

1. By Note Verbale addressed to the Embassies of UNIDROIT member States in Italy, dated 1 February 2008, the Secretariat informed member States that the General Assembly will, at its 63rd session, which will be held in Rome on 11 December 2008, be called upon to appoint the members of the Governing Council, pursuant to Article 6(3) of the Statute, for the quinquennium 1 January 2009/31 December 2013. By the same Note Verbale, the Secretariat invited the Governments of member States to submit the names of candidates for appointment to the Governing Council.

2. The Secretariat, in accordance with past practice, communicated to the Embassies of UNIDROIT member States in Italy on 7 August 2008 (under cover of its Note Verbale of that date) a first list of the candidatures received as of 31 July 2008, the date by which it had invited member States to submit candidatures in its aforementioned Note Verbale. Two further candidatures, submitted subsequently, were communicated to the Embassies of UNIDROIT member States in Italy on 28 August and 15 September 2008 respectively. The present document provides a composite list of all the candidatures received by the Secretariat as of 10 October 2008, together with the curricula vitae of the candidates in question, in the UNIDROIT working languages in which they have been received by the Secretariat; these curricula vitae are reproduced in Appendix I to this document. ¹ A list of the current members of the Governing Council, with the year when they were first elected to the Governing Council, is set out in Appendix II to this document.

3. No time-limit is set on the submission of candidatures, even if experience shows that the later candidatures are put forward the less chance such candidates tend to have of being elected, and any such additional candidatures will be communicated to the Embassies of UNIDROIT member States in Italy as and when received.

4. As indicated in the UNIDROIT Note Verbale of 7 August 2008, the appointment of the members of the Governing Council is governed by Article 7 of the Regulations. Wherever the number of candidates put forward exceeds the 25 seats to be filled on the Governing Council, an election will take place by secret ballot (Article 7(3)) in accordance with the rules of procedure established by Article 7(5 *bis*) and (5 *ter*). Under Article 7(5 *bis*), the first four candidates to be appointed on this secret ballot shall be those candidates having secured the highest number of votes from each of the four geographic regions into which the membership of UNIDROIT is divided as defined in Article 7(5 *ter*), namely Africa, the Americas, the Asia-Pacific region and Europe. Under Article 7(5 *bis*), the remaining 21 seats on the Governing Council shall be filled by those of the other candidates having secured an absolute majority of votes ² (on this secret ballot and should the number of candidates thereby elected be lower than the number of seats to be filled, a second

¹ Since these curricula vitae have already been communicated to the Governments of all UNIDROIT member States, under cover of the Notes Verbales sent out in this connection by UNIDROIT on 7 and 28 August 2008 and 15 September 2008 (refces: GAs/2034, GA/2109 and GAs/2220 respectively), they are not being communicated again with the paper version of this document; the Governments of UNIDROIT member States are, therefore, invited to view the special area of the UNIDROIT web site reserved for such Governments of UNIDROIT member States, to be found at <http://www.unidroit.org/english/governments/main.htm>. In this connection, member States are reminded that, in order to gain access to this special area of the UNIDROIT web site, they will need, after clicking on this link, to give their user name, which is "gov", written in small letters, and then to give their password, which is "galileo", again written in small letters. These curricula vitae are, however, being communicated with the version of this document which is being sent electronically.

² That is to say one-half plus one of the member States present and casting a vote. In this connection, it should be borne in mind that, under Article 16(7) of the Statute, no member State which is more than two years in arrears with the payment of its statutory contribution to the UNIDROIT Budget is entitled to vote in the General Assembly. Such States will not, therefore, be regarded as counting towards the absolute majority referred to in Article 7 of the Regulations. As of 1 October 2008, the following member States would not, barring regularisation of their position in this regard by the time of the 63rd session of the General Assembly, be entitled to vote in the General Assembly under Article 16(7) of the Statute: Bolivia, Cuba, Iraq, Nicaragua, and Paraguay.

1. Par Note Verbale adressée aux Ambassades en Italie des Etats membres d'UNIDROIT en date du 1^{er} février 2008, le Secrétariat a informé les Etats membres que l'Assemblée Générale sera appelée, à sa 63^{ème} session qui aura lieu à Rome le 11 décembre 2008, à nommer les membres du Conseil de Direction, conformément aux dispositions de l'article 6(3) du Statut organique, pour la période quinquennale allant du 1^{er} janvier 2009 au 31 décembre 2013. Par ladite Note Verbale, le Secrétariat a invité les Gouvernements des Etats membres à soumettre des candidats à la nomination au Conseil de Direction.

2. Conformément à la pratique habituelle, le Secrétariat a communiqué le 7 août 2008 aux Ambassades en Italie des Etats membres d'UNIDROIT (en pièce jointe à sa Note Verbale datée du même jour) une première liste des candidatures reçues au 31 juillet 2008, date à laquelle les Etats membres avaient été invités à présenter les candidatures. Deux autres candidatures, soumises successivement, ont été communiquées aux Ambassades en Italie des Etats membres d'UNIDROIT, en date des 28 août et 15 septembre 2008 respectivement. Le présent document présente une liste complète de toutes les candidatures reçues par le Secrétariat au 10 octobre 2008, avec les *curriculum vitae* des candidats dans la langue de travail d'UNIDROIT dans laquelle ils ont été reçus par le Secrétariat. Les *curriculum vitae* sont reproduits en Annexe I au présent document ¹. Une liste des membres actuels du Conseil de Direction, avec mention de l'année de leur première élection au Conseil, est présentée en Annexe II.

3. Aucune date limite n'étant prescrite pour la présentation des candidatures – quoique l'expérience montre que les personnes dont la candidature est soumise tardivement voient diminuer leurs chances d'être élues –, toute candidature reçue ultérieurement sera aussitôt communiquée aux Ambassades en Italie des Etats membres d'UNIDROIT.

4. Comme l'indiquait la Note Verbale d'UNIDROIT du 7 août 2008, la nomination des membres du Conseil de Direction est régie par l'article 7 du Règlement. Si le nombre de candidats est supérieur aux 25 sièges que compte le Conseil de Direction, il sera procédé à une élection au scrutin secret (article 7(3)) conformément aux règles de procédure établies par l'article 7(5 *bis*) et (5 *ter*). En vertu de l'article 7(5 *bis*), les quatre premières nominations sont réservées aux candidats qui obtiennent le plus grand nombre de voix pour chacune des quatre régions géographiques dans lesquelles les Etats membres d'UNIDROIT sont répartis. L'article 7(5 *ter*) indique ces régions, à savoir l'Afrique, les Amériques, la région Asie-Pacifique et l'Europe. En vertu de l'article 7(5 *bis*), les 21 sièges restants du Conseil de Direction sont attribués à ceux parmi les autres candidats qui obtiennent la majorité absolue des voix ² lors de ce scrutin secret, et si le nombre de ceux qui ont obtenu cette majorité est inférieur au nombre des nominations à faire, on

¹ Ces *curriculum vitae* ayant déjà été transmis aux Gouvernements de tous les Etats membres d'UNIDROIT avec les Notes verbales d'UNIDROIT des 7 et 28 août 2008 (réf. GAs/2034, GA/2109 et GAs/2220 respectivement), ils ne sont pas joints à nouveau à la version sur papier du présent document. En revanche, ils peuvent être consultés par les Gouvernements des Etats membres d'UNIDROIT sur la partie du site Internet d'UNIDROIT qui leur est réservée (à l'adresse : <http://www.unidroit.org/french/governments/main.htm> - les codes d'accès au site réservé sont : nom d'utilisateur : "gov" – mot de passe : "galileo", en lettres minuscules), tandis que les *curriculum vitae* accompagnent la version électronique de ce document.

² C'est-à-dire la moitié plus un des Etats membres présents et votants. Il faut cependant tenir compte du fait que, en application des dispositions de l'article 16(7) du Statut organique, aucun Etat membre en retard de plus de deux ans dans le versement de sa contribution statutaire au budget d'UNIDROIT n'a le droit de voter à l'Assemblée Générale. Ces Etats ne sont donc pas considérés comme pouvant être comptés pour la majorité absolue visée à l'article 7 du Règlement. Au 1 octobre 2008, les Etats membres suivants ne pourraient pas, à moins de régulariser leur situation à cet égard avant la 63^{ème} session de l'Assemblée Générale, prendre part au vote à l'Assemblée Générale en vertu de l'article 16(7) du Statut organique: Bolivie, Cuba, Iraq, Nicaragua, et Paraguay.

ballot shall be held among the remaining candidates, with those obtaining the highest number of votes being elected.³

5. For the purposes of the application of Article 7(5 *ter*), the Secretariat would propose that the most appropriate basis on which to effect the division of UNIDROIT member States among the aforementioned four geographic regions would, in principle, be the division operated in the Explanatory note on the business of the *Ad hoc* Committee of the General Assembly to prepare proposals for the amendment of Article 7 of the UNIDROIT Regulations (A.G./A.H.C. Doc. 2), which met in Rome on 28 February 2005, a paper prepared by the Secretariat which provided the background against which the *Ad hoc* Committee made its recommendations, which were subsequently endorsed by the General Assembly. It is submitted that the conclusions reached in this paper - in which the Secretariat divided member States into precisely the four geographic regions into which the General Assembly ultimately decided to divide UNIDROIT's membership - may, therefore, be considered to have been ratified by the General Assembly. In that paper the Secretariat noted that, at the time, four member States hailed from Africa, 13 from the Americas, eight from the Asia-Pacific region and 34 from Europe. The members from Africa were Egypt, Nigeria, South Africa and Tunisia. The members from the Americas were Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Cuba, Mexico, Nicaragua, Paraguay, the United States of America, Uruguay and Venezuela. The members from the Asia-Pacific region were Australia, China, India, the Islamic Republic of Iran, Iraq, Japan, the Islamic Republic of Pakistan and the Republic of Korea. The European members were Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, the Holy See, Hungary, Ireland, Israel, Italy, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

6. Three additional States have joined the Institute since that time, namely Latvia,⁴ Lithuania⁵ and Saudi Arabia.⁶ The first two of these are, undoubtedly, part of Europe, while Saudi Arabia must be considered as belonging to the Asia-Pacific region. Given, though, that a question might be considered to arise over the placing of Israel, the Russian Federation and Turkey in Europe, the Secretariat has enquired officially of the Governments of those States in which region they would wish to be classified. All three States have responded that, given the division into geographic regions decided upon by the General Assembly at its 59th session, they would wish to be classified as belonging to Europe for the purposes of the application of Article 7(5 *ter*).

7. This being the case, the situation regarding the geographic regions into which UNIDROIT member States may be considered to be divided for the purposes of Article 7(5 *ter*), and in particular the appointment of members of the Governing Council at the 63rd session of the General Assembly, may be summed up as follows:

Africa: Egypt, Nigeria, South Africa and Tunisia;

the Americas: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Cuba, Mexico, Nicaragua, Paraguay, the United States of America, Uruguay and Venezuela;

the Asia Pacific region: Australia, China, India, the Islamic Republic of Iran, Iraq, Japan, the Islamic Republic of Pakistan, the Republic of Korea and Saudi Arabia; and

³ Each member State represented at the 63rd session of the General Assembly and having the right to vote at such session may vote for up to, but not more than, twenty-five candidates on the first ballot and, in the event of a second ballot proving necessary, for a number of candidates equal to or less than the number of seats not filled on the first ballot.

⁴ Latvia acceded to the UNIDROIT Statute with effect from 1 January 2006.

⁵ Lithuania acceded to the UNIDROIT Statute with effect from 1 January 2007.

⁶ Saudi Arabia deposited its instrument of accession to the UNIDROIT Statute on 29 August 2008.

procède à un second tour parmi les candidats qui n'ont pas été élus au premier tour; sont alors élus ceux qui auront réuni le plus grand nombre de voix ³.

5. Aux fins de l'application de l'article 7 (5 *ter*), le Secrétariat suggère que la répartition des Etats membres d'UNIDROIT dans les quatre régions géographiques pourrait en principe suivre celle qui avait été présentée dans la Note Explicative aux travaux du Comité *ad hoc* de l'Assemblée Générale chargé de préparer des propositions d'amendement de l'article 7 du Règlement d'UNIDROIT (A.G./A.H.C. Doc. 2), qui s'est réuni à Rome le 28 février 2005. Ladite Note avait servi de base aux recommandations du Comité *ad hoc*, lesquelles ont été entérinées par l'Assemblée Générale. De la sorte, les conclusions de ce document – et le classement effectué par le Secrétariat des Etats membres dans les quatre régions géographiques retenues ensuite par l'Assemblée Générale, selon lequel 4 Etats membres relevaient de l'Afrique, 13 des Amériques, 8 de la région Asie-Pacifique et 34 de l'Europe – peuvent elles-mêmes être considérées avoir été ratifiées par l'Assemblée Générale. Les Etats membres étaient répartis ainsi : pour l'Afrique: Afrique du sud, Egypte, Nigeria, Tunisie ; pour les Amériques : Argentine, Bolivie, Brésil, Canada, Chili, Colombie, Cuba, Etats-Unis d'Amérique, Mexique, Nicaragua, Paraguay, Uruguay et Venezuela ; pour la région Asie-Pacifique : Australie, Chine, Inde, Iran (République islamique d'), Iraq, Japon, Pakistan, République de Corée ; pour l'Europe : Allemagne, Autriche, Belgique, Bulgarie, Croatie, Chypre, Danemark, Espagne, Estonie, Fédération de Russie, Finlande, France, Grèce, Hongrie, Irlande, Israël, Italie, Luxembourg, Malte, Norvège, Pays-Bas, Pologne, Portugal, République tchèque, Roumanie, Royaume-Uni, Saint Marin, Saint Siège, Serbie, Slovaquie, Slovénie, Suède, Suisse et Turquie.

6. Depuis lors, trois nouveaux Etats sont devenus membres de l'Institut, à savoir la Lettonie ⁴, la Lituanie ⁵ et l'Arabie Saoudite ⁶. Les deux premiers font sans aucun doute partie de l'Europe tandis que l'Arabie saoudite doit être considérée comme appartenant à la région Asie-Pacifique. Étant donné que la question pouvait se poser du classement en Europe d'Israël, de la fédération de Russie, et de la Turquie, le Secrétariat a officiellement demandé aux Gouvernements de ces Etats de l'informer de la région dans laquelle ils souhaitaient être classés. Les trois Etats ont répondu que, compte tenu de la division en régions géographiques décidée par l'Assemblée Générale à sa 59^{ème} session, ils souhaitaient relever de l'Europe aux fins de l'application de l'article 7(5 *ter*).

7. En conséquence, on peut résumer comme suit la situation concernant les régions géographiques dans lesquelles sont répartis les Etats membres d'UNIDROIT aux fins de l'article 7(5 *ter*), et en particulier pour la nomination des membres du Conseil de Direction à la 63^{ème} session de l'Assemblée Générale :

Afrique : Afrique du sud, Egypte, Nigeria et Tunisie ;

Amériques : Argentine, Bolivie, Brésil, Canada, Chili, Colombie, Cuba, Etats-Unis d'Amérique, Mexique, Nicaragua, Paraguay, Uruguay et Venezuela ;

Asie-Pacifique : Australie, Arabie Saoudite, Chine, Inde, Iran (République islamique d'), Iraq, Japon, Pakistan, République de Corée ;

³ Chaque Etat membre représenté à la 63^{ème} session de l'Assemblée Générale et ayant le droit de vote à cette session, peut voter au premier tour pour un nombre inférieur ou égal à vingt-cinq candidats, et au deuxième tour, s'il y a lieu, pour un nombre de candidats inférieur ou égal au nombre de sièges restant à pourvoir après le premier tour.

⁴ La Lettonie a adhéré au Statut organique d'UNIDROIT avec effet au 1^{er} janvier 2006.

⁵ La Lituanie a adhéré au Statut organique d'UNIDROIT avec effet au 1^{er} janvier 2007.

⁶ L'Arabie Saoudite a déposé son instrument d'adhésion au Statut organique d'UNIDROIT le 20 août 2008.

Europe: Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, the Holy See, Hungary, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

8. The candidates nominated as of 10 October 2008 are as follows:

Chief Michael Kaase AONDOAKAA (Nigeria)
Mr Hans-Georg BOLLWEG (Germany)
Ms Baiba BROKA (Latvia)
Ms Nuria BOUZA VIDAL (Spain)
Mr Antonio Paulo CACHAPUZ DE MEDEIROS (Brazil)
Mr Sergio M. CARBONE (Italy)
Mr Sergiu DELEANU (Romania)
Ms Nuray EKŞI (Turkey)
Mr Michael B. ELMER (Denmark) ⁷
Mr Henry D. GABRIEL (United States of America)
Mr Ian GOVEY (Australia)
Mr Arthur S. HARTKAMP (Netherlands)
Mr Attila HARMATHY (Hungary)
Ms Monique JAMETTI GREINER (Switzerland)
Mr Alexander S. KOMAROV (Russian Federation)
Mr Ricardo Luis LORENZETTI (Argentina)
Mr LYOU Byung-Hwa (Republic of Korea)
Mr MO John Shijian (People's Republic of China)
Mr Didier OPERTTI BADÁN (Uruguay)
Ms Kathryn SABO (Canada)
Mr Jorge SÁNCHEZ CORDERO DAVILA (Mexico)
Ms Rachel SANDBY-THOMAS (United Kingdom)
Mr Biswanath B. SEN (India)
Mr Stanisław J. SOLTYSIŃSKI (Poland)
Mr Itsuro TERADA (Japan)
Mr Daniel TRICOT (France)
Mr Ioannis VOULGARIS (Greece).

⁷ Official candidate of the four Nordic member countries: Denmark, Norway, Sweden and Finland.

Europe : Allemagne, Autriche, Belgique, Bulgarie, Croatie, Chypre, Danemark, Espagne, Estonie, Fédération de Russie, Finlande, France, Grèce, Hongrie, Irlande, Israël, Italie, Lettonie, Lituanie, Luxembourg, Malte, Norvège, Pays-Bas, Pologne, Portugal, République tchèque, Roumanie, Royaume-Uni, Saint Marin, Saint Siège, Serbie, Slovaquie, Slovénie, Suède, Suisse et Turquie.

8. Les candidats présentés au 10 octobre 2008 sont :

Chief Michael Kaase AONDOAKAA (Nigeria)
M. Hans-Georg BOLLWEG (Allemagne)
Mme Baiba BROKA (Lettonie)
Mme Nuria BOUZA VIDAL (Espagne)
M. Antonio Paulo CACHAPUZ DE MEDEIROS (Brésil)
M. Sergio M. CARBONE (Italie)
M. Sergiu DELEANU (Roumanie)
Mme Nuray EKŞI (Turquie)
M. Michael B. ELMER (Danemark) ⁷
M. Henry D. GABRIEL (États-Unis d'Amérique)
M. Ian GOVEY (Australie)
M. Attila HARMATHY (Hongrie)
M. Arthur S. HARTKAMP (Pays-Bas)
Mme Monique JAMETTI GREINER (Suisse)
M. Alexander S. KOMAROV (fédération de Russie)
M. Ricardo Luis LORENZETTI (Argentine)
M. LYOU Byung-Hwa (République de Corée)
M. MO John Shijian (République populaire de Chine)
M. Didier OPERTTI BADÁN (Uruguay)
Mme Kathryn SABO (Canada)
M. Jorge SÁNCHEZ CORDERO DAVILA (Mexique)
Mme Rachel SANDBY-THOMAS (Royaume-Uni)
M. Biswanath B. SEN (Inde)
M. Stanisław J. SOLTYSIŃSKI (Pologne)
M. Itsuro TERADA (Japon)
M. Daniel TRICOT (France)
M. Ioannis VOULGARIS (Grèce).

⁷ Candidat officiel des quatre pays nordiques membres : Danemark, Finlande, Norvège et Suède.

CURRICULA VITAE
OF THE CANDIDATES PUT FORWARD FOR ELECTION TO
THE GOVERNING COUNCIL AT THE 63rd SESSION
OF THE GENERAL ASSEMBLY
(as of 10 October 2008)

CURRICULA VITAE
DES CANDIDATS PROPOSES A L'ELECTION
AU CONSEIL DE DIRECTION
LORS DE LA 63^{ème} SESSION DE L'ASSEMBLEE GENERALE
(au 10 octobre 2008)

Michael Kaase AONDOAKAA

(Nigeria - *Nigeria*)

Senior Advocate of Nigeria

Age: 46 years

Key Qualifications

Knowledge of practice and procedure of several African and International intergovernmental institutions.

Effective networking skills with the legal profession in Africa, Europe and United States of America.

Detail-oriented Legal Practitioner with advance advocacy and solicitor skills.

Strong Litigation experience in civil, criminal and commercial law matters.

Proven ability to initiate innovative pilot programmes leading to reforms in the justice sector.

Strong experience in providing legal advisory services on foreign investment matters.

Familiar with current legal issues.

Excellent communication and interpersonal skills.

Overview of Professional Experience

Attorney-General of the Federation and Minister of Justice of the Federal Republic of Nigeria.

Senior Advocate of Nigeria.

21 years legal experience in public and private law practice.

Overview of achievements as Attorney-General of the Federation and Minister of Justice, Nigeria

Providing essential advise and policy direction in achieving Federal Government of Nigeria's commitment to the rules of law and due process in all aspects of government life.

Reforming the administration of justice system in Nigeria.

Leadership role in achieving legal systems, procedures and languages that are accessible and easy to Nigerians to understand.

Overseeing the reform of the Land Use Law and policy in Nigeria.

Providing leadership in the reform of investment laws and practice in Nigeria including investor friendly Dispute Resolution Mechanisms.

Providing policy direction for Federal Government of Nigeria's anti-corruption measures.

Championing the review of Laws of Nigeria to ensure compliance with Constitution of Nigeria and government's commitment to the rule of law and due process.

Facilitating the establishment of commercial courts for speedy settlement of commercial disputes.

