (1985-1989).

Chairman of the Organizing Committee of the Milan session of the Institut de droit international (1993).

**Principal publications**

Author of several books, among them:





## **Jonah Rahetlah (Madagascar)**

### **Personal data**

Born on 3 August 1941 in Ifandaiana, Madagascar

Current functions and post: Senior Judge, Procurator-General of the Madagascar Supreme Court

Honours: Grand Officer of the Malagasy National Order, Commander of the Malagasy Order of Merit

### **Professional experience**

February 1999-	Procurator-General of the Madagascar Supreme Court.
March 1996-February 1999	Senior trial attorney at the International Tribunal for Rwanda, Office of the Prosecutor, Kigali.
December 1997-February 1999	Procurator-General of the Court of Appeal of Antananarivo.
1992-1996	Trial attorney at the Madagascar Supreme Court.
1985-1992	Secretary-General of the Ministry of Justice of Madagascar.
1975-1985	Government Procurator of the Court of First Instance of Antananarivo.
1971-1975	Government Procurator of the Court of First Instance of Majunga.
1967-1971	Senior Deputy Procurator of the Court of First Instance of Tamatave.
1966	Admitted to the Malagasy National College of Magistrates. First in year.

### **Education**

1965	Licence en droit (Bachelor's degree in law), four-year programme.
1965	Diploma, Institute of Judicial Studies, University of Madagascar.
1970	Advanced training course on human rights organized by the United Nations Development Programme (Brussels).

### **International activities**

Member of the International Association of Prosecutors. Participated in its conference on the fight against corruption held at Beijing, September 1999.

Member of the Malagasy delegation to the Ninth Annual Anti-Corruption Conference organized by the World Bank and Transparency International (Durban, South Africa, 1999).

Member of the International Institute of Law of the French-speaking Countries (IDEF). Participated in its congresses held in Montreal, Canada (1981) and Libreville (1990).

Head of the Malagasy Government delegation to the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Milan, 1985) and the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana, 1990).

Member of the Malagasy Government delegation to the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme (Versailles, 1991).

### **Publications**

“Enquête sur le droit coutumier de la tribu Tsimihety”, in *Annales de l’Université Charles de Gaulle*, Antananarivo, 1963.

“Les Mécanismes juridiques de protection des droits de la personne”, *Revue juridique et politique d’indépendance et coopération*, IDEF, Édition Ediena, 1982.

### **Languages**

French: Reading, writing, aural comprehension: excellent.

English: Reading, writing: good; aural comprehension: fair.

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## **Patrick Lipton Robinson (Jamaica)**

### **International Tribunal for the Former Yugoslavia**

Judge, International Tribunal for the Former Yugoslavia, since November 1998; member of Trial Chamber III; Presiding Judge in a case before the Chamber; member of the Tribunal's Working Group on Judicial Practices; assigned to sit in the Appeals Chamber in several cases.

### **Immediate past position**

Deputy Solicitor General, Attorney General's Department, Jamaica.

### **World Intellectual Property Organization**

Member of the Board of the Worldwide Academy of WIPO; Coordinator of the Academy session for English-speaking countries of Asia, March 2000.

### **International Law Commission**

Member of the International Law Commission, 1991-1995; member of the Commission's Working Group on: (a) drafting of the statute for an international criminal court; (b) the topic of international liability for injurious consequences arising out of acts not prohibited by international law; (c) member of the Commission's Drafting Committee on the Draft Code of Crimes against the Peace and Security of Mankind.

### **Member of the Inter-American Commission on Human Rights**

Member of the Commission from 1987 to 1995; Chairman of the Commission in 1991 and the Commission's Rapporteur for:

(a) The drafting of a legal instrument on the rights of indigenous people; presented a draft instrument in 1995 for the consideration of OAS members and Indigenous Peoples;

(b) The United States of America, Canada, Haiti, Grenada, Trinidad and Tobago.

### **Commission of Truth and Justice of Haiti**

Appointed in 1995 as a foreign member of the Commission following consultations between the Government of Haiti, the United Nations and OAS. The Commission's purpose was to establish the truth about the most serious rights violations committed during the de facto military regime, 1991-1994. While Mr. Robinson had a wide role in the Commission, he was especially responsible for the drafting of the chapter on "Rape and sexual offences against women constituting torture and crimes against humanity".

### **International Bioethics Committee**

Member of the International Bioethics Committee of UNESCO 1996 to present; member of the Committee that drafted the Universal Declaration on the Human Genome and Human Rights.

**Academic background**

B.A. (English, Latin, Economics), London University; LL.M (International Law, Law of the Sea, Air, Treaties, and Armed Conflict), Kings College, University of London. Barrister-at-Law, Middle Temple, London.

**Professional career**

Mr. Robinson joined the Jamaica Government service in 1968. He worked as a Crown Counsel in the Office of the Director of Public Prosecutions for three years and spent the rest of his Jamaican Government career in the Attorney General's Department. While at the Director of Public Prosecution's Office, he prosecuted the first extradition case in independent Jamaica; he represented the Attorney General's Department in all extradition cases up to 1991. His work as a Crown Counsel included the preparation of indictments and the prosecution of a wide range of criminal offences, including murder, robbery with aggravation and rape. He also represented the Director of Public Prosecutions in the Court of Appeal, and has appeared in Jamaica's highest court, the United Kingdom Privy Council. Mr. Robinson has also prosecuted in court martial.

From 1972 to 1998, Mr. Robinson has worked as Adviser to the Ministry of Foreign Affairs and other ministries on international law and international affairs. An expert in the law of treaties, he has been the leader of several Jamaican delegations in the negotiation of treaties in many areas of international law, including extradition, investment protection, environment, intellectual property, maritime delimitation, privileges and immunities and mutual assistance in criminal matters.

Mr. Robinson was very active in the Sixth (Legal) Committee of the United Nations General Assembly where he was Jamaica's representative for twenty-six years. While taking a broad view on the items in the Sixth Committee, he played a leadership role on several items in the Committee, including succession of States in relation to treaties; the Definition of Aggression, jurisdictional immunities of States and their property; the Status of the Diplomatic Courier and the diplomatic bag; the Draft Code of Crimes against the Peace and Security of Mankind; and the draft statute for an international criminal court.

Mr. Robinson was accredited as a delegate of Jamaica to the United Nations General Assembly in 1982, and served as Jamaica's representative on several United Nations bodies, including the United Nations Commission on International Trade Law (UNCITRAL) and the Commission on Transnational Corporations, of which he was the Chairman at the Commission's twelfth session in 1986. In 1985 Mr. Robinson, at the request of the United Nations Centre on Transnational Corporations (the Centre), prepared a paper on the position of developing countries in relation to a reference to international law in the Draft Code of Conduct for Transnational Corporations. He also, at the request of the Centre, prepared guidelines for the Organisation of Eastern Caribbean States in the negotiation of bilateral investment treaties. In 1997 he chaired the UNCTAD expert meeting on existing bilateral agreements on investments and their developing dimension.

As a member of the International Law Commission, Mr. Robinson made a substantial contribution to the codification and progressive development of international law in all areas of the Commission's work. As a member of the



Commission's Working Group on the statute of an international criminal court, he was active and instrumental in the successful and expeditious elaboration of a draft statute which was adopted by the Commission in 1994 for presentation to the General Assembly at its forty-ninth session and was the basis for the work of the United Nations Preparatory Committee in respect of the Statute for an International Court.

As a member of the Inter-American Commission from 1987 to 1995, Mr. Robinson contributed to the development of a corpus of human rights law for the Inter-American System; in particular, he worked to ensure an appropriate Caribbean contribution to the Commission's work. He also worked to ensure that the Inter-American Human Rights System benefited from the most relevant and applicable features of civil and common law. He represented the Commission in cases heard by the Inter-American Court of Human Rights.

In the course of a professional career of 26 years in international law while in Jamaican Government service, Mr. Robinson represented Jamaica at many plenipotentiary conferences, including the Third United Nations Conference on the Law of the Sea, in which he made a significant contribution to the elaboration of the provisions in the United Nations Convention on the Law of the Sea relating to the limits of national jurisdiction.

Mr. Robinson worked extensively at the regional (OAS) and subregional (Caribbean) level in the field of international law. He participated in many conferences leading to the adoption of several OAS Conventions, including those on Extradition, Mutual Legal Assistance in Criminal Matters, the Forced Disappearance of Persons, Corruption, and Illicit Traffic in Arms. He was the Vice-President of the OAS Specialized Conference on the Inter-American Convention against Corruption. At the Caribbean level, he was involved in the negotiations that led to the adoption of the Treaty establishing the Caribbean Community and Common Market.

He was Jamaica's Legal Adviser in the negotiations that led to the Convention establishing the Association of Caribbean States.

Mr. Robinson contributed in a personal capacity to workshops and symposia in several areas of international law, including the environment, maritime pollution, foreign investment, an international criminal court and the rights of indigenous peoples. He was a member of the UNEP Expert Group on International Environment Law aiming at Sustainable Development.

Mr. Robinson's expertise in international law has led to his being retained as an expert consultant by:

- (a) The Commonwealth Secretariat (Commonwealth Fund for technical cooperation) to advise Commonwealth countries on the negotiation of maritime delimitation treaties;
- (b) The United Nations Centre for Transnational Corporations in the areas of investment treaties and the Draft United Nations Code of Conduct on Transnational Corporations;
- (c) UNCTAD in relation to investment treaties;

(d) The United Nations Environmental Programme (UNEP) in the drafting of a Protocol on Specially Protected Areas and Wildlife for the Wider Caribbean Region.

Mr. Robinson has given lectures and published articles on several areas of international law, including the law of the sea, the protection of foreign investment, extradition, the law of treaties, human rights and treaty negotiations.

A list of his publications and writings appears below.

Mr. Robinson's background in criminal law, his extensive work in areas such as international human rights law, Truth Commissions, extradition and mutual legal assistance, his academic qualifications and the wealth of his experience in international law ensure that the Tribunal will continue to benefit from his competence and experience in criminal law, especially at the trial level, and expertise in international law; the two qualities most essential to the performance of the work of its judges.

The Tribunal is at a critical stage in its work: in the light of its heavy workload, it is essential that procedures are devised that will at once ensure expeditious and fair trials. The practical experience acquired by Mr. Robinson in the management of cases before the Tribunal since his appointment in November 1998 will contribute significantly to the discharge by the Tribunal of its commitment to meet the legitimate expectation of the international community for fair and expeditious trials. In that regard, Mr. Robinson has worked as a member of the Working Group on Judicial Practices, whose responsibility is to devise procedures for the better management of cases.

Apart from his involvement in establishing procedures for the better management of cases before the Tribunal, Mr. Robinson has also done academic work in the subject areas relevant to the Tribunal's work. His lecture entitled "Ensuring Fair and Expeditious Trials at ICTY", delivered in September 1999 at Leiden University at the commencement of the University's LLM specialization in international criminal law, will be published in the *European Journal of International Law*; additionally, he has written the chapter on "The Missing Crimes" in a book entitled *Commentary on the Rome Statute for an International Criminal Court* (General Editor, Antonio Cassese), to be published by the Oxford University Press.