Overseeing the review of the Company and Allied Matters Law of Nigeria.

Lead role in achieving a legal profession that is responsive to the socio-economic needs of all Nigerians.

Developing policies aimed at achieving systems that support efficient and economic delivery of responsive and effective legal and legislative services to government.

Overseeing the implementation of human resources policies in the Justice Ministry aimed at creating a framework that fosters professionalism, motivation and stability among the staff.

Head of a Ministry of Justice management team that is competent, human rights driven and equipped with among other things, leadership, awareness and people friendly skills.

Affiliations

Head of delegation, Follow up High Level Committee on Nigeria-Cameroun Mixed Commissions on the legal status of Bakkassi.

Chairman, Land Use Reform Committee.

Chairman, Reform of Petroleum Trust Development Fund.

Member, National Executive Committee, Nigerian Bar Association (NBA).

Member, Presidential Committee on Hydrocarbon Bitumen and Heavy Oil Exploration.

Member, Presidential Committee on Sale of Aluminum and Smelting Company of Nigeria to Rusal Aluminum of Russia.

Member, National Council on Privatization.

Member, Nigerian Viva methanol Project Committee.

Member, Special Committee to examine matters arising from the report of the Revenue Mobilization and Fiscal Commission.

Member, Committee to Review 2008 Budget of the Federal Republic of Nigeria.

Member, Committee on Modernisation of Nigeria Railways.

Member, Technical Committee, Nigerian Nuclear Regulatory Authority.

Consultant and Solicitor to the House of Representatives Committee on Communication on legal issues arising from the sale of Nigeria Telecommunication Company.

Overview of Contribution the Development of Law (National and International)

Lead Counsel in *Grace Jack vs. University of Agriculture, Makurdi, SC/262/2000*. A land mark case in Nigeria that established the principle that the Federal High Court and the State High Court are the proper courts to approach in cases of abuse of fundamental human rights.

Lead Counsel in *Iorpuu & others vs. Aersar Yongo, SC/24/1997*. The Supreme Court of Nigeria clarified the nature and extent of the jurisdiction in the Customary Court of Appeal of a State.

Lead Counsel in *Mbanengen vs. The State SC/85/2005* in which the Supreme Court changed the tenor of the Defence of provocation earlier narrowed to immediate and sudden to include continuous and consistent provocation.

Overseeing the review of Investment laws and practice in Nigeria.

Key Role in the development of legal framework for public private partnership and delivery of infrastructure in Nigeria.

Development of a three year strategy for transforming the administration of justice and the delivery of State legal services in Nigeria.

Overseeing the compliance of the Government of Nigeria to its International treaty obligations.

Overseeing the enforcement of prisoners rights to access to justice in Nigeria in compliance with United Nations Minimum rules for the treatment of the prisoners.

Lead role in ensuring the implementation of Nigeria's membership obligations in furtherance of her membership of the United Nations Rights Council.

Selected Speaking Engagements

Guest Speaker at the Nigerian Bar Association Conference, August 2007.

Guest Speaker at the Universal Peace Federation Form UPF, Manhattan Centre Studios, New York, September 2007.

Keynote speaker at National Workshop on strategies for the Implementation of the National Action Plan for the protection of Human Rights, October 2007.

Resource Person and Speaker at a Retreat of the Senate of the Federal Republic of Nigeria, PortHarcourt, October 2007.

Speaker at the Conference of the State Parties to the United Nations Convention Against Corruption (UNCAC), Bali, Indonesia, January 2008.

Speaker at the 4th Business Roundtable with the Government of Nigeria organized by the Economist Magazine, January 2008.

Speaker at National Roundtable on the Review of the enabling law of the Nigeria Police force, February 2008.

Guest Lecturer, National War College – February 2008.

Education

Nigerian Law School, Victoria Island, Lagos: B.L - 1986

University of Maiduguri, Maiduguri: LL.B (Hons) - 1985

Hans-Georg BOLLWEG

(Germany)

Ministerialrat in the Federal Ministry of Justice

born on 22 September 1958

in Gütersloh/Westphalia

married

1965-1968	primary school in Gütersloh, Marienfeld and Harsewinkel
1968-1977	Evangelisch-Stiftisches Gymnasium in Gütersloh (grammar school)
1977	<i>Abitur</i> (school-leaving examination with university entrance)
1977-1984	law studies, University of Bielefeld
1982	First State Examination in Law
1980-1984	legal trainee (<i>Rechtsreferendar</i>), Bielefeld Regional Court
1982-1984	academic assistant at the Chair of criminal law, criminal procedure law, theory of law and legal anthropology (Prof. Dr. Lampe), University of Bielefeld
1984	Second State Examination in Law
1984-1987	senior academic assistant at the Chair of criminal law, criminal procedure law, theory of law and legal anthropology (Prof. Dr. Lampe), University of Bielefeld
1987-1988	lawyer (<i>Rechtsanwalt</i>) practising at Dortmund Regional Court
1988-1991	lawyer (<i>Rechtsanwalt</i>) practising at Hamm Higher Regional Court
since 1991	Federal Ministry of Justice:
1991-1992	legal adviser in the divisions on compensation law, property law of the new <i>Länder</i> (states of the Federation) and staff matters
1992-1997	Personal Secretary to the Parliamentary State Secretary to the Federal Ministry of Justice
1997-1998	Head of the Office of Federal Minister of Justice
since 1999	Head of Division in the division on compensation law, environmental liability law, civil aviation law
1995	doctorate in law at the University of Bielefeld
1996	dissertation awarded the prize of the <i>Westfälisch-Lippische Universitätsgesellschaft</i> (Westphalian-Lippe University Society) Bielefeld
since 2001	member of the Legal Committee and of the Legal Commission of the General Assembly of the International Civil Aviation Organization (ICAO), Montreal
since 2004	elected member of the Governing Council of the International Institute for the Unification of Private Law (UNIDROIT), Rome

International activities:

- member of the German Delegation at Conferences of the Ministers of Justice and the Interior of the European Community, 1993 – 1998;
- member of the German Delegation at numerous formal and informal visits of the Federal Minister of Justice and of the Parliamentary State Secretary in the Federal Ministry of Justice to foreign states and to international organisations, 1993 – 1998;
- member of the German Delegation at the UN Conference on the fight against organised crime, Naples, 1995;
- member of the German Delegation at the Conference of European Ministers of Justice, Budapest, 1996;
- member of the German Delegation at the German-French summits, Avignon and Potsdam, 1998;
- member of the German Delegation at the Diplomatic Conference on the Convention for the Unification of Certain Rules for International Carriage by Air (Montreal Convention), Montreal, 1999;
- represented Germany in the EUROCONTROL GNSS Legal Task Force on the legal aspects of European satellite navigation Galileo, Brussels, Oslo, 1999;
- Head of the German Delegation at the meetings of legal experts on the UNIDROIT Convention on International Interests in Mobile Equipment and a Protocol on Matters specific to Aircraft Equipment (Cape Town Convention), Montreal and Rome, 1999 – 2001;
- represented Germany in the Task Force on European Air Transport Policy (EURPOL) of the European Civil Aviation Conference (ECAC), London, Paris and Berlin, 1999 – 2002;
- Head of the German Delegation at several Conferences of the German-speaking states concerning translation of the Conventions of Montreal and of Cape Town, and concerning translation of the Aircraft Equipment Protocol and of the Council of Europe Civil Law Convention on Corruption, Vienna, Bern, Berlin, 1999 – 2002;
- Head of the German Delegation at the informal meeting of selected Government experts on the Protocol - to the UNIDROIT Convention on International Interests in Mobile Equipment (Cape Town Convention) - on Matters Specific to Space Assets, Rome, 2000;
- Head of the German Delegation at the Diplomatic Conference on the UNIDROIT Convention on International Interests in Mobile Equipment and a Protocol on Matters specific to Aircraft Equipment (Cape Town Convention), Cape Town, 2001;
- Head of the German Delegation at the meetings of governmental experts on the Protocol – to the UNIDROIT Convention on International Interests in Mobile Equipment (Cape Town Convention) - on Matters specific to Railway Rolling Stock, Bern and Rome, 2001 – 2003;
- member of the Preparatory Commission and of the Provisional Supervisory Authority for the UNIDROIT Convention on International Interests in Mobile Equipment and a Protocol on Matters specific to Aircraft Equipment (Cape Town Convention), Montreal, 2002 - 2005;

- represented Germany at the Brainstorming Sessions of the UNIDROIT Governing Council and of the UNIDROIT Member States, Rome, 2002 – 2003;
- member of the ICAO Study Group on Third Party Liability – personally appointed by the ICAO General Secretary, Montreal, 2002 – 2003;
- Head of the German Delegation at the meetings of governmental experts and of the Steering Committee on the Protocol – to the UNIDROIT Convention on International Interests in Mobile Equipment (Cape Town Convention) - on Matters specific to Space Assets, Rome, 2003 – 2004, Berlin 2008;
- Head of the German Delegation in the ICAO Special Group on the Modernization of the Rome Convention 1952, Montreal, 2005; Chairman of a Working Group on breakability of liability limits (2007);
- Head of the German Delegation at the Diplomatic Conference on the Luxembourg Protocol to the UNIDROIT Convention on International Interests in Mobile Equipment (Cape Town Convention) - on Matters specific to Railway Rolling Stock, Luxembourg, 2007;
- Member of the Preparatory Commission regarding the establishment of the International Registry for Railway Rolling Stock according to the Protocol of Luxembourg, Berne, 2007, Rome, 2008;
- Chairman of the Working Group on “Liability Issues and Insurance” of the Preparatory Commission regarding the establishment of the International Registry for Railway Rolling Stock according to the Protocol of Luxembourg, Berlin, 2007;
- permanent German member of the Malta Group of European aviation law experts, in 1992 and since 1999 (Santorin 1992, Dublin 2000, Budapest 2001, Berlin 2002, Oslo 2003);
- represented Germany in the Council Working Party on Aviation and on the Environment, as well as on the Civil Law Committee of the European Community and in the EC Commission Working Groups on “Product Liability” and on “War Risk Insurance”, since 1999.
- permanent German member of the Legal Committee of the International Civil Aviation Organisation (ICAO), since 2001;
- represented Germany on the Legal Commission of the General Assembly of the International Civil Aviation Organisation (ICAO), since 2001;
- member of the Aviation Law Forum, discussion group of German-speaking aviation lawyers, since 2002;
- elected member of the Governing Council of the International Institute for the Unification of Private Law (UNIDROIT), Rome, since 2004.

Publications:

I. Monographs:

- **Bollweg**, Election of the supervisory board of a stock corporation, Cologne, 1997;
- **Bollweg/Hellmann**, The new law of compensation, Cologne, 2002;

II. Essays/contributions to compilations:

- **Bollweg**, Money exchange, *Jura* 1985, p. 505 et seqq.;
- **Bollweg**, Statutory amendments in the law of compensation, *Neue Zeitschrift für Verkehrsrecht (NZV)* 2000, p. 185 et seqq.;
- **Bollweg**, Statutory amendments in the law of compensation?, 38th. Legal Conference on Traffic Matters (*VG7*) 2000, p. 91 et seqq.;
- **Bollweg/Kreuzer**, Drafts of a UNIDROIT/ICAO Convention on International Interests in Mobile Equipment and of an Aircraft Equipment Protocol, *Zeitschrift für Wirtschaftsrecht (ZIP)* 2000, p. 1361 et seqq.;
- **Bollweg**, The Montreal Convention: retrospective – overview – outlook, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2000, p. 439 et seqq.;
- **Bollweg**, Sleeping Beauty's wide awake. A response to Ruhwedel/Schmid, *RRa* 2000, p. 147 et seqq., *Reiserecht aktuell (RRa)* 2001, p. 21 et seqq.;
- **Bollweg/Gerhard**, Interests in Aircraft Equipment and in Space Assets, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2001, p. 373 et seqq.;
- **Bollweg**, Second Compensation Law Amendment Act: the Government Bill of 24 September 2001, *Zeitschrift für Schadensrecht (zfs)* – special issue on the reform of the law of obligations and on the new law of compensation, 2002, p. 1 et seqq.;
- **Bollweg/Henrichs**, The Cape Town Convention: Diplomatic Conference adopts instruments on aircraft equipment interests, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2002, p. 186 et seqq.;
- **Bollweg**, The long road to the new law – stages in the legislative process towards the Second Compensation Law Amendment Act, in **Bollweg/Brollowski/Lemcke/Wagner**, Quo vadis the law of tort? – changes in the law of compensation and their effects on insurers and consumers, p. 7 et seqq.;
- **Bollweg/Brahms**, Patients' rights in Germany – new patients' charter strengthens the rights of patients, *Neue Juristische Wochenschrift (NJW)* 2003, p. 1505 et seqq.;
- **Bollweg**, Civil aviation liability in a new configuration, editorial, *Zeitschrift für das gesamte Schuldrecht (ZGS)* 2004, p. 1;
- **Bollweg**, The duty of advance payment in relation to civil aviation liability or "bis dat, qui cito dat", in **Müller-Rostin/Schmid** (editors), New challenges facing civil aviation law, presentation to Edgar Ruhwedel, 2004, p. 57 et seqq.;
- **Bollweg**, The patients' charter reduces legal uncertainty, in Helmut Geiger (editor), Health's what matters most – sickness and medical action under the law, claims, duties, constraints and political perspectives, *Bad Boll*, 2004, p. 104 et seqq.;
- **Bollweg**, Second Compensation Law Amendment Act, in ADAC-RechtsForum, "Accidents involving children in road traffic – liability and insurance", 2004, p. 31 et seqq.;

- **Bollweg**, Liability for pharmaceuticals under the Pharmaceuticals Act after the Second Compensation Law Amendment Act, *Medizinrecht* (MedR) – 2004, p. 486 et seqq.;
- **Bollweg**, The new civil aviation convention on third party damage – a ready-made solution following cessation of insurance against terrorism?, *ZGS* 2005, p. 222 et seqq.;
- **Bollweg**, The new civil aviation convention on third party damage – a ready-made solution following cessation of insurance against terrorism?, *Bulletin de l'Association Suisse de Droit Aérien et Spatial* (ASDA Bulletin) 2006, p. 15 et seqq.;
- **Bollweg/Schnellenbach**, Reform of civil aviation liability, *Zeitschrift für Europäisches Privatrecht* (ZEuP) 2007, p. 798 et seqq.;
- **Bollweg**, Compensation for wasted holiday time spent on package tour flights; also observations regarding the Frankfurt a.M. Regional Court judgment of 5.6.2007, file ref. 2-24 S 44/06, *Reiserecht aktuell* (RRa) 2007, p. 242 et seqq.;
- **Bollweg**, New maximum limits to liability for road traffic accidents. *Neue Zeitschrift für Verkehrsrecht* (NZV) 2007, p. 599 et seqq.;
- **Bollweg/Schnell**, Liability of the Registrar for the Registration of International Interests Pursuant to the Luxembourg Railway Protocol, *Uniform Law Review* (ULR) 2007, p. 559 et seqq.;
- **Bollweg/Kreuzer**, The Luxembourg Railway Protocol, the “Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock” of 23 February 2007, *Praxis des Internationalen Privat- und Verfahrensrechts* (IPrax), 2008, p. 176 et seqq.;
- **Bollweg**, Limitation of liability risks in the aviation safety branch – legislative perspectives? In: Stober/Koch (editors), *Limitation of the liability risk in the aviation safety branch*, 2008, p. (publication due in 05/2008);
- **Bollweg**, Introduction to the chapter on “Liability for third party damage”, in: Hobe/von Ruckteschell (editors), *Cologne Compendium of Civil Aviation Law, Volume 3, Part 2, B, I*, (publication due in 2009);
- **Bollweg**, Liability under the Rome Convention on liability, in: Hobe/von Ruckteschell (editors), *Cologne Compendium of Civil Aviation Law, Volume 3, Part 2, B, II*, (publication due in 2009).

III. Reviews/assessments/other publications

- **Bollweg**, Review of Rixecker/Rebman/Säcker (editors), *Munich Commentary on the Civil Code*, Vol. 2a, law of obligations, general part, (sections 241-432), 4th Ed., 2003, p. 2813;
- **Wagner/Bollweg**, For Karl F. Kreuzer on his seventieth birthday, *Neue Juristische Wochenschrift* (NJW) 2004, p. 3253 et seq.
- **Bollweg**, Review of Schwenk/Giemulla, *Handbook of civil aviation law*, 3rd ed., 2005, *Neue Juristische Wochenschrift* (NJW) 2004, p. 1032.

Numerous papers read at the Universities of Cologne, Bremen, Bielefeld and Hamburg; papers read at German lawyers' conferences on traffic matters as well as at events organised by the German Federal Government and by UNIDROIT; lecturer for the further training of judges from the *Länder* (states) of Saxony-Anhalt and Thuringia.

Hans-Georg BOLLWEG

(*Allemagne*)

Ministerialrat au Ministère fédéral de la Justice
né le 22 septembre 1958
à Gütersloh/Westphalie
marié

1965-1968	école primaire à Gütersloh, Marienfeld et Harsewinkel
1968-1977	<i>Evangelisch-Stiftisches Gymnasium</i> à Gütersloh (lycée)
1977	baccalauréat
1977-1982	études de droit à la faculté des sciences juridiques à l'Université de Bielefeld
1982	premier examen juridique d'Etat
1982-1984	référéndaire en droit, tribunal régional de Bielefeld
1982-1984	auxiliaire scientifique auprès du titulaire de la chaire de droit pénal, droit de la procédure pénale, théorie du droit et anthropologie du droit (Prof. Dr. Lampe), Université de Bielefeld
1984	deuxième examen juridique d'Etat
1984-1987	assistant scientifique auprès du titulaire de la chaire de droit pénal, droit de la procédure pénale, théorie du droit et anthropologie du droit (Prof. Dr. Lampe), Université de Bielefeld
1987-1988	avocat au tribunal régional de Dortmund
1988-1991	avocat au tribunal régional supérieur de Hamm
depuis 1991	Ministère fédéral de la Justice
1991-1992	rapporteur aux services « droit des indemnités », « droit patrimonial des nouveaux Länder » et « personnel »
1992-1997	Secrétaire particulier du Secrétaire d'Etat parlementaire au Ministère fédéral de la Justice
1997-1999	Chef de cabinet du Ministre fédéral de la Justice
depuis 1999	Chef du service « droit des indemnités, droit de la responsabilité civile en matière de dégradation de l'environnement, droit de l'aviation civile »
1995	promu docteur en droit
1996	thèse de doctorat dotée du prix de la Société d'Université de Westphalie-Lippe, Bielefeld
depuis 2001	membre du comité juridique et de la commission juridique de l'assemblée générale de l'Organisation de l'aviation civile internationale (OACI), Montréal
depuis 2004	membre élu du Conseil de Direction de l'Institut international pour l'unification du droit privé (UNIDROIT), Rome

Activités internationales:

- membre de la délégation allemande lors des conférences des ministres de la Justice et de l'Intérieur de la Communauté européenne, 1993 – 1998;
- membre de la délégation allemande lors de nombreuses visites formelles et informelles du Ministre fédéral de la Justice et du Secrétaire d'Etat parlementaire au Ministère fédéral de la Justice à l'étranger et auprès des organisations internationales, 1993 - 1998;
- membre de la délégation allemande lors de la Conférence de l'ONU sur la lutte contre la criminalité organisée, Naples, 1995;
- membre de la délégation allemande lors de la Conférence des Ministres européens de la Justice, Budapest, 1996;
- membre de la délégation allemande lors des sommets franco-allemands, Avignon et Potsdam, 1998;
- membre de la délégation allemande lors de la Conférence Diplomatique sur la Convention pour l'unification de certaines règles relatives au transport aérien international (Convention de Montréal), Montréal 1999;
- représentant de l'Allemagne à la Legal Task Force d'EUROCONTROL GNSS sur les aspects juridiques de la navigation européenne des satellites Galileo, Bruxelles, Oslo, 1999;
- chef de la délégation allemande lors des réunions des experts gouvernementaux sur la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles et à un Protocole portant sur les questions spécifiques aux matériels d'équipement aéronautiques (Convention du Cap), Montréal et Rome, 1999 - 2001;
- représentant de l'Allemagne à la Task Force on European Air Transport Policy (EURPOL) de la *European Civil Aviation Conference* (ECAC), Londres, Paris et Berlin, 1999 - 2002;
- chef de la délégation allemande lors de plusieurs conférences des Etats germanophones relatives à la traduction des Conventions de Montréal, du Cap y compris le Protocole portant sur les questions spécifiques aux matériels d'équipement aéronautiques et de la Convention civile sur la corruption du Conseil de l'Europe, Vienne, Berne, Berlin, 1999 – 2002;
- chef de la délégation allemande lors de la réunion informelle d'experts gouvernementaux sélectionnés sur le Protocole portant sur les questions spécifiques aux biens spatiaux relatif à la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles (Convention du Cap), Rome, 2000;
- chef de la délégation allemande lors de la Conférence diplomatique portant sur la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles ainsi que sur un Protocole portant sur les questions spécifiques aux matériels d'équipement aéronautiques (Convention du Cap), Le Cap, 2001;
- chef de la délégation allemande lors des réunions des experts gouvernementaux sur le Protocole portant sur les questions spécifiques au matériel roulant ferroviaire relative à la

Convention d'UNIDROIT sur les garanties internationales portant sur des matériels d'équipement mobiles (Convention du Cap), Berne et Rome, 2001 – 2003;