#### **Memberships of professional organizations**

Mr. Robinson is a member of the American Society of International Law and the British Institute of International and Comparative Law.

#### **Decoration**

Commander of the Order of Distinction (CD); awarded by the Government of Jamaica in 1986 for services in the field of International Law.

**Lectures and seminars**







## **Almiro Simões Rodrigues (Portugal)**

### **Personal information**

Born 28 July 1950, in Boaldeia-Viseu, Portugal.

### **Education**

- |                   |   |
|-------------------|---|
| July 1975         | <i>Licenciatura</i> in Law (five-year Law Degree), Law School, University of Coimbra, Portugal.   |
| July 1981         | <i>Licenciatura</i> in Psychology (five-year degree), Psychology and Education School, University of Lisbon.  |
| February/May 1984 | Postgraduate research on social perceptions of justice, Catholic University of Louvain, Belgium.  |
| 1983 to 1993      | Postgraduate courses on: European Community Law, legal aspects related to computerization (Legal Studies Centre, Lisbon), English Law System and English Law Language (Law School, Kent University, United Kingdom), essentials of personality and interpersonal relationships (Personality and Human Relations Institute, Lisbon). Various courses on computer operational programmes and on French and English languages. |

### **Professional experience**

- |      |   |
|------|---|
| 1975 | Deputy to the Deputy Prosecutor in Loures and Lisbon (entrance level of an independent Magistrate's career, Ministry of Justice).                   |
| 1976 | Deputy Prosecutor in Reguengos de Monsaraz (1976), Lisbon (1977 and 1979), Loures (1978) and Alijó (1978).  |
| 1982 | Lecturer, Consultant and Researcher, Legal Studies Centre, Lisbon.  |
| 1984 | Legal Psychology Department Coordinator, Office of Legal-Social Research of the Legal Studies Centre, Lisbon.                                       |
| 1985 | Lecturer of Legal Psychology, Legal Medicine Superior Course, Legal Medicine Institute of Lisbon.   |
| 1986 | Prosecutor in Sintra (1986), Aveiro (1992) and Coimbra (1993). In Coimbra, was also in charge of the Investigations and Criminal Action Department. |
| 1993 | Drafter of Portuguese report on implementation of the Convention on the Rights of the Child presented to the United Nations General Assembly.       |
| 1994 | Deputy Attorney-General (highest rank in a Prosecutor's career).  |
| 1997 | Judge at the International Tribunal for the Former Yugoslavia.  |
| 1999 | Presiding Judge of Trial Chamber I at the International Tribunal for the Former Yugoslavia.   |

**Professional affiliations**

- 1982 International Association of Juvenile and Family Court Magistrates.
- 1985 Group on Social Psychology and Law, coordinated by the University of Kent, England.
- 1986 Permanent Group of Interdisciplinary Analysis, Legal Studies Centre, Lisbon.
- 1986 Founder and member of the Executive Committee of the Portuguese Association for Juvenile and Family Law.
- 1990 Founder and member of the Executive Committee of the Infantile Emergency Institute, Lisbon.
- 1990 Member of the Provisional Committee of the Portuguese Society of Forensic Sciences.

**Publications**

“Colaboração Comunitária na Jurisdico Tutelar” (Community Cooperation in Childhood Protection) in “Revista Infância e Juventude” (Child and Youth Review), No. 83.4, pp. 33 to 45).

“Prostituição: que conceito e que realidade?” (Prostitution: what concept and what reality?) in “Revista Infância e Juventude”, No. 84.2, pp. 7 to 34).

“Report of the XII Congress of the International Association of Juvenile and Family Court Magistrates” in “Revista Infância e Juventude”, No. 86.3, pp. 65 to 89.

“Alternativas à Separação — Esboço de um Enquadramento Teórico” (Alternatives to Separation — Theoretical Framework Sketch), in “Revista Infância e Juventude”, No. 86.4, pp. 7 to 16.

“XII Congress of the International Association of Juvenile and Family Court Magistrates: Separation Alternatives Seminar Report” in Actes, Rio de Janeiro, Brazil, 1986, p. 79 to 88.

“Relatório do Seminário Europeu sobre Protecção do Adolescente e Soluções Alternativas” (Report on the European Seminar on Youth Protection and Alternative Solutions), in “Revista Infância e Juventude”, No. 86.1, pp. 43 to 53.

“L’interêt de l’adolescent” (Youth Welfare), Council of Europe, CDPC (85) 24.

“Interesse do Menor (Children’s Welfare), in “Revista Análise Psicológica” (Psychological Analysis Review), Série IV, Nos. 3 and 4, pp. 461 to 483.

“Representação de Justiça em Portugal” (Social Representation of Justice in Portugal — a socio-psychological analysis of the system of justice), in “Revista de Análise Psicológica”, Série IV, Nos. 3 and 4, pp. 377 to 461.

“A Família e os Menores” (Family and Children), in Enciclopédia Legal (Legal Encyclopaedia), pp. 76 to 84, Reader’s Digest, Lisbon, 1987.

“Curso de Psicologia Judiciária” (Legal Psychology Handbook), CEI, Lisbon, 1990.

“A Adopção: Aspectos Sócio-psicológicos e Jurídicos” (Adoption: socio-psychological and legal aspects), APPORT, Porto, 1989.



“Le système de Protection Judiciaire Portugais” (The Portuguese system of legal protection), in “Europe et Protection de l’Enfance”, ANPASE, Cantaleu, France, 1987.

“A Protecção dos Adolescentes e as Soluções Alternativas à Colocação Institucional” (The Protection of Teenagers and Non-Institutional Alternative Solutions), in “Revista Infância e Juventude”, No. 86.1, pp. 43 to 51.