- membre de la Commission préparatoire et de l'Autorité provisoire de supervision relative à la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles (Convention du Cap), Montréal, 2002-2005;
- représentant de l'Allemagne lors des *Brainstorming Sessions* du Conseil de Direction d'UNIDROIT et des Etats membres d'UNIDROIT, Rome 2002 – 2003;
- membre du *Study Group on Third Party Liability* de l'OACI désigné personnellement par le Secrétaire général de l'OACI, Montréal, 2002-2003;
- chef de la délégation allemande lors des réunions des experts gouvernementaux et du steering committee sur le Protocole portant sur les questions spécifiques aux biens spatiaux relatif à la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles (Convention du Cap), Rome, 2003-2004, Berlin, 2008;
- chef de la délégation allemande au groupe spécial OACI sur la modernisation de la Convention de Rome 1952, Montréal 2005 ; président d'un groupe de travail portant sur le franchissement des limites maxima de responsabilité (2007)
- chef de la délégation allemande lors de la Conférence diplomatique sur le Protocole de Luxembourg portant sur le matériel roulant ferroviaire relatif à la Convention d'UNIDROIT relative aux garanties internationales portant sur des matériels d'équipement mobiles (Convention du Cap), Luxembourg, 2007;
- membre de la commission préparatoire sur le registre de garanties internationales portant sur le matériel roulant ferroviaire en vertu du Protocole de Luxembourg, Berne 2007, Rome, 2008;
- président du groupe de travail « Liability and Insurance » de la commission préparatoire sur le registre de garanties internationales portant sur le matériel roulant ferroviaire en vertu du Protocole de Luxembourg, Berlin 2007;
- membre allemand permanent au Groupe de Malte des experts européens en droit aérien; 1992 et depuis 1999 (Santorin 1992, Dublin 2000, Budapest 2001, Berlin 2002, Oslo 2003);
- représentant de l'Allemagne aux groupes de travail du Conseil « circulation aérienne » et « environnement » ainsi qu'à la commission droit civil de la Communauté européenne et aux groupes de travail « responsabilité du fait des produits » de la Commission et « War Risk Insurance » de la Commission CE, depuis 1999;
- membre allemand permanent au comité juridique de l'Organisation de l'aviation civile internationale (OACI), depuis 2001;
- représentant de l'Allemagne à la Commission juridique de l'assemblée générale de l'Organisation de l'aviation civile internationale (OACI), Montréal, depuis 2001;
- membre au forum du droit aérien, cercle de discussion des juristes germanophones spécialistes du droit aérien, depuis 2002;

- membre élu du Conseil de Direction de l'Institut international pour l'unification du droit privé (UNIDROIT), Rome, depuis 2004

Publications:

Livres:

- **Bollweg**, L'élection du conseil de surveillance dans l'assemblée générale de la société par actions, Cologne, 1997;
- **Bollweg/Hellmann**, La nouvelle législation en matière de dommages intérêts, Cologne, 2002;

Essais, contributions aux ouvrages collectifs:

- **Bollweg**, change d'argent, JURA 1985, p. 505 suiv.;
- **Bollweg**, Modifications apportées à la législation en matière de dommages-intérêts, *Neue Zeitschrift für Verkehrsrecht (NZV)* 2000, p. 185 suiv.;
- **Bollweg**, Modifications dans la législation en matière de dommages-intérêts? 38ème journée des juridictions statuant en matière de la circulation 2000, p. 91 suiv.;
- **Bollweg/Kreuzer**, Projets d'une Convention UNIDROIT/OACI sur les garanties internationales portant sur des matériels d'équipement mobiles ainsi que sur un Protocole portant sur les matériels d'équipement aéronautiques, *Zeitschrift für Wirtschaftsrecht (ZIP)* 2000, p. 1361 suiv.;
- **Bollweg**, La Convention de Montréal: rétrospective – vue d'ensemble - perspectives, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2000, p. 439 suiv.;
- **Bollweg**, La Belle au bois dormant est bien réveillée. Une réplique à Ruhwedel/Schmid, *RRa* 2000, p. 147 suiv., *Reiserecht aktuell (RRa)* 2001, p. 21 suiv.;
- **Bollweg/Gerhard**, Garanties internationales portant sur des matériels d'équipement aéronautiques et des biens spatiaux, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2001, p. 373 suiv.;
- **Bollweg**, 2ème loi portant réforme à la législation sur les indemnités de dommages-intérêts: projet gouvernemental du 24 septembre 2001, *Zeitschrift für Schadensrecht (zfs)* – cahier spécial sur la réforme du droit des obligations et sur la nouvelle législation en matière de dommages-intérêts 2002, p.1 suiv.;
- **Bollweg/Henrichs**, Convention du Cap: Conférence diplomatique adopte des instruments relatifs aux garanties portant sur des équipements aéronautiques, *Zeitschrift für Luft- und Weltraumrecht (ZLW)* 2002, p. 186 suiv.;
- **Bollweg**, Le long trajet vers une nouvelle législation – étapes de la procédure législative portant sur la 2ème loi portant réforme à la législation en matière de dommages-intérêts, dans **Bollweg/Brollowski/Lemcke/Wagner**, Quo vadis droit des délits ? – Modifications apportées à la législation en matière de dommages-intérêts et ses effets sur les assureurs et consommateurs, 2003, p. 7 suiv.;

- **Bollweg/Brahms**, Droit des malades en Allemagne- la nouvelle charte des malades renforce les droits des malades, *Neue Juristische Wochenschrift (NJW)* 2003 (cahier 21), p. 1505 suiv.;
- **Bollweg**, La responsabilité en matière de circulation aérienne en mutation, éditorial, *Zeitschrift für das gesamte Schuldrecht (ZGS)* 2004, p. 1 ;
- **Bollweg**, L'obligation du paiement anticipé en matière de responsabilité de la circulation aérienne ou « Bis dat, qui cito dat » dans : Müller-Rostin/Schmid (éd.), *Le droit en matière de la circulation aérienne face à de nouveaux défis*, mélanges pour Edgard Ruhwedel, 2004, p. 57 suiv.
- **Bollweg**, La charte des patients réduit la sécurité juridique, dans Helmut Geiger (éd.), *Etre en bonne santé c'est ce qui importe le plus – être malade et l'action du médecin en droit*, prétentions, obligations, contraintes et perspectives politiques, Bad Boll, 2004, p. 104 suiv.;
- **Bollweg**, La 2ème loi portant réforme à la législation en matière de dommages-intérêts dans ADAC-RechtsForum, « accidents de la circulation routière impliquant des enfants – responsabilité et assurance », 2004, p. 31 suiv.;
- **Bollweg**, La responsabilité du fait des produits pharmaceutiques en vertu de la 2ème loi portant réforme à la législation en matière de dommages-intérêts *Medizinrecht (MedR)* – 2004, p. 486 suiv.;
- **Bollweg**, La nouvelle Convention relative au préjudice indirect en matière du droit aérien – une formule passe-partout pour la suppression des assurances contre les attentats terroristes, *ZGS* 2005, p. 222 suiv.;
- **Bollweg**, La nouvelle Convention relative au préjudice indirect en matière du droit aérien – une formule passe-partout pour la suppression des assurances contre les attentats terroristes, *Bulletin de l'Association Suisse de Droit Aérien et Spatial (ASDA Bulletin)* 2006, p. 15 suiv.;
- **Bollweg/Schnellenbach**, La nouvelle réglementation de la responsabilité en matière du droit aérien, *Zeitschrift für Europäisches Privatrecht (ZEuP)* 2007, p. 798 suiv.;
- **Bollweg**, Dommages-intérêts du fait de temps de conge inutilement investi dans le cas de voyages aériens à forfait internationaux? Aussi annotations au jugement du tribunal régional de Francfort sur le Main du 5 juin 2007, n° 2-24 S 44/06, *Reiserecht aktuell (RRa)* 2007, p. 242 suiv.;
- **Bollweg**, Nouveaux plafonds de la responsabilité en matière de circulation routière, *Neue Zeitschrift für Verkehrsrecht (NZV)* 2007, S. 599 suiv.;
- **Bollweg/Schnell**, Liability of the Registrar for the Registration of International Interests Pursuant to the Luxembourg Railway Protocol, *Uniform Law Review (ULR)* 2007, p. 559 suiv.;

- **Bollweg/Kreuzer**, Le Protocole ferroviaire de Luxembourg, « Protocole portant sur les questions spécifiques au matériel roulant ferroviaire à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles » du 23 février 2007, *Praxis des Internationalen Privat- und Verfahrensrechts* (IPrax), 2008, p. 176 suiv.;
- **Bollweg**, Limitation des garanties dans la branche de la sécurité aérienne – perspectives législatives? dans: Stober/Koch (éd.), *Limitation des garanties dans la branche de la sécurité aérienne*, 2008, p. (paraît en mai 2008);
- **Bollweg**, Introduction au chapitre « responsabilité des dommages d'autrui », dans: Hobe/von Ruckteschell (éd.), *Kölner Kompendiumdes Luftverkehrsrechts*, volume 3, deuxième partie, B, I, (paraît 2009);
- **Bollweg**, Responsabilité selon la Convention de Rome relative aux dommages causés aux tiers à la surface par des aéronefs étrangers, dans: Hobe/von Ruckteschell (éd.), *Kölner Kompendiumdes Luftverkehrsrechts*, volume 3, deuxième partie, B, II, (paraît 2009);

De nombreuses conférences aux universités de Cologne, Brême, Bielefeld et Hambourg, conférences aux congrès des avocats allemands et aux journées allemandes des juridictions statuant en matière de la circulation ainsi que lors de manifestations organisées par le gouvernement fédéral et UNIDROIT ; conférencier dans le cadre de la formation continue des magistrats du siège dans les Länder de Saxe-Anhalt et Thuringe.

Baiba BROKA

(Latvia – *Lettonie*)

Date and Place of Birth: October 2, 1975, Madona-Latvia
E-mail: Baiba.broka@tm.gov.lv
Languages: Latvian – native
Russian – fluent
English – fluent
German – colloquial speech.

Education:

1997 Highest Professional education in judicial sciences – University of Latvia, Faculty of Law
1998 University of Latvia Faculty of Economics Institute of Accountancy
2000 Master Degree in Law-University of Latvia Faculty of Law
2001 Doctoral studies in the University of Latvia Faculty of Law

Experience:

1995-1997 Assistant of the Prosecutor Public at the North District of the city of Riga, Latvia;
2000 Legal and Financial Counsel (projects related to the foreign direct investments in Latvia and Eastern Europe; consumer protection issues- consumer credit; financial transactions; alternative dispute resolution);
1998 Lecturer of the Private Law at the Faculty of Law of the University of Latvia
1999-2002 Associate Dean of the Faculty of Law at the Concordia International University of Estonia
1999 Entrepreneur
2002-2005 Member of the Board at the Ltd, "Eiropas Minerāls"
November 10, 2006 till to-day – Parliamentary Secretary of the Ministry of Justice of the Republic of Latvia

Academic and Scientific activities; publications:

2000-2002 Project of the legal research organized by Soros Foundation and Government of the USA between the University of Latvia Faculty of Law and Northwestern College of Lewis & Clark School of Law (Portland, Oregon, USA). After the project I introduced a new legal course – "Legal Writing" to the Faculty of Law of the University of Latvia
2006 Author of the book "Legal Writing" (June 26, 2008 came out the 3rd edition).
2000-2006 Several exchange projects; research projects and teaching sessions in different universities (Tulane Law School – New Orleans, Louisiana, USA; Portland Oregon);
2001 Reviews for informative materials, brochures related to the consumer protection prepared by the Ministry of Economics of the Republic of Latvia
2002-2003 Research paper "Necessity of the Legal Regulation in Latvia regarding implementation of the Alternative Dispute Resolution techniques" contracted by Soros Foundation in Latvia

- 2004 March** International Visitors program organized by the Department of State of the USA. Visits to different judicial institutions (courts, law schools, prosecutors offices) in five States of America. After the visit I introduced to the Faculty of Law of the University of Latvia a new legal course "Legal Research and transparency".
- 2004-2006** National Expert for the European Union Project "EC Consumer Law Compendium", creating a common data base of consumer law within European Union.
- 2006-2007** Expert for the EU and Latvian Twinning Project "Dispute resolution Systems. Implementation of Mediation".
- 2007** Expert nominated by the Government of the Republic of Latvia at the UNIDROIT Committee of governmental experts for the preparation of a draft model law on leasing

Conferences

Participation starting from the 1998 in several international and national scientific conferences with presentations in the following topics: consumer protection-consumer credit; construction agreement on legal relationships; alternative dispute resolution; mediation; contract laws and freedom of the contracts; legal methodology; legal analysis and legal research; legal writing and argumentation; legal education.

Pedagogical activities:

- 1998-1999** Assistant of the Lecturer - Faculty of Law of the University of Latvia – Private Law – Law of Obligations;
- 2000 till to-day** Lecturer Faculty of Law of the University of Latvia– Private Law – Law of Obligations (Contract Law, Tort Law); Legal Writing; Legal Research, Consumer Law;
- 1999-2003** Professor at the CONCORDIA International University Estonia - Contract Law, Tort Law, Competition Law; Property Law; Company Law, Legal Theory;
- 2002** Guest Lecturer at the Tulane Law School, New Orleans, Louisiana, USA – Introduction to the Laws of Eastern Europe;
- 2005 till to-day** Lecturer at the Judicial Training Centre of Latvia – seminars for the judges related to the issues of Private Law;
- 2005 till to-day** Lecturer at the seminars organized by the Council of Notaries Public in Latvia.

Núria BOUZA VIDAL

(Spain - *Espagne*)

First Name: Núria
Surnames: Bouza Vidal
Birthplace: Barcelona, Spain
Birth date: 25 April 1945
National ID number: 36891794
Private address: Freixa, 46, 2º, 1ª, 08021 Barcelona, Spain
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ACADEMIC DEGREES

Bachelor's Degree in Law. University of Barcelona, 1967

Doctorate in Law. University of Barcelona, 1975

CURRENT EMPLOYMENT

INSTITUTION: School of Law, Pompeu Fabra University (Barcelona), Law Department

PROFESSIONAL CATEGORY AND DATE OF ACQUISITION: University Chair, since 18 August 1987

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TEACHING AT CENTRES OUTSIDE OF SPAIN

Garantias sobre valore representados mediante anotaciones en cuenta en el marco de un sistema de posesión multinivel [Guarantees of Values Represented through Accounting Annotations within the Framework of a Multilevel Ownership System]. 25th National Seminar on International Private and Comparative Law. School of Law of Autónoma Metropolitana University and the Mexican Academy of International Private Law. Mexico City, 17-19 October 2001.

Contratación internacional: normas imperativas y libertad contractual en el Derecho del comercio internacional [International Contracting: Compulsory Rules and Contractual Freedom in International Trade Law] (32 hrs). Master's in International Private and Comparative Law, Postgraduate Study Centre, School of Legal Science and Politics, Central University of Venezuela. Caracas, 28 June to 3 July 2004.

Développements récents en matière d'accords attributifs de juridiction [Recent Developments in Accords Attributing Jurisdiction]. 2nd Master's in International Law Research. School of Law, Panthéon-Assas University (Paris II). Paris, 27 March to 5 April 2006.

LANGUAGES OF SCIENTIFIC INTEREST (W= Working level, G= Good, VG= Very Good)

LANGUAGE	SPEAKING	READING	WRITING
French	VG	VG	VG
English	G	VG	G
Italian	W	VG	W

PARTICIPATION IN SUBSIDIZED RESEARCH PROJECTS

1. Research project of the Advisory Committee for Scientific and Technical Research (CAYCIT). International Private Law: Jurisprudence and Doctrine (1979-1985). Part I, Section I, Subsections 8 and 9: "International Private Autonomous Law: Mercantile and Economic Legislation"; Part II (Jurisprudence) Section 4, Subsection 8: "Reslations Between Spouses: Matrimonial Economic Agreements" and Section 7, Subsections 6 and 7: "Maritime, Land, and Air Transport".
2. Programme 3. Support for beginning research teams. Title of the project: P394.013 "*Conflictos entre los Convenios de Derecho internacional privado y el Derecho comunitario en los diversos sectores del comercio internacional*" [Conflicts between International Private Law Agreements and Community Law in Different Sectors of International Trade]. Financing Institution: Pompeu Fabra University. Principal Investigator: Núria Bouza Vidal. No. of investigators: 4. Duration: 06/1195 to 06/1198. Financing: 2,000,000 pesetas.
3. Research project granted by Spain's Intern-ministerial Committee on Science and Technology (CICYT): Reference SEC96-0765. Executing institution: Pompeu Fabra University. Principal investigator: Núria Bouza Vidal. Title: *Procesos de integración, ámbito de aplicación of the normas cunitarias y Derec ho internacional privado en la Unión Europea* [Processes of Integration, Scope of Application of Community Rules and International Private Law in the European Union]. Starting date: 1/07/1996. Finalization date: 1/07/1998. Financing: 2,400,000 pesetas.
4. ELFA (European Law Faculties Association) Project, no. 39540-CP-1-BE-ERASMUS-ETNE, titled "CICERO-Legal Education and Training in the European Learning Society", within the framework of the SOCRATES network. Coordinator: Prof. Valerio Grementieri (University of Sienna). Scientific Committee members: Prof. Núria Bouza (Pompeu Fabra University, Barcelona), Prof. Jaap E. Doek (Vrije University, Amsterdam), Prof. Tom Latrup-Pedersen (University of Birmingham), Prof. Jacques Pertk (University of Hainaut-Cambrésis), Prof. Frans Vaninstendael (University of Leuven), Prof. McAuley (University of Dublin), Prof. Hilmar Fenge (University of Hanover), and Prof. Yessiou-Faltsie (University of Thessaloniki). Duration: 3 years (September 1997 to August 2000). Financing; 100,000 ecus.
5. Scientific and technological development research project granted by the Ministry of Science and Technology (2003 R&D programme). Reference: SEC2003-04248. Executing Institution: Pompeu Fabra University. Principal Investigator: Núria Bouza Vidal. Title: *Pautas para la elaboración de un sistema comunitario de Derecho internacional privado* [Guidelines for Drafting a Community System of International Private Law]. Duration: 3 years (2003 - 2006). Financing: 16,000 euros.

6. European project " Judicial Cooperation in Family Law" JAI/2003&/FPC/035 , for the Directorate General of Justice and Home Affairs of the European Commission. 2003 – 2004. Principal Investigator: Juan Egea Fernández.

MAJOR PUBLICATIONS

1. Books

Problemas de adaptación en el Derecho internacional privado e interregional [Adaptation Problems in Private International and Inter-regional Law], Madrid: Tecnos, 1977, 211 pp. ISBN 84-3090718-1.

Las garantías mobiliarias en el comercio internacional [Moveable Guarantees in International Trade], Madrid: Marcial Pons, 1991, 275 pp. ISBN 84-7248-105-0.

Legislación básica de Derecho internacional privado [Basic International Private Law Legislation] (in collaboration with A. Borrás, Julio D. Gonzalez Campos and M. Virgós). Since its first edition in 1991, this work has gone through six more updated edition. Seventh ed., Madrid: Tecnos, 2007, ISBN, 84-978-4571-9.

2. Selected articles

"*Significado y alcance of the armonización de legislaciones en la Comunidad Económica Europea*" [Significance and Scope of Harmonization of Legislation in the European Economic Community]: *Revista de Instituciones Europeas*, 1981, Vol. 8, pp. 397 – 426 ISBN 0210-0924.

"*Aspectos de Derecho internacional privado en la protección del medio ambiente*" [Aspects of International Private Law in Environmental Protection]. In: *Problemas internacionales del medio ambiente* [International Environmental Problems], 8th Seminar of the Spanish Association of International Law and International Relations Professors. Autónoma University of Barcelona publications service, 1985, pp. 57-95, ISBN 84-7488-127-7.

"*El contrato de transporte multimodal: de una normativa profesional a un Convenio internacional*" [Multimodal Transport Contracts: From Professional Regulations to International Agreements]: *Revista of the Corte Española de arbitraje*, 1986pp. 67-96, ISBN 84-505-2823-2.

"*La nueva Ley 21/1987 de 11 de noviembre sobre adopción y su proyección en el Derecho internacional privado*" [The New Law 21/1987 of 11 November on Adoption and its Protection in International Private Law]: *Revista General de legislación y jurisprudencia*, 1987, T. XCV no. 6, pp. 897-931, ISSN 02010-8518.

"*Aspectos de Derecho internacional privado de los contratos de transferencia de tecnología*" [Aspects of International Private Law in Technology Transfer Contracts]. In: *Cursos de Derecho internacional de Vitoria/Gasteiz* [Vitoria International Law Courses], Bilbao: University of the Basque Country, 1991, pp. 227-268, ISBN 84-7585-179-X.

"*El ámbito personal de aplicación del Derecho de establecimiento en los supuestos de doble nacionalidad (Comentario a la Sentencia del TJCE del 7 de julio de 1992, Micheletti c. Delegación del Gobierno de Cantabria, As, C 369/90)*" [The Personal Scope of Application of Establishment Law in Cases of Dual Nationality]: *Revista de Instituciones Europeas*, 1993, Vol. 20, pp. 563-581, ISSN 01210-0924.

"La arbitrabilidad de los litigios en la encrucijada of the competencia judicial internacional y of the competencia arbitral" [The Arbitrability of Suits at the Crossroads of International Judicial Jurisdiction and Arbitral Jurisdiction]: *Revista Española de Derecho Internacional* 2000, Vol. LII, pp. 271 – 294, ISSN 0034-9380.

"Garantías sobre valores representados mediante anotaciones en cuenta en el marco de una sistema de posesión multinivel" [Guarantees of Values Represented through Accounting Annotations within the Framework of a Multilevel Ownership System]: *Revista Mexicana de Derecho internacional privado*, 2001, Vol 10, pp. 109-120.

"Los efectos del procedimiento de insolvencia transfronterizo en los derechos sobre valores anotado en cuenta: diversos modelos de regulación" [The effects of Transborder Insolvency Procedures on Rights Regarding Accounting Annotation Values: Different Regulation Models]. In: *Estudios de homenagem à Professora Doutora Isabel de Magalhães Collaço* [Studies in Honour of Prof. Isabel de Magalhães Collaço], Coimbra: Librería Almedina, 2002, Vol. I, pp. 79-101, legal deposit no. 183647/02.