“A adopção Internacional” (International Adoption), International Relations and Social Security Conventions Department Edition, Lisbon, 1988.

“O Psicólogo, a Comunidade e a Criança” (The Psychologist, Society and the Child), in “Revista Infância e Juventude”, No. 92.3, pp. 59 to 65.

“Da Interdisciplinaridade às Comissões de Protecção de Menores” (From Interdisciplinarity to Juvenile Protection Commissions), Ombudsman Edition, Lisbon, 1993.

“Fundamentos da Justiça Tutelar” (Foundations of the Juvenile Protection Doctrine), Ombudsman Edition, Lisbon, 1993.

“Inquiridos Sociais” (Social Inquiries), in “Revista Infância e Juventude”, No. 92.4, pp. 53 to 60.

“Assessoria Técnica na Jurisdição de Menores e Família” (Technical Advice on Juvenile and Family Law), in “Revista Infância e Juventude”, No. 92.4, pp. 47 to 51.

“O Novo Regime Jurídico da Adopção” (The New Portuguese Adoption Law), in “Revista do Ministério Público”, No. 56, 1993, pp. 79 to 97.

“Os Direitos da Criança: o Legislado e o Vivido” (Child Rights: Law and Reality), in “Revista Infância e Juventude”, No. 94.3, pp. 37 to 63.

“Reflexões sobre a Aplicação do Novo Regime Jurídico Portugues de Adopção” (Further Thoughts on the Application of the New Portuguese Adoption Law), in “European Congress on Adoption, Social Action”, Lisbon, 1995, pp. 155 to 166.

“Juger au Tribunal Pénal International pour l’ex-Yugoslavie” (Judging at the International Criminal Tribunal for the Former Yugoslavia), in “Travail de mémoire 1914-1998”, Paris: Editions Autrement, 1999.

“Hearsay Evidence”, Essays on ICTY procedure and evidence: In honour of President Gabriel Kirk McDonald, Kluwer 2000, The Hague.

### **Pending publication**

*Apport de la Pratique du Tribunal Pénal International pour l’ex-Yugoslavie à la Protection des Droits Fondamentaux de la Personne Humaine* (Contribution of the International Tribunal for the Former Yugoslavia to the Protection of Fundamental Human Rights).

### **Special interests**

International aspects of criminal law and criminal procedure; psychological aspects of criminal law; children’s rights and human rights; studies on interdisciplinary, juvenile and family law; decision-making process; sentencing; eyewitness testimony.

**Meetings**

Delivered papers, some of which were published, at more than 100 meetings (congresses, seminars, workshops, etc.), at both the national and international levels, in the areas of children's rights and human rights, family law, criminal law, human relations, eyewitness testimony, mistreatment of children and juvenile delinquency, management and organization.

**Languages**

English, French, Spanish and Italian (reading and aural comprehension).

## Wolfgang Schomburg (Germany)

Born in Berlin-Spandau (9 April 1948).

### Professional career

Since

May 2000	Private Expert in Criminal Matters, lawyer, working on behalf of the Council of Europe.  Drafts of and opinions on codes of criminal procedure and implementation of Council of Europe Conventions in the penal field in  – Bosnia and Herzegovina – Moldova – Russia and – Ukraine
1995-2000	Judge at the Federal High Court (Karlsruhe), First Chamber in Criminal Matters and Investigating Judge.
1991-1995	Lawyer in Berlin assisting clients (victims and suspects) in international criminal cases (e.g., in France (Paris) and the island of La Réunion, the Netherlands, Mauritius, United States, United Kingdom).
1989-1991	Under-Secretary of State at the Senate Justice Department, Berlin.
1986-1989	Senior Public Prosecutor in Berlin (West).
1984-1986	Judge (Criminal Matters) at the Berlin Regional Court (West).
1983-1984	Seconded to the Federal Prosecutor.
1981-1983	Seconded to the German Parliament (Bundestag/Lower House), Bonn (Research Assistant/Criminal Law and Law of Criminal Procedure).
1979-1981	Seconded to the Federal Prosecutor.
1974-1979	Public Prosecutor in Berlin (West).
1974	Second State Examination in Law.
1973	London School of Economics; summer course in Legal Language.
1971	First State Examination in Law.
1966-1971	Studied at the Freie Universität Berlin.

### **Related activities**

- Since 1993      Lecturer/Expert in seminars on international criminal law on behalf of the Council of Europe, especially on missions to:
- Baltic States
  - Georgia
  - Moldova
  - Russian Federation
  - Ukraine
- as well as guest lecturer at institutes of the United Nations, such as
- UNAFEI (Tokyo)
  - ISCIS (Italy)
- 1993-1997      Senior Lecturer at the Faculty of Law at the Freie Universität Berlin.
- Since 1993      Lecturer at the German Judges Academy, the German Police Academy and, case by case, the European Law Academy (Paris, Brussels, Helsinki, Trier) and the Harvard Law School.
- Since 1991      Examiner for the Berlin Law Examinations Board (Chairman since 1995).

### **Professional associations**

International Association of Penal Law/Association internationale de droit penal (AIDP), especially active participation at conferences held in Freiburg, Helsinki, Rio de Janeiro, Utrecht.

The Society for the Reform of Criminal Law.

Various national law societies.

### **Publications**

More than 70 publications (non-exhaustive list of English and French publications below)

Editor and co-author of the *German Standard Commentary on International Cooperation in Criminal Matters* (3rd ed., Munich 1998, 1605 p.).

**List of publications (extract)**



## **Mohamed Shahabuddeen (Guyana)**

Date and place of birth: 7 October 1931, Vreed-en-Hoop, Guyana.