"La responsabilidad por daños ambientales transfronterizos: propuesta de regulación europea y Derecho internacional privado" [Responsibility for Transborder Environmental Damages: Proposal for European Regulation and International Private Law] (with M. Vinaixa): *Anuario Español de Derecho internacional privado*, Vol. III, 2003, pp. 75-106, ISBN 84-931681-5-7.

"La elección conflictual de una normativa no estatal sobre contratos internacionales desde una perspectiva europea (Consideraciones sobre el Plan de Acción of the Comisión de febrero de 2003)" [The Conflictual Choice of Non-state Regulations Regarding International Contracts, from a European Viewpoint]. In: *Pacis artes. Obra homenaje al profesor J.D. González Campos* [Pacis Artes: A Tribute to Prof. J.D. González Campos], Vol. II Madrid: Edit. Eurolex, 2005, pp. 1309-1334, ISBN 84-933401-5-4.

"Aspectos actuales of the autonomía of the voluntad en la elección of the jurisdicción y of the ley aplicable a los contratos internacionales" [Current Aspects of Autonomy in the Choice of Jurisdiction and the Law Applicable to International Contracts]. In: *Cursus des Derecho internacional y relaciones internacionales de Vitoria-Gasteiz 2004* [Vitoria International Law Courses], University of the Basque Country, 2005, pp. 32-91, ISBN 84-8373-760-4.

"Inmigración y Derecho internacional privado of the familia" [Immigration and International Private Family Law]. In: F. Aldecoa and J.M. Sobrino (Eds.), *Migraciones y desarrollo* [Migration and Development]. 2nd Iber-American Seminar on International Studies, Montevideo, 25-27 October 2006. Madrid: Marcial Pons, 2007, pp. 485-512, ISBN 978-84-9768-420-0.

"Los problemas que plantea el Derecho de familia y sucesiones en el Derecho internacional privado" [The Problems that Family and Inheritance Law Pose in International Private Law]: *La Notaria*, issue on law and immigration, no. 42, Vol. I, June 2007, pp. 11-40, ISSN: 0210-427X.

3. Yearbooks

"Información del Derecho extranjero: Derecho internacional privado" [Information on Foreign Law: International Private Law], in: *Revista Jurídica de Catalunya*, annually since 1985, to the present.

"Treaties to which Spain Is a Party Involving Questions of Private International Law". In: *Spanish Yearbook of International Law*, 1991-2002.

SCIENTIFIC ASSOCIATIONS

1. Member of the *Asociación Española de Derecho Internacional y Relaciones Internacionales* (Spanish Association of Professors of International Law and International Relations), since 1979.
2. Member of the *Asociación Española para el Estudio del Derecho Europeo* (Spanish Association for the Study of European Law), since 1982.
3. Associate member of the *Instituto Hispano Luso Americano de Derecho Internacional* (Spanish-Portuguese International Law Institute, or ILHADI), since 1998.

EDITORIAL BOARDS

1. Member of the Editing Committee, *Revista de Instituciones Europeas*, Centre for Constitutional Studies, Madrid, 1979-1986.
2. Member of the Advisory Council, *Revista Española de Derecho Internacional*, since 1987.
3. Member of the Board of Directors, *Spanish Yearbook of International Law*, 1991-2003.
4. Member of the Advisory Council, *Revista Derecho Privado y Constitución*, since 1994.
5. Member of the Editing Committee, *Revista de Derecho Comunitario Europeo*, Centre for Constitutional Studies, since July 1997.
6. Member of the Editorial Board, *Revista General de Derecho Europeo* (electronic format), since May 2003.
7. Member of the Curatorium, *Anuario Español de Derecho Internacional Privado*, since June 2006.

OTHER ACTIVITIES

Vice-Chancellor for Faculty and Academic Affairs, Pompeu Fabra University, March 1992 to May 1994.

Director, Pompeu Fabra University's two-year Doctor of Law programme on Patrimonial Law, 1994-95/1995-96 and 1995-1996/1996-97.

Director of the Law Department, Pompeu Fabra University, February 1996 to March 2000.

Member of the Advisory Committee on Law and Jurisprudence of the National Research Evaluation Committee (CNEAI), Ministry of Education and Science, since October 2006.

Member of the Scientific Advisory Committee, Vitoria Courses on International Law and International Relations, since April 2006.

Antonio Paulo CACHAPUZ DE MEDEIROS

(Brazil – *Brésil*)

Birth information

15/08/1952 - Uruguaiana/RS - Brazil

Residential Address

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Brazil

Phone number: 55 6133468919

Professional Address

Ministério das Relações Exteriores - Consultoria Jurídica

Palácio Itamaraty - Anexo II - Sala 06

Esplanada dos Ministérios - BRASILIA

70170-900, DF

Brazil

Phone number: 55 6134119240

Personal URL

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E-mail

e-mail: cachapuz@mre.gov.br

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Education

1990- 1995

Ph.D. in International Law.

Universidade de São Paulo (University of São Paulo), USP, São Paulo, Brazil

1978 - 1980

Master in Political Science

Universidade Federal do Rio Grande do Sul (Federal University of Rio Grande do Sul), UFRGS, Porto Alegre, Brazil

1971 - 1975

Graduate Studies in Law.

Pontifícia Universidade Católica do Rio Grande do Sul (Pontifical Catholic University of Rio Grande do Sul), PUCRS, Porto Alegre, Brazil

Professional Experience

1. Associação Latino-Americana de Integração - ALADI (Latin-American Integration Association - LAIA)

2001 -2003

Administrative Court

Judge

01/2002 - 12/2002
Administrative Court
President

2. Centro de Ensino Unificado de Brasília - UNICEUB

2002 - current
Professor of International Law.
Professor of Law of the Treaties.

3. Permanent Court of Arbitration (The Hague)

2004 - current
Member

4. Instituto dos Advogados do Rio Grande do Sul - IARGS (Lawyer's Institute of Rio Grande do Sul)

1983 - current
Member of the Higher Council
01/1986 - 12/1989
Lawyer's Institute of Rio Grande do Sul
President

5. Instituto Rio Branco do Ministério das Relações Exteriores - IRBR (Rio Branco Institute of the Ministry of Foreign Affairs)

2003 - current
Professor of Foreign Relations Law

6. International Law Association - ILA-BRAZIL

2005 - current
Member of the Higher Council

7. Ministry of Foreign Affairs - DF - MRE

1998 - current
Legal Adviser

8. Head and Member of the following Diplomatic Delegations

12/1998 - 12/1998

Head of the Brazilian Diplomatic Delegation to the 1st Preparatory Meeting of the VI InterAmerican Conference on Private International Law (CIDIP VI), held in Washington, from December 03 to 04, 1998.

01/1999 - 01/1999

Head of the Brazilian Diplomatic Delegation to the 1st Bilateral Meeting for the Preparation of a New Treaty of Friendship, Cooperation and Consultation between Brazil and Portugal, held in Lisbon, from January 25 to 27, 1999.

05/1999 - 05/1999

Head of the Brazilian Diplomatic Delegation to the Celebration of the Centennial of the 1st Hague International Peace Conference, from May 17 to 19, 1999, in the Hague, Netherlands.

05/1999 - 06/1999

Head of the Brazilian Diplomatic Delegation to the 32nd Period of Sessions of UNCITRAL (United Nations Commission on International Trade Law), held in Vienna, Austria, from May 17 to June 04, 1999.

06/1999 - 07/1999

Head of the Brazilian Diplomatic Delegation to the 2nd Meeting of the Bilateral Commission for the Preparation of a New Treaty of Friendship, Cooperation and Consultation between Brazil and Portugal, held in Brasília, from June 30 to July 07, 1999.

07/1999 - 08/1999

Head of the Brazilian Diplomatic Delegation to the 2nd Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from July 26 to August 13, 1999.

11/1999 - 12/1999

Head of the Brazilian Diplomatic Delegation to the 3rd Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from November 29 to December 17, 1999.

01/2000 - 01/2000

Head of the Brazilian Diplomatic Delegation to the 3rd Meeting of the Bilateral Commission for the Preparation of a New Treaty of Friendship, Cooperation and Consultation between Brazil and Portugal, held in Lisbon, from January 17 to 26, 2000.

06/2000 - 06/2000

Head of the Brazilian Diplomatic Delegation to the 5th Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from June 12 to 30, 2000.

11/2000 - 12/2000

Head of the Brazilian Diplomatic Delegation to the 6th Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from November 27 to December 08, 2000.

02/2001 - 03/2001

Head of the Brazilian Diplomatic Delegation to the 7th Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from February 26 to March 09, 2001.

04/2001 - 04/2001

Head of the Brazilian Diplomatic Delegation to the 1st Meeting of the High Level Group for the Improvement of the Controversy Settlement System of Mercosur, held in Asunción, from April 23 to 24, 2001.

05/2001 - 05/2001

Head of the Brazilian Diplomatic Delegation to the 2nd Meeting of the High Level Group for the Improvement of the Controversy Settlement System of Mercosur, held in Asunción, from May 28 to 29, 2001.

06/2001 - 07/2001

Head of the Brazilian Diplomatic Delegation to the 34th Period of Sessions of UNCITRAL (United Nations Commission on International Trade Law), held in Vienna, from June 25 to July 13, 2001.

08/2001 - 08/2001

Head of the Brazilian Diplomatic Delegation to the 3rd Meeting of the High Level Group for the Improvement of the Controversy Settlement System of Mercosur, held in Montevideo, from August 27 to 28, 2001.

09/2001 - 10/2001

Head of the Brazilian Diplomatic Delegation to the 8th Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from September 24 to October 05, 2001.

10/2001 - 10/2001

Head of the Brazilian Diplomatic Delegation to the 4th Meeting of the High Level Group for the Improvement of the Controversy Settlement System of Mercosur, held in Montevideo, from October 16 to 17, 2001.

10/2001 - 10/2001

Delegate of the Brazilian Government to the Meeting of the Legal Consultants of the Ministries of Foreign Affairs of the UN Member Countries, held in New York, on October 29 and 30, 2001.

11/2001 - 11/2001

Head of the Brazilian Diplomatic Delegation to the 1st Meeting of the Work Group in charge of the elaboration of the Project of the Inter-American Convention against Terrorism, held in Washington, from November 26 to 28, 2001.

11/2001 - 11/2001

Head of the Brazilian Diplomatic Delegation to the Meeting on Terrorism of the Legal Experts of the Rio Group Countries (application of Resolution 1373 (2001) of the United Nations Security Council) held in Santiago, Chile, from ... 05 to 06

01/2002 - 01/2002

Head of the Brazilian Diplomatic Delegation to the 2nd Meeting of the Work Group in charge of the elaboration of the Project of the Inter-American Convention against Terrorism, held in Washington, from January 22 to 25, 2002.

03/2002 - 03/2002

Head of the Brazilian Diplomatic Delegation to the 3rd Meeting of the Work Group in charge of the elaboration of the Project of the Inter-American Convention against Terrorism, held in Washington, from March 18 to 21, 2002.

06/2002 - 06/2002

Head of the Brazilian Diplomatic Delegation to the 35th Plenary Session of UNCITRAL (United Nations Commission on International Trade Law), held in New York, from June 10 to 28, 2002.

07/2002 - 07/2002

Head of the Brazilian Diplomatic Delegation to the 10th Session of the Preparatory Commission for the International Criminal Court (PrepCom), held in New York, from July 1st to 12, 2002.

09/2003 - 09/2003

Head of the Brazilian Diplomatic Delegation to the II Assembly of the States Parties of the International Criminal Court, held in New York, in the headquarters of the United Nations, from September 08 to 12, 2003.

03/2004 - 03/2004

Head of the Brazilian Diplomatic Delegation to the 43rd Session of the Work Group on Electronic Commerce of the UNCITRAL (United Nations Commission on International Trade Law), in New York, from March 15 to 19, 2004.

04/2004 - 04/2004

Head of the Brazilian Diplomatic Delegation to the Meeting of the Special Commission of General and Political Affairs of the Hague Conference for Private International Law, held in the Hague, from April 06 to 08, 2004.

06/2004 - 06/2004

Head of the Brazilian Diplomatic Delegation to the Special Meeting of the Subgroup of Work 2 - Institutional Aspects, of the Mercosur, on incorporation of the Mercosur ruling to the Brazilian Regulations, held in Montevideo, on June 07, 2004.

06/2004 - 06/2004

Head of the Brazilian Diplomatic Delegation to the 37th Plenary Session of UNCITRAL (United Nations Commission on International Trade Law), in New York, from June 14 to 25, 2004.

07/2004 - 07/2004

Head of the Brazilian Diplomatic Delegation to the Technical-legal Meeting of the Negotiations of the Agreement between Brazil and France related to the construction of a bridge over Oiapoque River, in Paris, on July 05, 2004.

10/2004 - 10/2004

Head of the Brazilian Diplomatic Delegation to the 44th Session of the Work Group on Electronic Commerce of the UNCITRAL (United Nations Commission on International Trade Law), held in Vienna, from October 11 to 22, 2004.

10/2004 - 10/2004

Head of the Brazilian Diplomatic Delegation to the II Meeting of the Government Mixed Commission of UNIDROIT - International Institute for Unification of Private Law, held in Rome, on October 25, 26 and 27, 2004.

11/2004 - 11/2004

Delegate of Brazil in the Meeting of Legal Consultants of the UN Member Countries, held in New York, in the headquarters of the United Nations, on November 01 and 02, 2004.

11/2004 - 11/2004

Delegate of Brazil in the Meeting of Legal Consultants of the Chancelleries of the UN Security Council Member Countries, held in New York, in the headquarters of the Germany Mission in the United Nations, on November 04, 2004.

04/2006 - 04/2006

Delegate of Brazil in the Special Session of the Permanent Council of the Organization of American States (OAS), celebrating the centennial of the Inter-American Juridical Committee (IJC), on March 29, 2006, in Washington, United States of America.

04/2006 - 04/2006

Head of the Brazilian Diplomatic Delegation to the 17th Period of Sessions of Work Group III of UNCITRAL (United Nations Commission on International Trade Law), on International Transport System, New York, from April 03 to 13, 2006.

06/2006 - 07/2006

Head of the Brazilian Diplomatic Delegation to the 39th Session of the United Nations Commission on International Trade Law (UNCITRAL), New York, from 06/19 to 07/07/2006.

08/2006 - 08/2006

Delegate of Brazil in the Mercosur Meeting to create a Democratic Observatory, Montevideo.

02/2007 - 02/2007

Head of the Brazilian Delegation to the Diplomatic Conference for Adoption of Railway Protocol to the Cape Convention on International Guarantees for Mobile Equipment, Luxembourg, from February 12 to 23, 2007.

06/2007 - 07/2007

Head of the Brazilian Diplomatic Delegation to the 40th period of sessions of UNCITRAL, held in Vienna, from June 25 to July 12, 2007.

10/2007 - 10/2007

Delegate of the Brazilian Government to the VIII Meeting of the Council of Delegates of UNASUL - Union of the South America Nations, Santiago, Chile, October 11 and 12, 2007.

11/2007 - 11/2007

Delegate of the Brazilian Government in the Study Seminar aiming at a South-American Court, in the context of UNASUL, in Santiago, Chile, on November 26, 2007.

12/2007 - 12/2007

Head of the Brazilian Diplomatic Delegation to the 40th period of sessions of UNCITRAL -2nd part - held in Vienna, from December 10 to 14, 2007.

9. Brazilian Bar Association - Federal Council - OAB

2006 - current

Advisor of the International Relations Committee of the Federal Council of the Brazilian Bar Association.

10. Brazilian Bar Association/RS

1976 - current

Lawyer

OAB/RS No. 10.160.

11. Pontificia Universidade Católica do Rio Grande do Sul (Pontifical Catholic University of Rio Grande do Sul) - PUCRS

1976 - current

Professor of International Law.

12. Administrative-Labor Court of MERCOSUR - TAL

2004 - current

Judge

13. Universidade Católica de Brasília (Catholic University of Brasília) - UCB-DF

1998- current

Professor of International Economic Law

Professor of Theory of International Law

Professor of International Law

14. Universidade do Vale do Rio dos Sinos - UNISINOS

1980 - 1996

Professor of International Law

Languages

English, Spanish, French, Portuguese.

Awards

2004

Grand-Officer of Ordem do Rio Branco, Decree of April 16, 2004, published in the Official Gazette of the Union of April 19, 2004.

2002

Grand-Cross of Ordem do Infante Dom Henrique, Portuguese Republic.

1988

Cidade de Porto Alegre Medal, Municipality of Porto Alegre

1986

Levi Carneiro Medal, Instituto dos Advogados Brasileiros (Institute of Brazilian Lawyers)

Main publications

Articles

1. MEDEIROS, A. P. C. O Terrorismo na Agenda Internacional. Revista Cej (Centro de Estudos Judiciários da Justiça Federal), Brasília, n. 18, p. 63-66, 2002.
2. MEDEIROS, A. P. C. A celebração de tratados no Brasil.. DIRETTO EM AÇÃO, Brasília, v. 02, p. 11-44, 2001.
3. MEDEIROS, A. P. C. O Tribunal Penal Internacional e o Julgamento de Militar a Serviço da ONU.. DIRETTO EM AÇÃO, Brasília, v. 01, p. 09-21, 2000.
4. MEDEIROS, A. P. C. Endividamento Externo e Imunidade do Estado Brasileiro à Jurisdição Estrangeira.. BOLETIM DA SOCIEDADE BRASILEIRA DE DIRETTO INTERNACIONAL, Brasília, v. 72/74, p. 69-83,1991.
5. MEDEIROS, A. P. C. Natureza Jurídica e Eficácia das Cartas de Intenção ao FMI.. BOLETIM DA SOCIEDADE BRASILEIRA DE DIRETTO INTERNACIONAL, Brasília, v. 75/76, p. 51-72,1991.
6. MEDEIROS, A. P. C. Ensinamentos das recentes constituições de Portugal e da Espanha. AJURIS - Revista da Associação dos Juizes do Rio Grande do Sul, Porto Alegre, v. 35, p. 213-230, 1985.
7. MEDEIROS, A. P. C. Constituintes e Constituições do Brasil. ADVOGADO - Revista do Instituto dos Advogados do Rio Grande do Sul, Porto Alegre, v. 06, p. 09-29, 1985.
8. MEDEIROS, A. P. C. O Controle Legislativo dos Atos Internacionais. RE VISTA DE INFORMAÇÃO LEGISLATIVA, Brasília, v. 85, p. 205-232,1985.

9. MEDEIROS, A. P. C. O Congresso Nacional e os Acordos do Brasil com o FMI e Consórcios de Bancos Privados Estrangeiros.. REVISTA DE DIREITO CONSTITUCIONAL E CIÊNCIA POLÍTICA, Rio de Janeiro, v. 02, p. 169-184, 1984.
10. MEDEIROS, A. P. C. As Relações Internacionais como área de estudo na América Latina. REVISTA BRASILEIRA DE ESTUDOS POLÍTICOS, Belo Horizonte, v. 55, p. 65-88, 1982.
11. MEDEIROS, A. P. C. Racionalidade e Razoabilidade na Lógica Jurídica. AJURIS - Revista da Associação dos Juizes do Rio Grande do Sul, Porto Alegre, v. 26, p. 173-186, 1982.
12. MEDEIROS, A. P. C. As Relações Internacionais em face do Direito e da Política. DIREITO E JUSTICA - Revista da Faculdade de Direito da PUCRS., Porto Alegre, v. 01, p. 36-46, 1979.
13. MEDEIROS, A. P. C. As Relações Internacionais como disciplina acadêmica: Origem, Conteúdo, Importância e Atualidade. DIREITO E JUSTI(A - Revista da Faculdade de Direito da PUCRS, Porto Alegre, v. 2, p. 44-63, 1979.
14. MEDEIROS, A. P. C. Fundos Marinhos fora da Jurisdição Estatal. VERITAS, Porto Alegre, v. 75, p. 195-207, 1974.

Books

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2. MEDEIROS, A. P. C. (Org.); BORGES, A. M. (Org.); FONTOURA, J. (Org.) MADRUGA FILHO, A. P. (Org.); OLIVEIRA, J. R. A. (Org.); PAES, J. E. S. (Org.); ALVES JUNIOR, L. C. M. (Org.); MACEDO, M. M. C. (Org.); FALCAO, M. A. (Org.); MARTON, R. L. J. (Org.). Perspectivas Contemporâneas do Direito.. 1st ed. Brasília: Editora Universa, 2004. v. 01. 277 p.
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8. MEDEIROS, A. P. C. Tribunais Supranacionais e Aplicação do Direito Comunitário: Aspectos Positivos e Negativos. In: Deisy Ventura (Org.). Direito Comunitário do Mercosul. 1st ed. Porto Alegre: Livraria do Advogado Editora, 1997, v. 01, p. 162-176.
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Bar Admission: Genoa - 1966

Education: University of Genoa (Doctorate -1963); Berkeley, California
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Academic Position: Professor of Law (International Law and Admiralty Law) -
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Professional Experience:

1964 Assistant in the Faculty of Law - University of Genoa

1968-1969 Ph. D. libero docente of International Law

1969-1975 Professor on contract in the School of Law and in the School of Political
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1969-1970 Visiting Scholar in the Berkeley School of Law - University of California

1969 Fullbright Fellow

Since 1975 Professor of Law (International Law and Admiralty Law) -
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Since 1979 Director of the Institute of International and Maritime Law -
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- 1980 Lecturer (during summer session) on "Regulation of carriage and traffic by sea in development of the international practice" at the Hague Academy of International Law.
- Since 1975 Member of CMI - Comité Maritime International- (and former president of the local Department in Genoa), of the Italian Association of Comparative Law, of SIOI, of INLA, of AIDA, of ILA (and present member of the committee on "Law enforcement in E.E.Z"); he is the Italian delegate of the Unidroit Governing Council.
- Since 1981 He took part in the research for EEZ Community Law, Uniform Law and International Private Law sponsored by CNR (Italian National Institute for Research).
Director of the following reviews: *Rivista di diritto internazionale privato a processuale*; *Diritto Marittimo*; *Quaderni di diritto regionale*; *Diritto del Commercio Internazionale*.
Rapporteur in several meetings both national and international on international business law, contract law, maritime law, transport law, private international law and economic law.
- Since 1970 Counsellor of important Italian industrial Groups (both private and public) as regards matters of civil law, business international law, contract law and corporation and bankruptcy law.
Counsellor of important public authorities on contractual and business matters, as well as investment planning and financing.
Lawyer and legal adviser in judicial and arbitral proceedings involving both public and private industrial Groups on the above mentioned matters.
Chairman, sole arbitrator or member of the tribunal in numerous domestic and international proceedings, *ad hoc* (including UNCITRAL) and under the Rules of ICC, the Chamber of National and International Arbitration of Milan and the Italian Arbitration Association (AIA).
Past-President of Finmeccanica. S.p.A. (1997-2000)
Member of the Board of Directors of Finmeccanica Group since 26.10.2000.
Vice-President of Banca Passadore & C. and President of B.P.C. SpA-Genoa.
Member of the Board of Directors of SIRTI S.p.A.
Legal Adviser of the Italian Foreign Office and the Ministry of Transport as regards matters of international trade.
He contributes to the CSG Foundation (Centro di Solidarieta.) - Genoa.
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Main Publications:

1. *Promessa ed affidamento nel diritto internazionale*, Milano, Giuffrè, 1967;
2. *Il giudizio di riesame del merito*, Padova, Cedam, 1968;
3. *Organi comunitari, controllo di legittimità ed interessi privati*, Padova, Cedam, 1972;
4. *Legge della bandiera ed ordinamento italiano*, Milano, Giuffrè, 1976;
5. *Il trasporto marittimo di cose nel sistema dei trasporti internazionali*, Milano, Giuffrè, 1976;
6. *La disciplina giuridica del traffico marittimo internazionale*, Bologna, Il Mulino, 1982;
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8. *Il contratto di trasporto marittimo*, Milano, Giuffrè, 1988;

9. Regole ed organizzazione dei traffici marittimi internazionali, Milano, Giuffrè, 1990 (with the contribution of Francesco Munari);
10. Cooperazione tra imprese e appalto internazionale - joint venture e consortium agreement, Milano, Giuffrè, 1991 (with the contribution of Andrea D'Angelo);
11. Il contratto internazionale, Torino, UTET, 1994 (with the contribution of Riccardo Luzzatto);
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13. Il diritto marittimo, Torino, Giappichelli, 3rd ed. 2006;
14. Lo spazio giudiziario europeo, 5th edition, Torino, Giappichelli, 2006;
15. La disciplina dei porti tra diritto comunitario e diritto interno (with the contribution of Francesco Munari), Milano, Giuffrè, 2006;

Author of several articles related to international trade, public international law, private international law and international shipping and ocean carriage.

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Sergio M. Carbone est né à Gênes (Italie) le 1^{er} juillet 1941. Docteur en droit à l'Université de Gênes (1963); assistant à la faculté de droit de la même université (1964); « libero docente » de droit international (1968-1969); chargé de cours à la faculté de droit et à la faculté des sciences politiques de l'Université de Gênes (1969-1975); professeur ordinaire de droit international à l'Université de Gênes, faculté de droit (depuis 1975); directeur de l'institut de droit international de l'Université de Gênes (depuis 1979).

Il a fait un cours à l'Académie de droit international sur "*Normative dei trasporti marittimi nello sviluppo della pratica internazionale*" (1980).

Visiting Professor à l'Université de Californie, faculté de droit de Berkeley (1969-1970); *Fullbright fellow* (1969); membre titulaire du CMI (dont il est past-président de la section de Gênes); de l'*Associazione italiana di diritto comparato* (dont il a été rapporteur); de la SIOI (dont il est membre de conseil de la section de Gênes); de l'INLAS (dont il a été rapporteur); de l'AIDA (dont il est président de la section de Gênes), de l'ILA (dont il est membre du comité sur "Law enforcement in the E.E.Z").

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Membre des comités de direction et/ou de rédaction des revues: *Rivista di diritto internazionale privato e processuale*, *Diritto marittimo*, *Quaderni di diritto regionale*, *Diritto del commercio internazionale*.

Membre de la Commission Scientifique de l'Associazione Italiana dell'Arbitrato (section italienne de la C.C.I.) et de la Chambre d'arbitrage de la Chambre de commerce de Milan.

Rapporteur à de nombreux colloques d'études nationales et internationales en matière de droit du commerce international, droit de l'arbitrage international, droit maritime, droit des transports, droit international privé et droit communautaire.

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1. Promessa ed affidamento nel diritto internazionale, Milano, Giuffré, 1967;
2. Il giudizio di riesame del merito, Padova, Cedam, 1968;
3. Organi comunitari, controllo di legittimità ed interessi privati, Padova, Cedam, 1972;
4. Legge della bandiera ed ordinamento italiano, Milano, Giuffré, 1976;
5. Il trasporto marittimo di cose nel sistema dei trasporti internazionali, Milano, Giuffré, 1976;
6. La disciplina giuridica del traffico marittimo internazionale, Bologna, Il Mulino, 1982;
7. Le regole di responsabilità dei vettore marittimo, Milano, Giuffré, 1984;
8. Il contratto di trasporto marittimo, Milano, Giuffré, 1988;
9. Regole ed organizzazione dei traffici marittimi internazionali, Milano, Giuffré, 1990 (avec la collaboration de Francesco Munari);
10. Cooperazione tra imprese e appalto internazionale -joint venture e consortium agreement, Milano, Giuffré, 1991 (avec la collaboration de Andrea D'Angelo);
11. Il contratto internazionale, Torino, UTET, 1994 (avec la collaboration de Riccardo Luzzatto);

12. Lezioni di diritto internazionale privato (avec la collaboration de Paola Ivaldi), Padova, Cedam, 2000;
13. Il diritto marittimo, Torino, Giappichelli, 3rd ed. 2006;
14. Lo spazio giudiziario europeo, 5th ed., Torino, Giappichelli, 2006;
15. La disciplina dei porti tra diritto comunitario e diritto interno (avec la collaboration de Francesco Munari), Milano, Giuffrè, 2006.

Auteur de nombreux articles scientifiques en matière de i) droit international public et privé, ii) droit du commerce international, iii) droit communautaire et maritime. En particulier, ces derniers temps:

- Libera prestazione di servizi, tariffe professionali e professione di avvocato, in *Diritto del commercio internazionale*, 2005;
- Leggi regolatrici e circolazione in Italia di obbligazioni estere, in *Banca Borsa Titoli di credito*, Milano, Giuffrè, 2005;
- La partecipazione delle Regioni agli affari comunitari e il loro potere estero, in *Quaderni regionali*, Maggioli, 2005;
- Il ruolo della Corte di Giustizia nella costruzione del sistema giuridico europeo, in *Rivista di diritto pubblico comparato ed europeo*, 2006, p. 547-558
- Strumenti internazionalistici e privatistici internazionali relativi al risarcimento dei danni provocati da idrocarburi all'ambiente marino, in *Rivista di diritto internazionale privato e processuale*, 2006, p.623-644
- *Lex mercatus e lex societatis* tra principi di diritto internazionale privato e disciplina dei mercati finanziari, in *Rivista di diritto internazionale privato e processuale*, 2006, p. 1-36.

Avocat-conseil d'importants groupes de sociétés en matière de (i) droit civil (ii) droit du commerce international (iii) droit sociétair (iv) droit maritime et des transports maritimes, (y) droit communautaire, (vi) droit de l'arbitrage intérieur et international.

Avocat-conseil d'importants offices publics en matière des contrats, droit de la concurrence, législation financière, *corporate governance*, MxA.

Arbitre des différends auprès de la Cour d'arbitrage de la CCI en matière de droit des contrats, droit sociétair, droit du commerce international et droit maritime.

Membre de Commissions auprès du *Ministero di Grazia e Giustizia* relativement à la réforme du code de la navigation et à la réforme du droit sociétair, Président de la Commission Consultative auprès du *Ministero delle Attività Produttive* en matière de droit communautaire et de la concurrence.

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Studies:

- 1974 – 1986 High School at the “Brassai Samuel” – High School and then at the “Emil Racovita” High School in Cluj Napoca
- 1987 – 1991 University studies at the Law Faculty of the “Babes Bolyai” University of Cluj Napoca, finished with a Distinction Diploma, the General Cumulated Average at the end of the studies being 10/10;

Specialization:

- 1993 – 1994 Scholarship at the Swiss Confederation for the elaboration of the Doctoral Dissertation;
- 3rd of July – 21st of July 1995 – course at the International Law Academy of The Hague on Private International Law;

Professional Activity:

- 1991 – 1994 secondary Assistant to the Law Faculty of the “Babes Bolyai” University of Cluj Napoca for the subject matters “International Trade Law” and “Trade Law”;
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- 1996 – 2001 Master Assistant at the same Faculty for the subject matters “International Trade Law” and “Business Community Law”;
- Since 2001 Lecturer at the same Faculty for the subject matters “International Trade Law” and “Business Community Law”;
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Works: **International Trade Law** (in Romanian), vol. I and II, Editura “Lumina Lex”, Bucharest, 1995 (in collaboration with M.N. Costin);

The International Trade Contract (in Romanian), Editura “Lumina Lex”, Bucharest, 1996;

Private International Law, the general part (in Romanian), Editura “Dacia Europa Nova”, Lugoj, 2000;

Small Law Encyclopedia. Latin Phrases and Sayings in Romanian Law (in Romanian), Editura “Dacia” Cluj-Napoca, 2000 (in collaboration with I. Deleanu);

Business Community Law (in Romanian), Editura Servo-Sat, Arad, 2002;

Internal and International Arbitration (in Romanian), Editura Rosetti, Bucuresti, 2005 (in collaboration with I. Deleanu);

The European Court of Justice – commented sentences (in Romanian), Editura Wolters Kluwer, Bucuresti 2007 (in collaboration with F. Gyula, C. Costas, B. Ionita);

Articles:

Evidence in Trade Law (in Romanian), "Revista de drept comercial" nr. 2/1992;

Contents of an International Sales Contract for Merchandise according to the Vienna Convention of April 11, 1980 (in Romanian), "Studia Iurisprudentia", nr. 1/1993;

International Trade Contract Law (in Romanian), "Dreptul" nr. 12/1993;

Field of Application of the 1980 Vienna Convention Provisions on International Sale (in Romanian), "Revista de drept comercial" nr. 1/1994;

Contract Value Update Clauses (in Romanian), "Studia Iurisprudentia" nr. 1/1994;

Risk Transfer According to the 1980 Vienna Convention on International Sale (in Romanian), "Studia Iurisprudentia" nr. 1-2/1995;

Interpreting International Trade Contracts (in Romanian), "Pro mlure", nr. 2/1995;

Act of God Clause in International Trade Contracts (in Romanian), "Revista de drept comercial" nr. 6/1995;

Hardship Clause (in Romanian), "Revista de drept comercial" nr. 9/1996;

Some Remarks on the Application of UNIDROIT Principles to International Trade Contracts (in Romanian), "Revista de drept comercial" nr. 7-8/1998;

Laws Applied Immediately in Private International Law (in Romanian), "Revista de drept comercial" nr. 10/1999;

Is there a Forum Law in International Arbitration? (in Romanian), "Dreptul" nr. 5/1999;

Law and Equity Arbitration (in Romanian), "Revista de drept comercial" nr. 12/2000 (in collaboration with I. Deleanu);

Some Remarks on the Penal Clause (in Romanian), "Pandectele Române" nr. 1/2003 (in collaboration with I. Deleanu);

Arbitration Convention in Case of Company Groups (in Romanian), "Revista de drept comercial" nr. 3/2003;

Romanian Arbitration Practice on the Law Applied to the Arbitration Convention and the Merits of the International Trade Law Dispute, "Studia Iurisprudentia", nr. 2/2003;

Arbitration Convention as to International Arbitration (in Romanian), "Pandectele Române" supliment, 2004;

International Arbitration in the Context of the EC Regulation no. 1/2003 Concerning the Implementation of the Competition Regulations Provided under Articles 81 and 82 of the EC Treaty, "Studia Iurisprudentia", nr. 2/2005;

Some Remarks on the Relationship between Contents and Form in Romanian Law, Schriftenreihe des Zentrums für Rechtsforschung, band "Form und Inhalt auf dem Weg zum Recht", Wien, 2006 (in German)

Tradition and Modernity in International Arbitration in Romania (in Romanian), "Revista de drept international privat si drept comparat", 2006;

Business Community Law and the Consumption Right: interference and delimitation (in Romanian), "Studia Iurisprudentia", nr. 2/2008.

Other scientific activities:

Participation in the international colloquium "Contemporary Law: National Peculiarities Challenged by Integration", Cluj-Napoca, 2005, with the report on "International Arbitration in the Context of the EC Regulation no. 1/2003, referring to the implementation of the competition regulations provided under articles 81 and 82 of the EC Treaty;

Participation in the French-Romanian Juridical Days, organized in Cluj-Napoca in 2008 with the report "Some Remarks on the Relationship between Contents and Form in the Provisions of the Lisbon Treaty on Competition;

Romanian Report on the Henri Capitant Association, "The Authorities of National Competition Regulation," , Morocco Days 2006;

Romanian Report on the Henri Capitant Association "Culture and Trial Law" (in collaboration with I. Deleanu), Louisiana Days 2008

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Etudes :

- 1974 – 1986 études scolaires au lycée "Brassai Samuel" et puis au lycée "Emil Racoviță" de Cluj – Napoca ;
- 1987 – 1991 études universitaires à la Faculté de Droit de l'Université "Babeş – Bolyai" de Cluj – Napoca achevées avec une diplôme de mérite pour la moyenne générale à la fin des études 10/10 ;

Spécialisations :

- 1993 – 1994 boursier de la Confédération Suisse pour l'élaboration de la thèse de doctorat ;
- 3 juillet – 21 juillet 1995 cours de l'Académie de droit international de La Haye portant sur le droit international privé ;

Activité professionnelle :

- 1991 – 1994 préparateur à la Faculté de Droit de l'Université "Babeş – Bolyai" de Cluj – Napoca aux disciplines "Droit du commerce international" et "Droit commercial" ;
- 1994 – 1996 assistant à la même faculté et aux mêmes disciplines ;
- 1996 – 2001 maître assistant à la même faculté aux disciplines "Droit du commerce international" et "Droit communautaire des affaires";
- depuis 2001 maître de conférences à la même faculté aux disciplines "Droit du commerce international" et "Droit communautaire des affaires";
- Professeur invité de la Faculté de Droit et des Sciences Economiques de Limoges (France) dans les années 1996 – 2000, 2002 – 2003, 2005 – 2008 dans le cadre des mastères "Droit privé et européen" et "Droit des affaires";

Fonctions :

- depuis 2004 vice – doyen de la Faculté de Droit de l'Université "Babeş – Bolyai" ;

Titres : depuis 1996 docteur en droit avec une thèse sur le contrat commercial international ;

Distinctions :

- Prix "I. L. Georgescu" de l'Union des Juristes de Roumanie pour l'année 1996 ;
- Prix "V. D. Zlătescu" de l'Union des Juristes de Roumanie pour l'année 2005 ;

Ouvrages : **Droit du commerce international** (en roumain), tomes I et II, Editura "Lumina Lex", Bucureşti, 1995 (en collaboration avec M. N. Costin) ;

Le contrat commercial international (en roumain), Editura "Lumina Lex", Bucureşti, 1996 ;

Droit international privé, la partie générale (en roumain), Editura "Dacia Europa Nova", Lugoj, 2000 ;

Petite encyclopédie du droit. Locutions et adages latines en droit roumain (en roumain), Editura "Dacia", Cluj – Napoca, 2000 (en collaboration avec I. Deleanu) ;

Droit communautaire des affaires (en roumain), Editura Servo-Sat, Arad, 2002 ;

L'arbitrage interne et international (en roumain), Editura Rosetti, Bucureşti, 2005 (en collaboration avec I. Deleanu) ;

La Cour Européenne de Justice – arrêts commentés (en roumain), Editura Wolters Kluwer, București, 2007 (en collaboration avec F. Gyula, C. Costas, B. Ioniță) ;

Articles :

Les preuves en droit commercial (en roumain), „Revista de drept comercial”, nr. 2/1992 ;

La formation du contrat de vente internationale de marchandises selon la Convention de Vienne du 11 avril 1980, (en roumain), „Studia Iurisprudentia”, nr. 1/1993 ;

La loi applicable au contrat commercial international (en roumain), „Dreptul”, nr. 12/1993 ;

Le domaine d’application des dispositions de la Convention de Vienne de 1980 sur la vente internationale (en roumain), „Revista de drept comercial”, nr. 1/1994 ;

Les clauses de maintien de valeur des contrats (en roumain), „Studia Iurisprudentia”, nr. 1/1994 ;

Le transfert des risques selon la Convention de Vienne de 1980 sur la vente internationale (en roumain), „Studia Iurisprudentia”, nr. 1-2/1995 ;

L’interprétation des contrats commerciaux internationaux (en roumain), „Pro Iure”, nr. 2/1995 ;

La clause de force majeure dans les contrats commerciaux internationaux (en roumain), „Revista de drept comercial”, nr. 6/1995 ;

La clause de hardship (en roumain), „Revista de drept comercial”, nr. 9/1996 ;

Quelques observations concernant l’application des principes d’UNIDROIT relatifs aux contrats du commerce international (en roumain), „Revista de drept comercial”, nr. 7-8/1998 ;

Les lois d’application immédiate dans le droit international privé (en roumain), „Revista de drept comercial”, nr. 10/1999 ;

Est-ce qu’il y a une loi du for dans l’arbitrage international ? (en roumain), „Dreptul”, nr. 5/1999 ;

L’arbitrage en droit et l’arbitrage en équité (en roumain), „Revista de drept comercial”, nr. 12/2000 (en collaboration avec I. Deleanu) ;

Quelques observations sur la clause pénale (en roumain), „Pandectele Române” nr. 1/2003 (en collaboration avec I. Deleanu) ;

La convention d’arbitrage dans le cas des groupes de sociétés (en roumain), „Revista de drept comercial” nr. 3/2003 ;

La pratique arbitrale roumaine concernant la loi applicable à la convention d’arbitrage et au fond du litige dans le droit du commerce international, „Studia Iurisprudentia”, nr. 2/2003 ;

La convention d’arbitrage par référence dans l’arbitrage international (en roumain), „Pandectele Române” supliment, 2004 ;

L’arbitrage international dans le contexte du Règlement C.E. no1/2003 relatif à la mise en oeuvre des règles de concurrence prévues aux articles 81 et 82 du Traité C. E., „Studia Iurisprudentia” nr. 2/2005 ;

Quelques observations concernant la relation entre le contenu et la forme dans le droit roumain, Schriftenreihe des Zentrums für Rechtsforschung, band „Form und Inhalt auf dem Weg zum Recht” Wien, 2006 ; (en allemand)

Tradition et modernité dans l’arbitrage international en Roumanie (en roumain), „Revista de drept internațional privat și drept comparat”, 2006 ;

Le droit communautaire des affaires et le droit de la consommation : interférences et délimitations (en roumain), "Studia Iurisprudencia", nr. 2/2008 ;

Autres activités scientifiques :

Participation au colloque international "Le droit contemporain : des particularités nationales aux défis de l'intégration", Cluj –Napoca, 2005, avec le rapport "L'arbitrage international dans le contexte du Règlement C.E. no 1/2003 relatif à la mise en oeuvre des règles de concurrence prévues aux articles 81 et 82 du Traité C.E.";

Participation aux Journées juridiques franco-roumaines, organisées à Cluj – Napoca en 2008, avec le rapport Quelques observations concernant la relation entre le contenu et la forme dans le cadre des règles du Traité de Lisbonne relatives à la concurrence ;

Rapport roumain pour l'Association Henri Capitant, " Les autorités de régulation nationale de la concurrence ", Journées marocaines 2006 ;

Rapport roumain pour l'Association Henri Capitant, "Culture et droit processuel" (en collaboration avec I. Deleanu), Journées louisianaises 2008.

Nuray EKŞİ
(Turkey – Turquie)

Marmara University, School of Law
Chairman of Private International Law Department

Date of birth: 1 July 1966

Place of birth: Rize

Home address: Şenesenevler B. Kemal Bey Sok. Çatalkaya Apt. No: 15/3 Bostancı-Istanbul

Business address: Marmara University, School of Law Haydarpaşa (34668) Istanbul

GSM: 0090 532 541 47 48

E-mail: nurayeksi@gmail.com; nurayeksi@ttnet.com

Languages: English, German (fair)

Academic Career

- 2005 Professor in Law (*subject to dissertation "Arbitration Agreements Made Through Incorporation in International Maritime Commerce Law"*)
- 2000 Associate Professor (*subject of the dissertation "Arresting Foreign Ships"*)
- 1995 Ph.D Marmara University (*subject of the dissertation "International Jurisdiction of the Turkish Courts"*)
- 1989 L.LM Marmara University (*subject of L.LM thesis "The Rome Convention on the Law Applicable to Contractual Obligations"*)
- 1988 – 1989 Trainee at Istanbul Bar
- 1987 Law Degree, Diploma with the *highest mark of the period*

Employment

- Lecturer in Private International Law at Marmara University Law Faculty since 1988
- Part-time Lecturer of Yeditepe University Law Faculty and Kültür University Law Faculty

Memberships

- Istanbul Bar Association
- Turco-British Fellowship Club
- Deutsch-Türkische Juristenvereinigung e.V.