### **Qualifications**

Bar Finals Certificate of the London Inns of Court, May 1952.

LL.B. (London), 1953.

Called to the Bar (Middle Temple, London), February 1954.

LL.M. (London), 1958.

B.Sc. (Econ.) (London), 1959.

Queen's Counsel (Q.C.), March 1966.

Senior Counsel (S.C.), February 1970.

Ph.D. (London), 1970.

LL.D. (London), 1986.

LL.D. (University of the West Indies) (*honoris causa*) 1992.

Honorary Bencher of the Middle Temple, 1993.

### **Present position**

Judge, International Tribunal for the Former Yugoslavia (16 June 1997-16 November 2001); Vice-President, 17 November 1997-16 November 1999.

### **Previous position**

Judge, International Court of Justice (1988-1997).

### **Positions held in Guyana**

Counsel, private legal practice, August 1954-May 1959

Magistrate, May-August 1959

Crown Counsel, August 1959-April 1962

Solicitor-General, April 1962-July 1973 (with the rank of a Justice of Appeal)

Attorney-General, 1973-1987

Minister of Legal Affairs, 1978-1987

Acting Minister of Foreign Affairs, from time to time from 1978 to 1987

Other senior Ministerial positions, including First Deputy Prime Minister and Vice-President

### **Related experience**

Member, Guyana delegation to the United Nations, 1972

Member (with the rank of Ambassador), Guyana/Venezuela Mixed Boundary Commission, 1966-1970.

Member of Guyana delegations to numerous international negotiations and conferences (1962-1987), including:

United Nations Conference on Succession of States in respect of Treaties, Vienna.

Commonwealth Heads of Government Conferences at Lusaka (1979), Melbourne (1981), New Delhi (1983), Nassau (1985) and Vancouver (1987).

Cancun North/South Summit (1981).

General Assembly of the Organization of American States, Saint Lucia, December 1981.

Meetings of Ministers for Foreign Affairs of non-aligned countries, Georgetown (1972) and New Delhi (1981).

Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, Algiers, 1981.

Conference of Heads of State or Government of Non-Aligned Countries, New Delhi (1983).

Commonwealth Caribbean Heads of Government Conferences at Ocho Rios (1982), Port-of-Spain (1983), Nassau (1984), Georgetown (1986) and Saint Lucia (1987).

Commonwealth Law Ministers Meetings, Lagos (1975), Barbados (1980), Sri Lanka (1983) and Harare (1986).

Commonwealth Law Conference, Hong Kong (1983).

### **Organizations**

Member (prior to being a judge) of the Guyana Bar Association, itself a member of the Organization of Commonwealth Caribbean Bar Associations.

Member, Board of Governors of the University of Guyana, 1963-1965.

Member of the Council of Legal Education of the Commonwealth Caribbean, 1973-1987.

Member of the Commonwealth Association of Legislative Counsel (1983).

Honorary member of the American Society of International Law (President, Jessup International Law Moot Court, Washington, 1991).

Headquarters member, International Law Association.

Member, Institute of International Law (First Vice-President, 1999-2001).

Member, Société française pour le droit international.

Associate Member, International Academy of Comparative Law.

Member, Advisory Board, African Society of International and Comparative Law.

Honorary Life Member, Indian Society of International Law.

Member, Advisory Board, *European Journal of International Law*.



Member, Board of Electors of the Whewell Professorship of International Law of Cambridge University (1994-1998).

*Membre, Haut comité de Patronage, Euxodie (Aide internationale aux universités ACP).*

### **Books on law**

*The Legal System of Guyana* (Georgetown, 1973).

*Constitutional Development in Guyana, 1621-1978* (Georgetown, 1978).

*Precedent in the World Court, Hersch Lauterpacht Memorial Lectures* (Cambridge University Press, 1996).

### **Papers**

The Role of the Lawyer in Developing Guyana (Georgetown, 1974).

Towards Industrial Justice in Guyana (Georgetown, 1974).

“Law Reform in Guyana”, Guyana Bar Association Review, December 1981.

“Refresher Courses: Compulsory or Optional?”, *Proceedings of the Commonwealth Law Conference*, Hong Kong, September 1983.

“Slavery and Historiographical Rectification”, in Proceedings of the International Round Table to Commemorate the 150th Anniversary of the Abolition of Slavery in the Anglophone Caribbean, published by the Guyana Commemoration Committee with the assistance of UNESCO, 1985.

“The ICJ: First Impressions”, Address, Research Centre for International Law, University of Cambridge, February 1991.

“The ICJ: An End to Underemployment”, *Proceedings of the American Society of International Law*, April 1991.

“The ICJ: Selected Aspects”, Address, Columbia University, April 1991.

“The ICJ: The Integrity of an Idea”, in *International Law in Transition — Essays in Memory of Judge Nagendra Singh*, 1992, p. 341.

“The ICJ: The Road to Universality”, Address, Council of Legal Education of the Commonwealth Caribbean, Trinidad and Tobago, 21 February 1992.

“The International Court of Justice: The View from the West Indies”, Address, Law Association of Trinidad and Tobago, 5 December 1992.

“Developing Countries and the Idea of International Law”, in *Essays in Honour of Wang Tieya* (ed. R. St. J. Macdonald), 1993, p. 72.

“Municipal Law Reasoning in International Law”, in Vaughan Lowe and Malgosia Fitzmaurice (eds.), *Fifty Years of the International Court of Justice* (Cambridge, 1996), pp. 90-103.

“The International Court of Justice: Image, Mission, Mandate”, The First Taslim Elias Memorial Lecture, Nigerian Society of International Law, 19 May 1994.

“The Hersch Lauterpacht Memorial Lectures”, Cambridge University, November 1994.