Scholarships

- European University Institute Academy of European Law, General and Specialised Courses in European Community Law and the Law of Human Rights in Europe, Florence-Italy June 18-July 4 1990 (*Scholarship from European Institute*)
- Hague Academy of International Law, Session on International Private Law, Hague- The Netherlands 1-19 July 1991 (*Scholarship from British Council*)
- General Trip and Visits to NATO and the European Community Institutions in Brussels, Paris, Strasbourg, Luxembourg 1989 (*Scholarship from the NATO and the EU*)
- University of London King's College, School of Law London-UK 1990-1991 (*Jean Monnet Scholarship*)
- International Symposium on Arresting Ships London 20-21 November 1995 (*Scholarship from British Council*)
- *Scholarship from Turkish Science Academy (TÜBA)* in Ankara Duration of Scholarship: 1 month for the year of 2002, summer season. The subject of the research: Harmonisation of Turkish Private International Law with the EU Private International Law. The guest institution: Max Plank Institute in Hamburg

Papers Presented or Chairman at International Conferences/Symposiums/ Panels and Seminars

1. *Arresting Foreign Ships Passing Through Bosphorus*
International Symposium on Arresting Ships, London Hilton 20-21 November 1995 London-UK
2. *Aliens Law and the Police*
International Symposium on the Turkey's EU Membership Process and the Police 16-18 October 1996, Ankara 1996
3. *Two Basic Contemporary Problems in International Trade Law: Foreign Exchange Control and International Jurisdiction Agreements*
International Symposium on the Law Reform in Turkey and in the USA, Marmara University Main Building Conference Hall 28-29 May 1998 Istanbul
4. *International Convention on Settlement of Investment Disputes between States and Nationals of Other States-ICSID*
Eurasia Dates-Symposium on Resolution of Legal Disputes for the Benefit of Increasing the Economic and Financial Cooperation, 18-19 June 1998 Yapı Kredi Plaza-Istanbul
5. *Consequences of Dual Nationality with Regard to Residence, Employment, Ownership in Immovable Property and Military Service under Turkish Law*
German Marshall Fund Project on Dual Nationality Berlin Meeting 13-14 July 2000 Berlin-Germany
6. *Political Rights of Dual Nationals in Turkish Law*
German Marshall Fund Project on Dual Nationality Istanbul Meeting 21-22 October 2000 Aybay Foundation-Istanbul

7. *Turkey and the European Union Relations*
Seminar on Turkey and the EU, Global Law Group Armada Hotel Sultanahmet 23 June 2001- Istanbul
9. *Cooperation in Education under the International Treaties between Turkey and Germany*
Workshop on Cooperation between Istanbul Kültür University and DAAD in Legal Education 25-27 October 2002 Istanbul
10. *The Law Applicable to Consumer Contracts under the Rome Convention*
Österreichisch-Türkischen Juristentagung on Protection of Consumers under the EU Law and National Legislations, Istanbul Kültür University 3-8 April 2004 Istanbul
11. *General Terms of Business and Standard Contracts in International Trade Law*
Österreichisch-Türkischen Juristentagung, 22-27 Mai 2005, Rechtswissenschaftlichen Fakultät der Universität Wien, Wien- Austria
12. *Law and Practice on Refugees in Turkey*
Migration and Development: Mexico and Turkey Mexico Meeting Sunday-Tuesday, 19-21 February 2006, Migration Dialogue and the Research Centre for International and European Law on Immigration and Asylum, University of Konstanz in Cooperation with Ciesas Occidente and IberoAmericana University with the support of the German Marshall Fund of the United States
13. *Enforcement of the US RICO and Punitive Damages Awards with Special Reference to Motorola v Uzan Case*
Türkisch-Österreichische Juristentage/Leistungsstörungen- und Schadenersatzrecht, 30 April - 1 May 2007 Istanbul Kültür University Halil Akingüç Conference Hall Istanbul
14. *State's Intervention in Bringing the Export Value into the Country and Criminal Consequences of this Intervention for the Exporters*
Symposium Organised by the Istanbul Kültür University Law Faculty and Istanbul Bar Association for the Celebration of 10th Year of the Establishment of the Istanbul Kültür University on the Leading Role of Administration and Individual Independency in Co-operation among Civil Law, Public Law and Criminal Law 28-29 May 2007, Armada Hotel-Sultanahmet-Istanbul
15. *A Critical Analysis of the Precedence of Turkish Court of Appeal Relating to the Enforcement of Foreign Arbitral Awards*
Istanbul Conference on International Dispute Resolution: A Global Perspective, Istanbul Chamber of Commerce, Main Building, Eminönü, November 15, 2007
16. *Current Developments and Problems in Turkish International Arbitration Law*
The British Consulate General the British-Turkish Lawyers Association the Law Society of England & Wales Seminar on Alternative Dispute Resolution on 18-19 March 2008 at British Consulate General-Istanbul
17. Moderator: Prof. Dr. Nuray Ekşi, Session IV Concept of Mediation and Conciliation, Evaluation of Draft Law on Mediation in Legal Disputes ICC Turkey VI. International Arbitration Seminar March 21, 2008 TOBB Ankara
18. *Non-Refoulement Principle as an Obstacle for Expulsion of Refugees and Asylum Seekers from Turkey*

Immigration, Culture, Public Policy, and Society: Cross National Issues and Perspectives Joint Conference, Centre for Global Studies, Yıldız Technical University & Department of Political Science, Texas A&M University, June 26-27, 2008 Yıldız Technical University Auditorium Istanbul

19. *The Law Applicable to Carriage of Goods under Article 29 of the Private International Law and Procedural Law Act*
Conference on New Turkish Private International Law and Procedural Law Act, Koç University Law Faculty 7 July 2008, Dr. Nüsret-Semahat Arsel Research Centre for International Trade Law, Koç University Hemşirelik Yüksekokulu Salon A Nişantaşı-Istanbul

Papers Presented at National Conferences/Symposiums/ Panels and Seminars

1. *Family Law, Succession Law and Real Estate Law Problems of the French Nationals Living in Turkey*
The French Consulate, 21 October 1998 Istanbul
2. *Responsibility of Banks for Bringing the Export and Import Values from Abroad*
Traditional Banking Conferences Series Organised by Marmara University, Department and Institute of Banking and Insurance 5 June 2002, Marmara University Main Building Sultanahmet-Istanbul
3. *Taking Evidence Abroad*
Panel on International Civil Cooperation for Taking Evidence Abroad, International Service of Summons and Collection of Debts in Civil and Commercial Matters organised by Istanbul Bar Association, Istanbul Commerce University Prof. Dr. İsmail Özaslan Conference Hall 24 May 2003 Istanbul
4. *Settlement of Disputes Arising Out of Built Operate and Transferred by International Arbitration*
Symposium on Ownership of Real Estate Property organised by General Directorate of Land Registry and the Foreign Direct Investment Association, Istanbul Chamber of Commerce, 26-27 May 2003 Istanbul
5. *Two Current Problems in International Maritime Law: Arbitration Agreements Made Through Incorporation and Executive Sale of the Ships Abroad Registered Turkey*
Symposium on Precedence of the Turkish Court of Appeal on Maritime Law organised by Maritime Law Association held in Yeditepe University Law Faculty Conference Hall on 12 June 2004 Istanbul
6. *Acquisition of Immovable Property by Aliens in Turkey*
Panel on the Process of Harmonisation of Turkish Real Estate Law with the EU Law organised by Kadınlarımız Fikir ve Kültür Derneği on 16 March 2005 held at Büyük Kulüp-Istanbul
7. *Evaluation of the Provisions of Montreux Convention Relating to Arresting Foreign Ships Passing through Bosphorus, Dardanelles and Marmara Sea*
New Dimensions of 70th Anniversary of Montreux Convention, Istanbul University Political Science Faculty 26 May 2006, Tunaya Conference Hall-Istanbul
8. *New Dimensions Brought by the EU Law to Turkish Foreign Trade and Effects of New Legal Arrangements*

Conference on International Trade Law I –Turkey and the EU Commercial and Legal Relations
Young Entrepreneurs Club and Kaya&Partners, 17 June 2006 İdris Güllüce Cultural Centre,
Tuzla-Istanbul

9. *Legal Status of Refugees and Asylum Seekers*
Kocaeli University Law Faculty 18 April 2007, Kocaeli
10. *Enforcement of the USA Punitive Damages and RICO Damages*
Symposium on Current Problems of Turkish Private International Law, 11 May 2007 Istanbul
University Ph.D Hall Main Building Beyazıt-Istanbul
11. *The Problem of Acquisition of Turkish Names by the Naturalised Foreigners*
Symposium on the Draft of Turkish Nationality Act, Gazi University Law Faculty Conference
Hall 29 February 2008 Ankara
12. *Problems Confronted by the Refugees and Asylum Seekers in Turkey*
Seminar on the Rights of the Refugees, Istanbul University Political Science Faculty 21 April
2008 Tunaya Conference Hall Istanbul
13. *Review of International Jurisdiction of the Foreign Court in the Enforcement Country*
Symposium on the New Private International Law and Procedural Law Act Numbered 5718
and dated 12 December 2007, Istanbul University Ph.D Hall Main Building 12 May 2008
Beyazıt-Istanbul
14. *Refugees, Asylum Seekers and Immigrants under Turkish Law*
Truck Project on the Activities of 60th Anniversary of Human Rights Convention 1-22 June
2008 organised by International Amnesty Turkish Branch held on 5 June 2008, Kayseri
Municipality General Assembly Conference Hall Kayseri

International Conferences/Symposiums/ Panels and Seminars Organised by Prof. Dr. Nuray Ekşi

Istanbul Conference on International Dispute Resolution: A Global Perspective, Istanbul Chamber
of Commerce, Main Building, Eminönü, 15 November 2007.

National Conferences/Symposiums/ Panels and Seminars Organised by Prof. Dr. Nuray Ekşi

1. Organiser and Chairman: Assoc. Prof. Dr. Nuray Ekşi with Cooperation of Istanbul Governor
and Istanbul Police Station
Subject: Legal Framework of the Activities of Police and Security Forces in Aliens Law
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 11 April 2001
2. Organiser and Moderator: Assoc. Prof. Dr. Nuray Ekşi with Cooperation of Department of
Borders Immigration and Aliens at the General Security Directorate and Beşiktaş General
Directorate of Land Registry
Subject: Current Developments in Aliens Law
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 22 April 2005
3. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speakers: Prof. Dr. Ziya Akıncı, Galatasaray University Law Faculty Private International Law
Department

Subject: International Child Abduction

Place and Date: Marmara University Law Faculty Haydarpaşa Campus 1 December 2005

4. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Dr. Ali Yeşilirmak
Subject: Problems Arising out of the Enforcement of Foreign Arbitral Awards
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 16 February 2006
5. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Vice President Hasan Basri Özdemir, Beşiktaş General Directorate of 1st District Land Registry
Subject: Current Development in Acquisition of Immovable Property by Aliens
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 24 April 2006
6. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Işıl Tokcan Tuç, Attorney at Law, UN High Commission for Refugees
Subject: Current Development in Turkish Refugee Law
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 20 April 2006
7. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Prof. Dr. Ünal Tekinalp, Chairman of the Commission for the Draft Turkish Commercial Code
Subject: General Evaluation of the Draft Turkish Commercial Code
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 23 November 2006
8. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Prof. Dr. Gülören Tekinalp, Istanbul University Law Faculty, Private International Law Department
Subject: Draft Code of Private International Law and Procedural Law
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 15 February 2007
9. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Işıl Tokcan Tuç, Attorney at Law, UN High Commission for Refugees
Subject: Current Developments in Turkish Refugee Law
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 19 April 2007
10. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Prof. Ryan Reetz, University of Miami School of Law
Paper presented: Procedural Globalization and International Commercial Litigation: Towards a Unification of Legal Cultures
Speaker: Pedro J. Martinez-Fraga International Litigation Department Greenberg Traurig, P.A.
Paper presented: Synthesis of Juridic Cultures in the Taking of Evidence and Discovery in the Private Procedural Law of International Arbitration: Do We Have a Choice?
Translated by Esra Molu, Marmara University
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 7 May 2007
11. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Prof. Ryan Reetz, University of Miami School of Law
Paper presented: Procedural Globalization and International Commercial Litigation: Towards a Unification of Legal Cultures
Speaker: Pedro J. Martinez-Fraga International Litigation Department Greenberg Traurig, P.A.

Paper presented: Synthesis of Juridic Cultures in the Taking of Evidence and Discovery in the Private Procedural Law of International Arbitration: Do We Have a Choice?

Translated by Esra Molu, Marmara University

Place and Date: Istanbul Bilgi University Law faculty 7 May 2007

12. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speaker: Prof. Ryan Reetz, University of Miami School of Law
Paper presented: "Procedural Globalization and International Commercial Litigation: Towards a Unification of Legal Cultures"
Speaker: Pedro J. Martinez-Fraga International Litigation Department Greenberg Traurig, P.A.
Paper presented: Synthesis of Juridic Cultures in the Taking of Evidence and Discovery in the Private Procedural Law of International Arbitration: Do We Have a Choice?
Translated by Esra Molu, Marmara University
Place and Date: Istanbul Kültür University Law Faculty 8 May 2007
13. Organiser and Moderator: Istanbul Conference on International Dispute Resolution: A Global Perspective
Place and Date: Istanbul Chamber of Commerce, Main Building, Eminönü 15 November 2007
14. Organiser and Moderator: Prof. Dr. Nuray Ekşi
Speakers: Prof. Dr. Gülören Tekinalp/Assoc. Prof. Dr. Bahadır Erdem
Subject: The New Turkish Private International Law and Procedural Law Act Numbered 5718 and in Force since 12 December 2007
Place and Date: Marmara University Law Faculty Haydarpaşa Campus 6 December 2007

Contributions to International Projects

1. Turkey and the European Community: Report on the Relations between the Republic of Turkey and the European Community Arising from the Ankara Agreement and the Application for Membership, prepared under the Auspices of Marmara University European Community Institute by Prof. Dr. Dominik LASOK and Associated Contributors, 2(1992)1-2 Marmara Journal of European Studies Special Issue, Istanbul 1993 (*completed and published project*)
2. German Marshall Fund Project on Dual Nationality Berlin Meeting July 13-13-14, 2000 (*completed and published project*)
3. German Marshall Fund Project on Dual Nationality Istanbul Meeting 21-22 October 2000 (*completed and published project*)
4. Report on the EU Private International Law, Workshop on Cooperation in Legal Education organised by Istanbul Kültür University and DAAD 25-27 October 2002

International Project Coordinator

1. Project on "International Commercial Arbitration-A Comparative Survey", ICOC Publication No: 2007/45, Editors Nuray Ekşi/Pedro J. Martinez-Farga/William K. Sheehy, Istanbul 2007.
2. Istanbul Conference on International Dispute Resolution: A Global Perspective (*it is in the process of publication*)

Summer Courses

Inaugural Summer Law Program with American University Washington College of Law, hosted in partnership with Yeditepe University, June 2005
(Turkey Summer Law Program June 2005)

Associate Prof. Dr. Nuray Ekşi

Introduction to Foreign Investment in Turkey

14 June 2005 08:30-11:30

Inaugural Summer Law Program with American University Washington College of Law, hosted in partnership with Yeditepe University, June 2006
(Turkey Summer Law Program June 2006)

Turkish Aliens Law & Conflicts of Law

Prof. Dr. Nuray Ekşi

7 June 08:30-11:30

Inaugural Summer Law Program with American University Washington College of Law, hosted in partnership with Yeditepe University, June 2007
(Turkey Summer Law Program June 2007)

Convention on International Child Abduction

Prof. Dr. Nuray Ekşi

13 June 2007 08:30-11:30

Inaugural Summer Law Program with American University Washington College of Law, hosted in partnership with Yeditepe University, June 2007
(Turkey Summer Law Program June 2007)

Refugees and Asylum Seekers Law and Practice in Turkey

Prof. Dr. Nuray Ekşi

14 June 2007 10:40-13:40

Inaugural Summer Law Program with American University Washington College of Law, hosted in partnership with Yeditepe University, June 2007
(Turkey Summer Law Program June 2005)

Legal Status of Turkish Straits

Prof. Dr. Nuray Ekşi

19 June 08:30-11:30

Lectures at the Hague Academy of International Law

HAGUE ACADEMY OF INTERNATIONAL LAW, Private International Law Session July 1-21, 2006.

Lectures/ PhD and L.LM Courses

- Private International Law
- The EU Private International Law
- International Trade Law
- Recognition and Enforcement of Foreign Judgments
- Alternative Disputes Resolution and International Commercial Arbitration

- Settlement of Investment Disputes by International Arbitration
- Aliens Law
- Refugee Law

Membership for Board of Editors or Advisory Board

1. Law Journal of Istanbul University Law Faculty
2. Law Journal Galatasaray University Law Faculty
3. Law Journal of Yeditepe University Law Faculty
4. Law Journal of Istanbul Kültür University Law Faculty
5. Law Journal of Atatürk University Erzincan Law Faculty
6. Ankara Law Review
7. YASA Legal Journal
8. Bulletin of International Law and International Private Law-MHB

Administrative Duties at Marmara University

1. Legal Council for the Rectorate of Marmara University (7 October 2000-20 March 2002)
2. Member of Board of Directors of Marmara University Banking and Insurance Department (14 May 2002-14 May 2005)
3. Member of Board of Directors of Marmara University, Institute for Banking and Insurance (30 May 2001-8 June 2004)
4. Vice Dean of Marmara University Law Faculty (3 August 2002-28 September 2003)
5. Member of the Marmara University Commission for Haydarpaşa Campus (13 March 2003-28 September 2003)
6. Member of the Faculty Board of Marmara University Law Faculty (30 January 2003-31 January 2006)
7. Member of the Board of Directors of Marmara University Law Faculty (30 January 2003-30 January 2006)
8. Member of the Ethics Commission of Marmara University Medical Faculty (20 February 2003-23 December 2004)
9. Member of the Ethics Commission of Marmara University Medical Faculty (23 December 2004-23 December 2007)
10. Member of Board of Directors of Marmara University European Communities Institute (19 March 2001-3 July 2003)

11. Member of Board of Directors of Marmara University European Communities Institute (3 July 2003-3July 2006)
12. Chairman of Private International Law Department, Marmara University Law Faculty (4 November 2000-4 November 2003)
13. Chairman of Private International Law Department, Marmara University Law Faculty (14.10.2003-14 October 2006)
14. Chairman of Private International Law Department, Marmara University Law Faculty (14 October 2006-continue)

LIST OF PUBLICATIONS

THESIS

1. The EC Rome Convention on the Law Applicable to Contractual Obligations, Istanbul 1989 (*L.LM thesis*).
2. International Jurisdiction of Turkish Courts, Istanbul 1995 (*Ph.D thesis*).
3. Arresting of Foreign Ships, Istanbul 1999 (*thesis for appointment as associate professor*).
4. Arbitration Agreements Made through "Incorporation" in International Maritime Law, Istanbul 2004 (*thesis for appointment as professor*).

BOOKS (published in Turkish)

1. Cases and Materials on International Trade Law, 1st edition Istanbul 1999.
Cases and Materials on International Trade Law, 2nd edition Istanbul 2006.
2. International Jurisdiction of Turkish Courts, 1st edition Istanbul 1996.
International Jurisdiction of Turkish Courts, 2nd edition Istanbul 2000.
3. Atâ SAKMAR/Nuray EKŞİ/İlhan YILMAZ, Cases on International Private Law and Procedural Law Act, 1st edition Istanbul 1989.
Atâ SAKMAR/Nuray EKŞİ/İlhan YILMAZ, Cases on International Private Law and Procedural Law Act, 2nd edition Istanbul 1999.
Atâ SAKMAR/Nuray EKŞİ/İlhan YILMAZ, Cases on International Private Law and Procedural Law Act, 3rd edition Istanbul 2001.
4. Ergin NOMER/Nuray EKŞİ/Günseli GELGEL, International Arbitration Law, 1st edition Istanbul 2000.
Ergin NOMER/Nuray EKŞİ/Günseli GELGEL, International Arbitration Law, 2nd edition Istanbul 2003.

Ergin NOMER/Nuray EKŞİ/Günseli GELGEL, International Arbitration Law, 3rd edition Istanbul 2008.

5. Fiona KINSMAN/Nuray EKŞİ, The EU Law on the Free Movement of Persons and Harmonisation of Turkish Law, İKV Publications October Istanbul 2002 .

6. Arbitration Agreements Made through “Incorporation” in International Maritime Law, 1st edition Istanbul 2004.

7. Arresting Foreign Ships, 1st edition Istanbul 2000.

Arresting Foreign Ships, 2nd edition Istanbul 2004.

8. Nuray EKŞİ/Zuhal BEREKET-BAŞ, The Nationality of World-wide Famous Poet Nazım Hikmet Ran, 1st edition Istanbul 2002.

Nuray EKŞİ/Zuhal BEREKET-BAŞ, The Nationality of World-wide Famous Poet Nazım Hikmet Ran, 2nd edition Istanbul 2004.

9. The EC Rome Convention on the Law Applicable to Contractual Obligations, 1st edition Istanbul 2004.

10. Cemal ŞANLI/Nuray EKŞİ, International Trade Law, 1st edition Istanbul 2000.

International Trade Law, 2nd edition Istanbul 2003.

International Trade Law, 3rd edition Istanbul 2004.

International Trade Law, 4th edition Istanbul 2005.

International Trade Law, 5th edition Istanbul 2006.

11. State’s Intervention in Bringing the Export and Import Value into the Country and Criminal Consequences of this Intervention for the Exporters, 1st edition Istanbul 2003.

State’s Intervention in Bringing the Export and Import Value into the Country and Criminal Consequences of this Intervention for the Exporters, 2nd edition Istanbul 2004.