“The World Court at the Turn of the Century”, in A. S. Muller, D. Rai and J. T. Thuránszky (eds.), *The International Court of Justice: Its Future Role After Fifty Years* (The Hague, 1996), pp. 3-29.

“The Evolution of the Global Legal Framework”, in *Boutros Boutros-Ghali, Amicorum Discipulorumque Liber* (Brussels, 1998), vol. 1, pp. 701-724.

Note on Third Party Intervention in International Litigation, *Annuaire de l'Institut de droit international*, Session de Berlin, vol. 68-I, 1999 (Paris, 1999), pp. 229-239.

“Duress in International Humanitarian Law”, in *Liber Amicorum, José Maria Ruda* (Kluwer, 2000), pp. 563-574.

**Individual judicial opinions (International Court of Justice)**

Several opinions (apart from participation in all decisions).

**Individual judicial opinions (International Tribunal for the Former Yugoslavia)**

Several opinions (apart from participation in numerous decisions).

**National honours**

Order of Excellence (1988) (highest).

Order of Roraima (1980) (second highest).

Cacique's Crown of Honour (1970) (third highest).

**Demetriakis Stylianides (Cyprus)**

Date of birth: 1 March 1927.

**Studies**

Barrister at Law of the Middle Temple.

**Practice**

At the Bar from 1950 to 1965. Accepted judicial appointment on 1 January 1986. Elevated to the post of Justice of the Supreme Court in 1981 and appointed President of the Supreme Court in 1994. Retired in 1995.

**Other relevant information**

Member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe from 1995 to 1999. Participated in conferences, committees, etc., on criminology and other matters of the European Convention on Human Rights. Participated in conferences of Constitutional Courts and Supreme Administrative Courts.

## **Krister Thelin (Sweden)**

Date of birth: 8 December 1947.

### **Education**

University of Lund, Sweden, J.D. (Juris Kandidat), August 1967-June 1972.

Harvard Law School, Cambridge, Mass., United States of America, Master of Laws (LL.M): United Nations Law, Comparative Constitutional Law and International Legal Process, July 1975-June 1976.

### **Language skills**

Swedish, English (excellent).

German, French (good).

### **Membership of professional bodies**

Swedish Judges Association, Swedish Society for Judicial Research (President 1992-1998), Swedish Helsinki Committee, International Commission of Jurists and Amnesty International.

### **Other skills**

Professional judicial career and government service, including senior executive positions, from 1972 to present. Adviser on humanitarian law to the Military Commander of Southern Sweden (1986-1991).

### **Present position**

Chief Justice of Appeal (on leave) in the Scania Court of Appeals, Malmö, Sweden, Director General of the Independent Media Commission in Bosnia and Herzegovina (see [www.imcbih.org](http://www.imcbih.org)), Chairman of the Independent Media Commission (IMC) Enforcement Panel; Chairman of the Stability Pact (Working Table II) Balkans initiative.

### **Key qualifications**

High Court Judge with international legal process, humanitarian law and constitutional law background. Experience in the Balkans, primarily Bosnia and Herzegovina, since 1997.

### **Professional experience**

July 1998-present     Director General, IMC, supreme broadcasting regulatory agency in Bosnia and Herzegovina.

CEO, responsible for establishing and running an indigenous regulatory agency in Bosnia and Herzegovina post Dayton.

Chairman, IMC Enforcement Panel; dispute resolution, in lieu of Bosnia and Herzegovina Court of First Instance.

- October 1991-1997 Ministry of Justice, Sweden: Deputy Minister of Justice (1991-1994), Chair, Law Commission (1995-1997).
- 1984-present Associate Justice of Appeal (1984-1989), Justice of Appeal (1990-1997), Chief Justice of Appeal (1998-present).

**Publications**

*Swedish Code of Judicial Procedure* (co-editor), Comparative Criminal Law Project, New York University School of Law 1976. Numerous articles and reports on IT-law, humanitarian law and constitutional law in Swedish legal periodicals and in other publications. Book (under publication): *Sverige som rättsstat* (Sweden and Rule of Law).

**Hobbies**

History, tennis and long-distance running (10 marathon events 1990-1999).

**Volodymyr Vassylenko (Ukraine)**

Date and place of birth: 16 January 1937, Kyiv.

**Education, academic and other qualifications**

- |           |   |
|-----------|---|
| 1944-1954 | V. Belinskiy Secondary School, Kyiv.  |
| 1954-1959 | Faculty of Law, Taras Shevchenko National University, Kyiv.   |
| 1957-1959 | English Language Section, foreign language courses of the Ministry of Education of Ukraine, Kyiv.   |
| 1959-1961 | French Language Section, foreign language courses of the Ministry of Education of Ukraine, Kyiv.  |
| 1961-1964 | Postgraduate studies and thesis in public international law, Taras Shevchenko National University, Kyiv. Awarded Ph.D.                    |
| 1976-1977 | Postdoctoral research and thesis in public international law, Taras Shevchenko National University, Kyiv. Awarded Higher Doctorate, LL.D. |
| 1978      | Professor, Doctor Juris.  |
| 1992      | Ambassador Extraordinary and Plenipotentiary of Ukraine.  |
| 1995      | Honoured Lawyer of Ukraine.   |
| 1997      | Conferred Order of Merit (Third Class) by the President of Ukraine.   |

**Professional activities***Juridical activities*

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|-----------|---|
| 1958-1959 | Professional training in the Courts of Shevchenko and Radianskiy Districts, Kyiv. |
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*Non-juridical legal activities*

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|-----------|--|
| 1964-1993 | Lecturing in public international law and law of international organizations at the Faculty of Law and the Institute of International Relations and International Law, Taras Shevchenko National University, Kyiv. |
| 1972-1993 | Legal Adviser to the Ministry of Foreign Affairs of Ukraine.   |
| 1991-1993 | Senior Legal Adviser to the Verkhovna Rada (Parliament) of Ukraine.  |

*Other professional activities*

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|------|--|
| 1972 | Member of the Ukrainian delegation to the United Nations Sea-Bed Committee.  |
| 1986 | Head of the Ukrainian delegation to the United Nations Conference on the Law of Treaties between States and International Organizations and between International Organizations. |

- 1987 Representative of Ukraine to the International Conference on Suppression of Unlawful Acts against the Safety of Maritime Navigation (Vice-President of the Conference).
- 1993-1995 Ambassador Extraordinary and Plenipotentiary of Ukraine to the Kingdom of Belgium, the Kingdom of the Netherlands, the Grand Duchy of Luxembourg.  
Permanent Representative of Ukraine to the European Union and the North Atlantic Cooperation Council.
- 1995-1998 Ambassador-at-large in the Ministry of Foreign Affairs of Ukraine.
- 1998-present Ambassador Extraordinary and Plenipotentiary of Ukraine to the United Kingdom of Great Britain and Northern Ireland (since 2 March 1998).  
Ambassador Extraordinary and Plenipotentiary of Ukraine to Ireland (since 24 September 1998, non-resident).  
Permanent Representative of Ukraine to the International Maritime Organization (since 29 June 1999).

#### **Activities and experience in the field of human rights**

- 1964-1993 Lectured in human rights law and international humanitarian law at the Faculty of Law and the Institute of International Relations and International Law, Taras Shevchenko National University, Kyiv.
- 1989 Member of the Drafting Committee of the First Congress of the People's Democratic Movement of Ukraine (Rukh) with the responsibility of preparing the Human Rights Chapter for the Rukh Programme.
- 1989-1991 Representative of Ukraine to the United Nations Commission on Human Rights.  
Head of the Ukrainian delegation at the forty-fifth to forty-seventh sessions of the United Nations Commission on Human Rights.
- 1990-1991 Chairman of the Commission on Human Rights Group of Three established under the United Nations Convention on the Suppression and Punishment of the Crime of Apartheid.
- 1991-1993 Member of the Constitutional Commission of the Verkhovna Rada (Parliament) of Ukraine. Co-Chairman of the Working Group of the Constitutional Commission drafting the Chapter on "The Rights and Freedoms of Individuals and Citizens" for the Constitution of Ukraine.
- 1996-1998 Representative of Ukraine to the United Nations Commission on Human Rights.  
Head of the Ukrainian delegation to the fifty-second to fifty-fourth sessions of the United Nations Commission on Human Rights.
- 1991, 1996 Vice-Chairman of the forty-seventh and fifty-second sessions of the Commission on Human Rights.

- 1964-present Participation in numerous national and international conferences, seminars and workshops on human rights, in particular, on the issues related to implementation of the United Nations Covenants on Human Rights and the European Convention on Human Rights, as well as approximation of Ukrainian legislation to the Council of Europe standards.

**Public activities**

- 1989-1991 Member of the Grand Council of the People's Democratic Movement of Ukraine (Rukh).

**Other activities**

- 1972-1992 Member of the Academic Council, Institute of International Relations and International Law, Taras Shevchenko National University, Kyiv.
- 1985-1989 Member of the Editorial Board of the *Soviet Yearbook of International Law*.
- 1989-1993, 1995-1998 Member of the Supervisory Board of the Ukrainian-American Renaissance Foundation (George Soros Foundation), Kyiv.
- 1995-1998 Member of the Board of Directors of the Association of Ukrainian Lawyers.
- 1994-present Member of the World Congress of Ukrainian Lawyers.
- 1998-present Member of the British-Ukrainian Law Foundation.

**Publications and other works**

- 1971 *International Law* (textbook, co-editor in chief and co-author) "Vyshcha Shkola" Publishing House, Kyiv.
- 1976 *State Responsibility for International Offences* (monograph), "Vyshcha Shkola" Publishing House, Kyiv.
- 1982 *Sanctions in International Law* (monograph), "Vyshcha Shkola" Publishing House, Kyiv.
- 1985 *Legal Aspects of Participation of the Ukrainian SSR in International Relations* (monograph), "Politydav" Publishing House, Kyiv.
- 1986 *Protection Mechanisms for International Law and Order* (monograph: co-author), "Brno University" Publishing House, Brno.
- 1988 *Fundamentals of International Law* (monograph), Kyiv, "Vyshcha Shkola" Publishing House, Kyiv.

Published more than 70 articles in public international law and the constitutional protection of human rights.

**Languages**

Mother tongue: Ukrainian.

Other languages: English, French, Polish, Russian.



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**Karam Chand Vohrah (Malaysia)**

Place and date of birth: Melaka, Malaysia, 5 January 1937.

Present post: Judge and Head, Appellate and Special Powers Division, High Court, Kuala Lumpur.

**Previous posts as judge**

Appointed Judge of High Court, Malaya (1 February 1986).

Judge, High Court (Criminal Law Division), Kuala Lumpur (1 February 1986-31 December 1988).

Relief Judge of Temerloh High Court (1 February 1986-31 December 1988).

Judge, High Court, Alor Setar (1 January 1989-31 December 1993).

Judge, High Court, Shah Alam (1 January 1994-31 December 1994).

Judge, Head of Civil Division, High Court, Kuala Lumpur (1 November 1994-15 October 1995).

Judge, Head of Criminal Division, High Court, Kuala Lumpur (16 October 1995-31 October 1998).

**University and professional training**

LL.B. (Hons.) Singapore, 1964.