State’s Intervention in Bringing the Export and Import Value into the Country and Criminal Consequences of this Intervention for the Exporters, 3rd edition Istanbul 2005.

12. Dual Nationality and Military Service, 1st edition Istanbul 2001.

Dual Nationality and Military Service, 2nd edition, Istanbul 2005.

13. Acquisition of Immovable Property by Aliens in Turkey, 1st edition Istanbul 2006.

14. Arresting of Foreign Ships Passing through Bosphorus and Dardanelles, 1st edition Istanbul 2006.

15. Aliens Law, 1st edition Istanbul 2006.
Aliens Law, 2nd edition Istanbul 2007.
16. Selected Cases on Conflict of Laws, Nationality Law and Aliens Law, 1st edition Istanbul 2006.
Selected Cases on Conflict of Laws, Nationality Law and Aliens Law, 2nd edition Istanbul 2007.
17. Collection of Judgments Concerning Disputes Having International Character, 1st edition Istanbul 2007.
18. A Critical Analysis of the Precedents of the Turkish Council of State Relating to the Application of Turkish Nationality Act, 1st edition Istanbul 2008.
19. Acquisition of Non-Turkish Names in Nationality Law, 1st edition Istanbul 2008.
20. Ergin NOMER/Nuray EKŞİ/Günseli GELGEL ÖZTEKİN, Legislation and International Treaties on International Arbitration, Vol. II, Istanbul 2008.

BOOKS (published in English)

1. Cases and Materials on the EU Private International Law, Istanbul 2006.
2. International Commercial Arbitration-A Comparative Survey, Istanbul Chamber of Commerce- ICOC Publication No: 2007/45, Edited by Nuray EKŞİ/Pedro J. MARTINEZ-FARGA/William K. SHEEHY, Istanbul 2007.
3. Selected Cases and Materials on International Commercial Arbitration in Turkey, (Special edition for the students of Yeditepe University, Law Faculty), Istanbul 2006.

SECTIONS TO BOOKS (in English)

1. Consequences of Dual Nationality with Regard to Residence, Employment, Ownership in Immovable Property and Military Service under Turkish Law, (*in*) Rights and Duties of Dual Nationals, Edt. David A. MARTIN/Kay HAILBRONNER, Kluwer Law International The Hague/London/New York 2003.
2. Political Rights of Dual Nationals in Turkish Law, (*in*) Rights and Duties of Dual Nationals, Edt. David A. MARTIN/Kay HAILBRONNER, Kluwer Law International The Hague/London/New York 2003.
3. Legal Framework of Commercial Arbitration in Turkey, (*in*) International Commercial Arbitration-A Comparative Survey, ICOC Publication No: 2007/45, Editors Nuray Ekşi/Pedro J. Martinez-Farga/William K. Sheehy, Istanbul 2007.

ARTICLES (in English)

1. Provisional and Protective Measures in International Litigation under the Brussels Convention, (1991)1-3 Hukuk Araştırmaları, pp. 78-87.

2. The Basic Types of Measures and General Requirements for Granting Interim Orders in the Laws of the EC Member States, VII(1992.1993)1-3 Hukuk Arařtırmaları, pp. 301-319.
3. Aliens Right to Work in Turkey, (1992)1-2 Avrupa Arařtırmaları Dergisi, pp. 79-83.
4. Nuray EKŐİ/İlhan YILMAZ/Murat YÖRÜNG, The Implication of Community Law in the Event of Joining the Community, (1992)1-2 Avrupa Arařtırmaları Dergisi, pp. 141-149.
5. The Law Applicable to Consumer Contracts under the Rome Convention of the EU, Tydskrif vir die Suid-Afrikaanse Reg/Journal of South African Law (2005)TSAR.
6. General Evaluation of the Turkish International Arbitration Act, 8(2005)3 International Arbitration Law Review, pp. 87-94.
7. A Critical Analysis of the Precedents of the Turkish Court of Appeal Relating to the Enforcement of Foreign Arbitral Awards, Austrian Arbitration Yearbook 2008, Editors Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Wleser/Zeiler, Wien 2008.
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2. International Franchising Agreements, (1992)24 Yeni Adalet Dergisi, pp. 66-80.
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4. International Forfeiting Agreements, Facultatis decima Anniversaria, MÜ Hukuk Fakültesi 10. Yıl Armađanı, İstanbul 1993, pp. 245-280.
5. The Concepts of Contracts with Foreign Element, Contracts with International Element and the Meaning of these Concepts under the EC Rome Convention, (1992)1-2 MHB, pp. 1-10
6. The Law Applicable to the Individual Employment Contracts with International Element, (*in*) Festschrift for Prof. Dr. Kenan Tunçomađ, İstanbul 1997, pp. 116-148.
7. Aliens Law and the Police, (*in*) International Symposium on the EU and Turkish Police, Polis Akademisi Seminer, Konferans, Sempozyum, Bildiriler Dizisi: 3, 16-18 Ekim 1996 Ankara, pp. 427-438.
8. Two Basic Contemporary Problems in International Trade Law: Foreign Exchange Control and International Jurisdiction Agreements, 72(1998)10-12 İBD, pp. 864-881.
9. International Inspection Companies, Dünya Gazetesi, 23 Ekim 1998, p. 13.
10. Exorbitant Jurisdiction Rules, (*in*) Festschrift for Prof. Dr. Selahattin Sulhi Tekinay, İstanbul 1999, pp. 247-258.

11. International Convention on Settlement of Investment Disputes between States and Nationals of Other States-ICSID, (*in*) Avrasya Günleri Ekonomik ve Finansal İşbirliğinin Geliştirilmesinde Hukukî İhtilâfların Çözümlemesi Sempozyumu Bildiriler Panel 18-19 June 1998, İstanbul 1999, pp. 145-15
12. Atâ SAKMAR/Nuray EKŞİ, Arbitration Clause in Built Operate and Transferred Contracts under Turkish Law with Special Reference to French Law, (*in*) Avrasya Günleri, Ekonomik ve Finansal İşbirliğinin Geliştirilmesinde Hukukî İhtilâfların Çözümlemesi Sempozyumu. Bildiriler Panel 18-19 June 1998, İstanbul 1999, pp. 137-141.
13. Yücel SAYMAN/Nuray EKŞİ, Evaluation of the Judgment of Constitutional Court on Arbitration Clause in Built Operate and Transferred Contracts, (*in*) Avrasya Günleri, Ekonomik ve Finansal İşbirliğinin Geliştirilmesinde Hukukî İhtilâfların Çözümlemesi Sempozyumu. Bildiriler Panel 18-19 Haziran 1998, İstanbul 1999, pp. 119-122.
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16. Activities Carried by ITF Against Flags of Convenience, (*in*) Festschrift for Prof. Dr. Nuri Çelik, İstanbul 2000.
17. Evaluation of the Act on Turkish International Ship Registration, (*in*) Festschrift for Prof. Dr. Tahir Çağa, İstanbul 2000.
18. "Incorporation" in Conflict of Laws, (1999-2000) 1-2 MHB Festschrift for Prof. Dr. Aysel Çelikel, İstanbul 2001, pp. 263-291.
19. Evaluation of UNCITRAL Model Law on Electronic Signatures, YASA Hukuk Dergisi, XX(2001)232, pp. 333-339.
20. Article 25(ç) of Turkish Nationality Act under the Judgments of Court of State, (2001) İÜHFD.
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22. Nuray EKŞİ/ Ali Cem BUDAK, The EU Regulation on Insolvency, V(2003)1 DEÜ Hukuk Fakültesi Dergisi, pp. 41-76.
23. Arbitration Agreement Made Through "Incorporation" and Effects of Those Agreements to Third Parties, (2003)1-4 DenizHD, pp. 1-23.
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25. Taking Evidence Abroad, (*in*) Festschrift for Prof. Dr. Baki KURU for his 75th Birthday Anniversary, Ankara 2004, pp. 337-384.
26. Council Regulation (EC) No 1206/2001 on Cooperation between the Courts of the Member States in the Taking of Evidence in Civil or Commercial Matters, I(2004)1 Yeditepe Üniversitesi Hukuk Fakültesi Dergisi, pp. 375-415.

27. General Evaluation of Turkish International Arbitration Act, (2003)1-2 MHB (*in*) Festschrift for Prof. Dr. Gülören Tekinalp'e Armağan, pp. 295-338.
28. The Law Applicable to Consumer Contracts under the EC Rome Convention, I(2004)1-2 İKÜ Hukuk Fakültesi Dergisi, pp. 135-153.
29. General Evaluation of Turkish Foreign Investment Legislation, I(2004)2 Yeditepe Üniversitesi Hukuk Fakültesi Dergisi, pp. 169-188.
30. Nuray EKŞİ/Ali Cem BUDAK, The Netherlands' Maritime Conflict of Laws, I(2004)2 Yeditepe Üniversitesi Hukuk Fakültesi Dergisi, pp. 161-167.
31. Settlement of Disputes by International Arbitration Arising from the Build Operate and Transfer Contracts Concluded with Foreign Companies, II(2005)1 Yeditepe Üniversitesi Hukuk Fakültesi Dergisi, pp. 137-164.
32. Necessary Amendments to the Turkish Nationality Act, II(2005)1 Yeditepe Üniversitesi Hukuk Fakültesi Dergisi, pp. 3-17.
33. Haluk KABAALİOĞLU/Nuray EKŞİ, Expulsion of Aliens from Turkey, (2004)1-2 MHB (*in*) Festschrift for Prof. Dr. Sevin Toluner, pp. 503-522.
34. Rights Granted to Foreign States, Embassies and International Institutes Relating to Real Estate in Turkey, (2004)1-2 MHB (*in*) Festschrift for Prof. Dr. Sevin Toluner, pp. 395-415.
35. Evaluation of the Provisions in Section Seven of the Draft Commercial Code Relating to the Executions of Maritime Claims in Respect to Private International Law, (*in*) Festschrift for the Memory of Associate Prof. Dr. Mehmet Somer, Istanbul 2006.
36. Arresting Foreign Ships Passing Dardanelles, Bosphorus and Marmara Sea under the Montreux Convention, (*in*) Festschrift for Prof. Dr. Ergon A. Çetingil and Prof. Dr. Rayegan. Kender, Istanbul 2007, pp. 546-554.
37. Identity Cards of the Seamen in Aliens Law, (*in*) Festschrift for Prof. Dr. Ergon A. Çetingil and Prof. Dr. Rayegan. Kender, Istanbul 2007, pp. 555-566.
38. Taking Evidence Abroad under the International Treaties to Which Turkey is a Party, (2005)2 MHB Special Edition for the Memory of Prof. Dr. Aslan Gündüz, Istanbul 2007.
39. Legal Status of Turkish Straits, (2007)1 Türk Boğazları Dergisi-BODER, pp. 12-13.
40. Mesut ÖNEN/Nuray EKŞİ, The Logical Reasons Why the Real Estates Belonging to the Istanbul University in Rome-Italy Should Not Be Sold, V(2006)1-2 İKÜ Hukuk Fakültesi Dergisi, pp. 71-79.
41. The Problem Whether the Discretion of Council of Ministers and Ministry of Interior for Naturalisation Could be Controlled by the Administrative Courts with Special Reference to the Judgment of Council of State, (*in*) Festschrift for Prof. Dr. Necip Ortan, Ankara 2008.
42. How is Possible to Protect the İkizdere Valley under National Legislation and International Treatise?, II. İkizdere Kurultayı 2008, İkizdere Derneği, Istanbul 2008, pp. 25-43.

- 43.** Is It Obligatory to Acquire Turkish Names for the Naturalised Aliens, *(to be published by Gazi University, School of Law)*.
- 44.** The Law Applicable to the Carriage of Goods under Article 29 of the Turkish PILA, *(to be published by Koç University School of Law)*.
- 45.** Evaluation of the Judgments of the Council of State Relating to the Nationality of Nazım Hikmet Ran, *(to be published in the Journal of Istanbul Bar Association)*.
- 46.** Prevention of the Expulsion of Refugees and Asylum Seekers from Turkey under Non-Refoulement Principle in Precedents of the European Court of Human Rights *(to be published in Legal Hukuk Dergisi)*.

TRANSLATIONS

- 1.** Turkish Translation of the EC Convention on the Law Applicable to Contractual Obligations, *(in) Festschrift for Prof. Dr. Yılmaz Altuğ, Istanbul 2000.*
- 2.** Experience in Arbitrations under ICSID Rules Pursuant to Bilateral Investment Treaties *(translated by the written permission of Margrete Stevens, January 24, 2002 Senior Council of ICSID), I(2002)1-2 İKÜ Hukuk Fakültesi Dergisi, pp. 83-91.*

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(Denmark – *Danemark*)

Born on 26 February 1949
Cand.jur. University of Copenhagen 1973

Address: Maritime and Commercial Court, Bredgade 70, DK-1260 Copenhagen, Denmark
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Main career:

1998-> Vice-president, Maritime and Commercial High Court, Copenhagen
1994-1997: Advocate-General, Court of Justice of the European Communities, Luxembourg
1991-1994: Deputy Permanent Secretary, Head of the department on European Community Law and Human Rights, Ministry of Justice, Denmark
1988-1991: Head of division, civil law, Ministry of Justice, Denmark
1987-1988: High court judge, High Court, Eastern District, Copenhagen, Denmark
1982-1987: Head of division, criminal law and procedural law, Ministry of Justice, Denmark
1973-1982: Head of section, Legislative department, Ministry of Justice, Denmark

Academic occupations:

1985-> Officially appointed external examiner, Danish universities and business schools
1973-1985: Assistant professor of civil law, University of Copenhagen, Denmark

Chairman and member of a large number of International and Danish committees on law reform, including:

2002-> Co-founder and vice-president of the Association of European Competition Law Judges
1999-> Member of the Governing Council of UNIDROIT
1993-> Member of the Board of Trustees of the European Academy of Law, Trier
1993-1994: Member of the European Commission for Democracy through Law, Venice
1991-1994: Member of the Nordic Council for Research in European Integration Law
1991-1994: Member of the Council of Europe's Steering Committee on Human Rights
1988-1991: Member of the Council of Europe's Steering Committee on Civil Law
1984-1988: Chairman of The Council of Europe's Permanent Committee on Revision of the European Conventions in the Penal Field
1982-1989: Member of the Nordic Council on Criminology
1982-1988: Member of the Council of Europe's Steering Committee on Criminal Law
1978-1993: Member and chairman of the Ad Hoc Committee on Legal Cooperation between the Member States of the European Communities

Publications:

Text books and articles on civil law, especially property law, European community law, European civil law, criminal law and alien's law

Biographies:

European Biographical Directory
The International Who's Who
Who's Who in the World
Who's Who in International Affairs
Who's Who in America

Henry Deeb GABRIEL

(United States of America – *Etats-Unis d'Amérique*)

Born: 4 November 1954

Professor Gabriel is the DeVan Daggett Professor of Law at Loyola University School of Law at New Orleans, Louisiana, and has had a distinguished career as an author and teacher. More importantly for this nomination, however, he is one of the most respected and active participants in the United States in harmonization of law projects, involving both domestic and international private law. In that capacity he has held important positions on a number of law unification efforts involving the uniform law system among the fifty states of the United States, as well as law harmonization work in various international bodies. After providing advice for some years on proposals for projects at UNIDROIT, as well as methods for making the work of the Institute fully known and considered in a number of law circles in the United States, he was elected a member of the UNIDROIT Governing Council in 2003 and has served in that capacity for the 2004/2008 quinquennium. His expertise in civil law as well as common law, a requisite for undertaking unification work in the state of Louisiana, brings an important balance to his work in international private law matters.

A brief summary of his curriculum vitae follows:

SELECTED APPOINTMENTS

Reporter (principle drafter) for the Revision of Article 2 (sales law) and Article 2A (leasing) of the Uniform Commercial Code: National Conference of Commissioners of Uniform State Laws and the American Law Institute: (appointed 1999- completed 2003) (committee member since 1992).

Delegate from the United States to the United Nations Commission on International Trade Law Working Group on International Electronic Commerce (since 2002).

Member of the Working Group for the Preparation of the UNIDROIT Principles of International Contracts (appointed 2005).

Chair of the Drafting Committee to Revise UCC Article Seven: Documents of Title of the Uniform Commercial Code: National Conference of Commissioners of Uniform State Laws and the American Law Institute (appointed 2000- completed 2003).

Member of the Drafting Committee on the Uniform Electronic Transactions Act: National Conference of Commissioners of Uniform State Laws (appointed 1996- completed 1999).

Member of the Drafting Committee on the Uniform Recognition of Foreign Judgments Act: National Conference of Commissioners of Uniform State Laws (appointed 1999- completed 2005).

Member of the Drafting Committee on the Committee on the Hague Convention on Choice of Court Agreements: National Conference of Commissioners of Uniform State Laws (Since 2007).

Chair, American Bar Association Business Law Section on Sales Law (1992-1996).

Elected to the American Law Institute (1994).

Appointed by the State of Louisiana to the National Conference of Commissioners of Uniform State Laws. (1992).

SELECTED PUBLICATIONS

Books

Contracts for the Sale of Goods (Oceana Publications, 2004); 2nd ed. Oxford university Press 2008).

A Practical Guide to International Commercial Arbitration (Oceana Press, 2000) (with Garnett, Waincymer & Epstein).

Volumes 3 and 3A of Bender's Uniform Commercial Code Service: Gabriel and Henning on Sales and Bulk Transfers (Matthew Bender 2001).

Federal Appellate Practice Guide: Fifth Circuit: with S. Powell (Lawyers Cooperative Press 1994).

Monograph

How International is the Sales Law of the United States, Vol. 34 Saggi, Conferenze e Seminari of the Centro di Studi e Ricerche di Diritto Comparato e Straniero, Università di Roma (Rome 1999).

Selected Law Review Articles

United Nations Convention on the Use of Electronic Communications in International Contracts: Compatibility with American Domestic Law of Electronic Commerce, 7 Loy. Law & Tech. Ann. 1 (2007).

"The Buyer's Performance under the CISG: Trends in the Decisions" 25 J. of Law & Com. 273 (2005).

"Introduction to the Symposium on the Comparison of the Principles of European Contract Law with the Uniform Commercial Code" 13 Pace Int. L. Rev 257 (2001).

"The Ethical Duties of Arbitrators in International Commercial Arbitration" 8 Metropolitan Corporate Counsel 10 (Oct. 2000) (with Garnett, Epstein & Waincymer).

"The Revision of the Uniform Commercial Code- How Successful Has It Been?" 52 Hastings L. Rev. 653 (2001).

"The New United States Uniform Electronic Transactions Act: Substantive Provisions, Drafting History, and Comparison to the UNCITRAL Model Law on Electronic Commerce" 2000 Uniform Law Review 651 (2000); reprinted at www.unidroit.org

"The New Zealand Personal Property Securities Act: A Comparison with the North American Model for Personal Property Security" 34 International Lawyer 1123 (Winter 2000).

"The International Chamber of Commerce Incoterms 2000: A Guide to the Terms and Their Usage" 5 *Vindobona Journal* 41 (2001) (with Frantzen).

"The Revision of the Law of Sales in the United States" *Acta Facultatis Politico-Iuridicae Universitatis Scientiarum Budapestinensis XXXVII*, (1999-2000), pp. 101-115.

"A Primer on the United Nations Convention on the International Sale of Goods: From the Perspective of the Uniform Commercial Code" 7 *Indiana International and Comparative Law Review* 279 (1997).

"Standby Letters of Credit: Do the Risks Outweigh the Benefits?", 1988 *Columbia Bus. L. Rev.* 705 (1988).

Professional Journal Editorship

Member of the Board of Editors of the *Macquarie Business Law Review*, since 2004.

Member of the Board of Editors of the *International Trade & Business Law Review*, since 2003.

Member of the Board of Advisors for the *Vindobona Journal*, a journal on international commercial law and arbitration, since 1999.

Editor of the *Fifth Circuit Reporter*, the monthly bar journal of the United States Fifth Circuit Bar Association, 1994-1997.

VISITING PROFESSORSHIPS

Tulane University; University of Queensland; Monash University; Deakin University; Murdoch University; Victoria University, Australia; University of Lapland; Kyushu University; Catholic University of Portugal; International Islamic University of Malaysia.

Ian GOVEY

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Born: 30 March 1952, Australia

Education/ Admission:

Bachelor of Law (Hons), the University of Adelaide (1974)

Bachelor of Economics from the Australian National University (1981)

Admitted as a legal practitioner in 1975

Present position:

Deputy Secretary, Civil Justice and Legal Services
Australian Government Attorney-General's Department (since 2000)

Responsibilities

Mr Govey's position involves responsibility for a diverse range of functions including public international law, international trade law, constitutional policy, administrative law, federal courts and tribunals, native title, indigenous law and justice, human rights, copyright, family law, legal assistance, legal services to government, legislative drafting and publication.

He is currently involved in work on several specific projects including reform of Australia's personal property securities law, review of federal legislation providing for the making and publication of legislative instruments and review of the structure of family law court services.

In his role with the Department he is a member of the governing bodies of the Australasian Institute of Judicial Administration, the Australian Centre for International Commercial Arbitration, International Legal Services Advisory Council and National Alternative Dispute Advisory Council.

Involvement with UNIDROIT:

Mr Govey is responsible for coordinating Australia's participation in UNIDROIT activities. In April 2003 Mr Govey was the moderator of a Governing Council brainstorming session convened to examine UNIDROIT's activities and procedures. He was elected to the Governing Council of UNIDROIT in 2003 and in this role has promoted Australia's involvement with the work of UNIDROIT, including by encouraging regional engagement with UNIDROIT.