LL.M. in International and Comparative Law (cum laude) Vrije Universiteit Brussel, 1974 (on Belgium Government scholarship).

Admitted as Advocate and Solicitor of the State of Malaya, 1964 and practised as Advocate and Solicitor in the firm of Arulanandom and Co. in Ipoh until 30 September 1965.

Attended the International Law Seminar at the United Nations Office at Geneva on a scholarship from the Government of Holland, 1974.

Attended teaching session of Hague Academy of International Law, 1974.

**Teaching experience**

Conducted classes on costs in 1970 for completion of postgraduate course of instruction, University of Malaya.

Lectured at the Royal Customs College in Melaka on customs and excise laws.

Lectured to civil servants at Civil Service College, National Institute of Public Administration (INTAN), on legal aspects of finance.

Lectured to Royal Customs Department Officers on certain aspects of civil procedure.

**Honours and awards**

K.M.N., 1976 (Federal).

J.M.N., 1991 (State of Kedah).

D.S.D.K., 1991 (State of Kedah).

**Posts previously held**

*Magistracy and prosecution*

Circuit Magistrate, Butterworth, covering Butterworth, Bukit Mertajam and Nibong Tebal (1 October 1965-31 January 1968).

Acting President, Sessions Court, Butterworth (1 May 1967-31 January 1968).

Magistrate, Alor Setar, covering Alor Setar, Gurun, Sik and Yan (1 February 1968-30 November 1968).

Deputy Public Prosecutor, Kedah, covering Kedah and Perlis (1 December 1968-31 December 1968).

Deputy Public Prosecutor, Penang (1 January 1969-31 May 1969).

President, Sessions Court, Klang, covering Klang, Kuala Selangor and Banting (1 June 1969-30 September 1969).

President, Sessions Court, Kuala Lumpur (1 October 1969-31 December 1969).

Acting Senior President, Sessions Court, Kuala Lumpur (17 November 1969-31 December 1969).

Senior Assistant Registrar, High Court, Kuala Lumpur (1 January 1970-31 July 1970).

*Advisory and drafting*

Legal Adviser and Deputy Public Prosecutor, Royal Customs and Excise Department followed by postgraduate studies for a year in Brussels (1 August 1970-13 October 1974).

Legal Adviser, Ministry of Primary Industries (14 October 1974-31 October 1976).

Treasury Solicitor, Ministry of Finance (1 November 1976-31 November 1980).

Head, Advisory Division, Attorney General's Chambers (1 December 1980-31 January 1986).

Acting Parliamentary Draftsman (30 July 1984-15 September 1984).

*Negotiations and conferences*

Attended various negotiations for syndicated loans from the World Bank in Washington and the Asian Development Bank in Manila and the Kuwait Fund in Kuwait, for bond issues in Japan, Switzerland and the Netherlands.

Attended several meetings of the Third United Nations Conference on the Law of the Sea with Malaysian delegation in New York and Geneva and worked in the First Committee and Group of 77.

Attended negotiations for the fifth Tin Agreement (Geneva and London), Association of Natural Rubber Producing Countries (Kuala Lumpur and Jakarta) and other commodities agreements.

Attended and drafted text of International Natural Rubber Agreement on Price Stabilization for the Jakarta meeting (1977).

Chairman of Disciplinary Committee, Fourth International Tin Council, to investigate into conduct of buffer stock manager (Geneva and London).

Attended various meetings of the Asian-African Legal Consultative Committee with the Attorney General (Sri Lanka, Kuala Lumpur and Tokyo).

Attended the Expert Group Meeting on Means to Achieve Forfeiture of the Profits and Proceeds of Drug Crimes in Vienna in November 1984 as expert from Malaysia on invitation of the United Nations to draft report on Second Expert Group Meeting on Forfeiture of Drugs.

Attended the thirty-first session of the Commission on Narcotic Drugs at Vienna in February 1985 as member of delegation from Malaysia.

Attended Asia Law Seminar on Prospects for the Establishment of an Intergovernmental Human Rights Commission in the South Pacific in Fiji with Attorney-General (April 1985).

Attended Eleventh Commonwealth Magistrates and Judges Association Triennial Conference in Cape Town, South Africa (25 October-1 November 1997).

*Representative in government committees and other bodies on behalf of Attorney-General before appointment as Judge of High Court*

Anti-Dangerous Drugs Committee, National Security Council.

Cabinet Committee on Essential Goods.

Permanent Committee, Board of Public Services Examinations.

Committee to study the ratio of promotion posts within the Public Service.

Highway Authority, Malaysia.

#### **Other organizations**

Member of Board of Examiners under the Legal Profession Act 1976 (1981-1983).

Member of Advisory Board of the Special Course and Examination for the Certificate of Legal Education (1983-1986).

Chairman, Parent-Teachers Association, Convent Bukit Nanas Secondary School, Kuala Lumpur (1994-1997).

Member of Board of Governors, Convent Bukit Nanas Secondary School, Kuala Lumpur.

External Examiner, Faculty of Law, University of Malaya.

### **Papers**

Administration of Public Finance in Malaysia: Constitutional Law and other Legal Aspects: Report on Seminars Relating to Administration of Finance, Senior Government Officer (INTAN), p. 109.

“Forfeiture of the profits and proceeds derived from drug trafficking: thoughts on future action in Malaysia”, *Bulletin on Narcotics*, vol. XXXVI, No. 4, p. 31.

### **Judgements**

Several hundred judgements have been written and over 200 judgements relating to various aspects of law as High Court Judge or as co-opted Court of Appeals judge have been published in various law journals (*Malaysian Law Journal*, *Current Law Journal* and *All Malaysia Reports*).

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