Previous experience:

Mr Govey has worked on numerous international trade law, private international law and copyright matters and attended meetings of UNIDROIT, UNCITRAL, WIPO and the Hague Conference on Private International Law as the Australian delegate. He has also worked on legislative proposals in a variety of commercial areas including corporate law, commercial arbitration, copyright, insurance law and bills of exchange. Mr Govey has also been responsible for projects of major interest to government including the reform of the delivery of legal services to the Australian Government and measures to restructure Australia's system of corporate regulation in light of constitutional difficulties raised by the High Court.

From 1988 - 1991, Mr Govey was posted to the Australian Embassy in Washington DC as the Counsellor (Legal). He also worked in a private law firm in Perth in 1983 as part of an exchange scheme sponsored by the Law Council of Australia.

Speeches and publications:

Mr Govey has delivered numerous speeches and papers on a wide variety of legal and legal policy topics, including on international trade law, copyright, constitutional law, delivery of legal services and company law.

Attila HARMATHY
(Hungary – Hongrie)

Born on 20 April 1937 in Budapest, Hungary.

Academic qualifications:

Doctor juris 1959, Law School Eötvös Loránd University, Budapest 1959

Diplôme d'études supérieures de droit comparé, Faculté Internationale de Droit Comparé, Strasbourg 1966, 1967

University of Cambridge Vacation Course for Foreign Lawyers 1962.

Proficiency exams in English, French, German, Russian.

Scientific degrees: candidate of legal sciences 1972
 doctor of legal sciences 1981

Memberships:

Member of the Hungarian Academy of Sciences since 1993

Vice-President of the Hungarian Academy of Sciences 1996-1999

Deputy Secretary General of the Hungarian Academy of Sciences 1993-1995

Chairman of the Committee for Doctor Award of the Academy 1995-1998

Member of the Société de Législation Comparée since 1991

Member of the International Academy of Comparative Law since 1992-, Vice-President since 1998,
President of the Eastern European Group since 1996

Member of the International Academy of Commercial and Consumer Law since 1992

Member of the Academia Europaea since 1994

Member of the Academy of Private Lawyers since 2002

Member of the Governing Council of UNIDROIT since 2004

Professional experience:

Clerk at the Hungarian Bank for Foreign Trade 1959-1960

Junior Legal Adviser at the Hungarian Air Transport Co. 1960-1962

Research Officer at the Institute for Legal and Administrative Sciences of the
Hungarian Academy of Sciences 1962-1992

Lecturer at the Law School Eötvös Loránd University 1958-1973, Reader 1974-1981,
Professor 1982-2007, Dean 1990-1993, professor emeritus since 2007

Chairman of the Ph.D. Committee of the Law School 1993-2003

Chairman of the Civil Law Codification Committee 1998-1999

Participant in several codification works

Judge, Constitutional Court of the Republic of Hungary 1998-2007

Member of the presidium of the court of arbitration of the Hungarian Chamber of Commerce and
Industry since 2008

Arbitrator in cases at the International Court of Arbitration, International Chamber of Commerce
(Paris)

Visiting research fellow at Clare College, Cambridge, U.K. 1974
Visiting researcher at Max-Planck-Institut für ausländisches und internationales Privatrecht, Hamburg
Visiting Professor at the Law School, University of California, Berkeley 1988
Visiting Professor at the Faculté de Droit, Université d'Aix-Marseille 1993, 1996
Visiting Professor at Université Pantheon-Assas, Paris-II, 2002
Visiting Professor at the University of Iowa, 2003
Visiting Professor at the Louisiana State University, Baton Rouge 2007

Professor at the Central European University, Legal Studies Department (Budapest) (courses on Legal Foundations of Market Economy and Comparative East, Central European Private Law Systems), 1992, 1993, 1994, 1995, 1996, 1997

Held lectures at several international conferences and at universities, research institutes of several countries (e.g. conference organized by Parker School of Comparative Law, Columbia University, New York 1993, conference organized by King's College, London and European Bank for Reconstruction and Development 1995, congress of the Society of Public Teachers of Law, Warwick 1997, symposium on codification in the twenty-first century, Davis, California 1998, congresses of the German Society of Comparative Law, Jena 1996, Hamburg 2002, conference of the American Society of Comparative Law, Davis, California 1997, conference organized by the Asser Instituut on the enlargement of the European Union, The Hague 2000, lecture delivered at the Cour de Cassation organized by the Société de Législation Comparée, Paris 2003, general reporter at the Congress of the International Academy of Comparative Law, Utrecht 2006).

Member of the board of (foreign) editors of *Revue Internationale de Droit Comparé*, *Zeitschrift für Europäisches Privatrecht*, *Zeitschrift für Wettbewerbsrecht*.

Member of the advisory group of the Council of Europe on Russian Law, 1993
Member of the advisory group of the European Bank for Reconstruction and Development on the model law on secured transactions 1993-1994

Participant in several joint international research works (on general rules of contracts, specific contracts /CMEA Legal Standing Committee/, international construction contracts /Law School University of California, Berkeley and Institut für Baurecht, Universität Fribourg i.Br./, legal implementation of economic policy / European University Institute, Florence/)

Organised for several years bilateral cooperation of lawyers: US-Hungarian, British-Hungarian, French-Hungarian, German-Hungarian, Swiss-Hungarian
President of the Social Science Committee of the Hungarian UNESCO Commission 1989-1998

Author (co-author, editor) of several books and articles on contracts, government contracts, torts, property law, comparative law, legal problems of European law, constitutional law.

Arthur S. HARTKAMP
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(married, two children)

Place and date of birth

Amsterdam, January 10, 1945

Education

Studies in Law at the universities of Amsterdam, Munich and Rome.

Final examination Amsterdam: 1968 (cum laude)

Thesis for doctorate Amsterdam: ('Der Zwang im römischen Privatrecht') 1971 (cum laude)

Professional (full time functions)

- 1968-1974: Lecturer at Amsterdam University
- 1974-1986: Civil Code Revision Office, Ministry of Justice, The Netherlands
- 1986-2001: Advocate-General at the Supreme Court of The Netherlands
- 2001-2006: Procureur-Général at the Supreme Court of The Netherlands
- 2006 to date: Professor of European Private Law, Radboud University Nijmegen

Professional (part time functions)

- 1977-1983: Lecturer, Leyden University
- 1982-1986: Alternate Judge, Amsterdam Court of Appeal
- 1991-1999: Professor of Private Law, Utrecht University
- 1999-2006: Professor of Private Law, University of Amsterdam

Other Information

- Netherlands Delegate to UN-Commission on International Trade Law and to several Working Groups of the Commission (1977-1989)
- Head of Netherlands Delegation to Diplomatic Conference UN-Convention on International Sale of Goods (Vienna, 1980)
- Member, Governing Council of UNIDROIT (International Institute for the Unification of Private Law, Rome (since 1984); First Vice-President of UNIDROIT (since 2003)
- Member, UNIDROIT Working Group on Principles for International Commercial Contracts (since 1982)
- Member, Commission on European Contract Law
- Member, Study group on a European Civil Code (Steering Committee, Coordinating Group)
- Member, Royal Netherlands Academy of Sciences (since 1985)
- Foreign member, The American Law Institute (since 1995)
- Associated Member, The International Academy of Comparative Law (since 1995)
- Honorary Doctorate, Demokritos University of Thrace (Greece), 20 May 1998

- Experience in international arbitrations
- Chairman Board of Appeal Dutch Securities Institute
- Chairman Board of Appeal Western European Union (1999-2002)
- Many editorial functions (law reviews, series of book publications)
- Many guest lectures, e.g. Universities of Rome, Salzburg, Miami, New Orleans (Tulane), Edinburgh, Salzburg, Oldenburg, Curaçao, Milan, Uppsala, Oxford, Tokyo, Seoul

Languages

Mother tongue: Dutch

Fluency in English, French, German and Italian

Passive knowledge of Spanish, Portuguese, Modern Greek (and Latin and Ancient Greek)

Publications

- A three volume treatise in the Asser-series on the Dutch Law of Obligations: General Part of the Law of Obligations; General Part of Contract Law; Torts and Restitution (six editions: 1984-1986; 1988-1990; 1992-1994; 1996-1998; 2000-2002; 2004-2006; seventh edition 2008-)
- Ten other books and many articles on Dutch private law, comparative law and European law in English, French, German and Dutch

Field of Specialization

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Arthur S. HARTKAMP

(*Pays-Bas*)

(marié, 2 enfants)

Né le 10 janvier 1945, à Amsterdam

Formation

Etudes de droit à Amsterdam, Munich et Rome.

Maîtrise obtenue en 1968, à Amsterdam (mention TB)

Thèse de doctorat soutenue en 1971, à Amsterdam: *Der Zwang im römischen Privatrecht* (mention TB)

Activités professionnelles (plein temps)

- 1968-1974: enseignant, université d'Amsterdam
- 1974-1986: chargé de la révision du Code civil, Ministère de la Justice, La Haye
- 1986-2001: avocat général près la Cour suprême des Pays-Bas
- 2001-2006: procureur-général près la Cour suprême des Pays-Bas
- 2006 to date: professeur de droit privé européen, université Radboud Nîmègue

Activités professionnelles (temps partiel)

- 1977-1983: enseignant, université de Leyde
- 1982-1986: juge suppléant, cour d'appel d'Amsterdam
- 1991-1999: professeur de droit privé, université d'Utrecht
- 1999-2006: professeur de droit privé, université d'Amsterdam

Autres activités

- Délégué des Pays-Bas à la Commission des Nations Unies pour le droit commercial international (CNUDCI) et membre de plusieurs groupes de travail de cette commission (1977-1989)
- Chef de la délégation néerlandaise à la conférence diplomatique pour l'adoption de la Convention de Vienne relative à la vente internationale des marchandises (Vienne, 1980)
- Membre du Conseil de Direction d'UNIDROIT (Institut international pour l'unification du droit privé), Rome (depuis 1984); Premier vice-président d'UNIDROIT (depuis 1982)
- Membre du groupe de travail d'UNIDROIT sur les principes d'UNIDROIT relatifs aux contrats du commerce international (depuis 1982)
- Membre de la Commission sur le droit européen des contrats
- Membre du groupe d'étude sur le Code civil européen (comité directeur, groupe de coordination)
- Membre de l'Académie royale néerlandaise des sciences (depuis 1985)
- Membre étranger de l'American Law Institute (depuis 1995)
- Membre associé de l'Académie internationale de droit comparatif (depuis 1995)

- Docteur honoris causa de l'université Demokritos de Thrace (Grèce), mai 1998
- Expérience dans l'arbitrage des conflits internationaux
- Président de la chambre de recours de l'Autorité néerlandaise de contrôle des marchés financiers
- Président de la chambre de recours de l'UEO (1999-2002)
- Nombreuses fonctions éditoriales (revues juridiques, publications d'ouvrages)
- Nombreuses conférences en tant qu'invité : université de Rome, Salzburg, Miami, La Nouvelle-Orléans (Tulane), Edimbourg, Oldenburg, Curaçao, Milan, Upsal, Oxford, Tokyo, Séoul

Langues

Langue maternelle : néerlandais

Pratique courante : anglais, français, allemand et italien

Connaissance passive: espagnol, portugais, grec moderne (et ancien) latin

Publications

- Traité en trois volumes des séries Asser sur le droit néerlandais des obligations : partie générale sur le droit des obligations ; partie générale sur le droit des contrats ; préjudice et réparation (six éditions: 1984-1986; 1988-1990; 1992-1994; 1996-1998; 2000-2002; 2004-2006; septième édition 2008-)
- Nombreux autres ouvrages et articles sur le droit privé néerlandais, le droit comparatif et le droit européen en anglais, français, allemand et néerlandais.

Spécialités

Droit privé néerlandais, droit comparatif et droit européen

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Monique JAMETTI GREINER

(Switzerland – Suisse)

POSTE ACTUEL

- Vice-directrice de l'Office fédéral de la justice et responsable pour le droit privé à l'Office fédéral de la justice

EXPERIENCE PROFESSIONNELLE

- Cheffe de la Division des affaires internationales de 1997 à 2007 et vice-directrice de l'Office fédéral de la justice
- Cheffe de section de droit international privé 1989-1996
- Collaboratrice scientifique à l'Office fédéral de la justice 1982-1988

CARRIERE ACADÉMIQUE

- Professeur titulaire à l'Université de Berne
- Docteur en droit de l'Université de Bâle 1997 (*summa cum laude*, Prix du Professeur Walther Hug)
- Examen d'avocate à Berne 1982
- Etudes de droit aux Universités de Berne et Genève 1975-1982

TRAVAIL D'ENSEIGNANTE

- Enseignante à l'Université de Bâle pour le droit européen 2000-2005
- Depuis 1998, enseignante à l'Université de Berne pour le droit de la procédure internationale

ACTIVITES PUBLIQUES ET INTERNATIONALES

- Responsable de la législation en droit privé national et international
- Membre et présidente dans divers comités d'experts en Suisse
- Cheffe de délégation dans différentes négociations (entre autre les accords de Schengen/Dublin entre la Suisse et l'UE) ainsi que membre et présidente dans différentes enceintes internationales (Conseil de l'Europe, CNUDCI, Conférence de La Haye de droit international privé, Comité permanent de la Convention de Lugano)
- Membre du Conseil de l'Institut suisse de droit comparé 1989-2007
- Membre déléguée de la Commission de Venise depuis 2007

DONNEES PERSONNELLES

- Née le 7 septembre 1956 à Interlaken
- De nationalité suisse
- Mariée, deux enfants

PUBLICATIONS

- Das neue schweizerische Transportgesetz, *Transportrecht* 1987, S. 85 ff.
- Ueberblick über einige laufende Arbeiten in internationalen Gremien betreffend handelsrecht und verwandte Rechtsgebiete, *Schweizerische Aktiengesellschaft* 1989, S. 107 ff.
- Avec Thomas Geiser, Die güterrechtlichen Regeln des IPR-Gesetzes, *Zeitschrift des bernischen Juristenvereins* 1991, S. 1 ff.
- Der Vertragsabschluss – Zeitpunkt, Formvorschriften, rechtsgeschäftliche Erklärungen, *Das Einheitliche Wiener Kaufrecht*, Hrsg Hoyer/Posch, Wien 1992, S. 43 ff.
- Ueberblick zum Lugano-Uebereinkommen über die gerichtliche Zuständigkeit und die Vollstreckung gerichtlicher Entscheidungen in Zivil- und Handelssachen, *Zeitschrift des bernischen Juristenvereins* 1992, S. 42 ff.
- Rapporti tra la Convenzione di Lugano e le altre convenzioni, l'adattamento della Legge federale sull'esecuzione ed i fallimenti, gli effetti sulla procedura di rigetto dell'opposizione e sul sequestro, *La Convenzione di Lugano – temi scelti e prime esperienze*, Hrsg Broggin/Gaja/Jametti Greiner/Patocchi, Bellinzona 1992, S. 109 ff.
- Bericht über die 17. Session der Haager Konferenz für internationales Privatrecht, *Aktuelle juristische Praxis* 1993, S. 1211 ff.

Explications

- Zum Haager Übereinkommen über die Zuständigkeit der Behörden und das anzuwendende Recht auf dem Gebiet des Schutzes von Minderjährigen
- Zum Haager Übereinkommen über die zivilrechtlichen Aspekte internationaler Kindesentführung
- Zum Haager Übereinkommen über die Anerkennung und Vollstreckung von Entscheidungen über das Sorgerecht für Kinder und die Wiederherstellung des Sorgerechts
- Zum Abkommen zwischen der schweizerischen Eidgenossenschaft und der libanesischen Republik über die Zusammenarbeit in bestimmten Familienangelegenheiten vom 31.10.2005
Texte und Erläuterungen zum Internationalen Privat- und Verfahrensrecht, Hrsg Walter/Jametti Greiner/Schwander, 2 Bände, Loseblattsammlung mit jährlicher Ergänzungslieferung, Bern 1993
- Die vollstreckbare öffentliche Urkunde, *Der bernische Notar* 1993, S. 37 ff.
- Adoption in der Schweiz: Ueberblick über die Rechtsprechung, Adoption und UNO-Konvention über die Rechte des Kindes, *Zeitschrift für Vormundschaftswesen* 1994, S. 52 ff.
- Avec Andreas Bucher, La dix-septième session de la Conférence de La Haye de droit international privé, *Schweiz. Zeitschrift für internationales europäisches Recht* 1994, S. 55 ff.

- Uebersicht zu einigen Entwicklungen im internationalen Handels- und Verfahrensrecht, *Schweiz. Zeitschrift für Wirtschaftsrecht* 1994, S. 251 ff.
- Der vorsorgliche Rechtsschutz im internationalen Verhältnis, *Zeitschrift des bernischen Juristenvereins* 1994, S. 649 ff.
- Thailändische Privatscheidungen grundsätzlich anerkennbar, *Zeitschrift für das Zivilstandswesen* 1995, S. 169 ff.
- Neuerungen im internationalen Rechtschilfeverkehr in der Schweiz, *Zeitschrift für Zivilprozess International* 1996, S. 187 ff.
- Avec Thomas Geiser, Personenrecht (Art. 33-42) und Übergangsrecht (Art. 196-199) *Basler Kommentar, Hrsg Honsell/Vogt/Schnyder/Berti, 2. Auflage 2007, Basel 1996*
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- Das Haager Adoptionsübereinkommen und seine Umsetzung im schweizerischen Recht, *Zeitschrift für das Vormundschaftsrecht* 1996, S. 408 ff.
- La qualificazione in generale e la qualificazione delle decisioni in particolare, *Collisio legum, Festschrift für Gerardo Broggin* 1997, S. 187 ff.
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- Vorsorgeleistungen in internationalen Scheidungen, *Liber amicorum Kurt Siehr, Hrsg Basedow/Meier/Chnyder/Einhrn/Gisberger, Den Haag 2000, S. 263 ff.*
- Internationales Privatrecht, Praxiskommentar zum Scheidungsrecht, *Hrsg Schwenger, Basel, Genf, München 2000, 2. Auflage, Bern 2005, S. 911 ff.*
- De 2000 à 2005 annuellement, Die Rechtsprechung des Bundesgerichts zum internationalen Zivilprozessrecht, *Zeitschrift des bernischen Juristenvereins*, 2001, S. 871 ff.; 2002, S. 574 ff.; 2003, S. 666 ff.; 2005, S. 55
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- L'espace judiciaire européen et la Convention de Lugano, La Convention de Lugano – Passé, présent et devenir, Hrsg Institut suisse de droit comparé, Zürich 2007
- Der neue internationale Kinderschutz in der Schweiz, *Die Praxis des Familienrechts* 2008, S. 277 ff.
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- Avec Gerardo Broggin, Francesco Gaja et Michele Patocchi, La Convenzione di Lugano – temi scelti e prime esperienze. *Pubblicazioni della Commissione ticinese per la formazione permanente dei giuristi*, Bellinzona 1992
- Avec Gerhard Walter et Ivo Schwander, Texte und Erläuterungen zum internationalen Privat- und Verfahrensrecht, *Loseblattsammlung mit jährlicher Ergänzungslieferung*, Bern 1993
- Avec Alexander Markus et Andreas Kellerhals, Das Haager Trust-Übereinkommen und die Schweiz, *Publikation des Europa-Instituts Zürich*, Zürich 2003
- Avec Bernhard Berger et Andreas Güngerich, Rechtsetzung und Rechtsdurchsetzung: Zivil- und schiedsverfahrensrechtliche Aspekte, *Festschrift für Franz Kekerhals*, Bern, 2004
- Avec Christine Kaddous, Les accords bilatéraux II entre la Suisse et l'Union européenne et autres accords nouveaux, *Genève/Bâle/Munich/Bruxelles/Paris* 2006

Alexander Sergeevich KOMAROV

(Russian Federation – *Fédération de Russie*)

Born: 2 July 1949, Moscow Reg., USSR/Russia

Education: International Law Faculty, Moscow State Institute for Foreign Relations (1972), Candidate of Legal Sciences (1981), Doctor of Legal Sciences (1994), Professor (1995)

Present Position:

- Russian Academy of Foreign Trade, Moscow, Head of Private Law Chair, Professor, (since 1988)
- International Commercial Arbitration Court at the Russian Federation Chamber of Commerce and Industry, Moscow, President (since 1993)

Previous Positions:

- USSR Ministry of Foreign Trade, Law and Treaty Department, Consultant on Foreign Commercial Law (1972-1974), Law Drafting Section Chief (1977-1981);
- USSR Trade Representations, Chief Legal Adviser, West Berlin (1974-1977), Sweden (1981-1984), USSR Ministry of Foreign Trade, Deputy General Counsel (1985-1988)

Present Professional activities:

- Council at the President of the Russian Federation on Codification and Development of Civil Legislation, Member
- Council at the President of the Russian Federation on Judicial Reform, Member;
- Private Law Research Center at the President of Russian Federation, Board Member
- Russian Federation Delegation to United Nations Commission on International Trade Law (UNCITRAL), Alternative Representative
- Scientific Council at the Supreme *Arbitrazh* Court of the Russian Federation, Member
- International Institute for the Unification of Private Law (UNIDROIT), Governing Council Member,
- International Federation of Commercial Arbitration Institutions (IFCAI), Vice-President
- International Council for Commercial Arbitration (ICCA), Member;
- Maritime Arbitration Commission at the Russian Federation CCI, Panel Member
- ICC Institute of World Business Law, Council Member
- ICC Arbitration Commission, Member
- ICC Russia, Commission on International Arbitration, Chairman
- Chartered Institute of Arbitrators (London), Fellow and Chartered Arbitrator
- Arbitration Institute of Stockholm Chamber of Commerce (SCC), Member of the Board
- London Court of International Arbitration (LCIA), Member (2003-2008)
- "International Commercial Arbitration", law quarterly (in Russian), Chairman of the Editorial Board
- Stockholm International Arbitration Review, Editorial Committee Member
- International Academy of Commercial and Consumer Law, Member

Publications (about 150) on comparative private law (commercial contracts), international private law problems of foreign trade, transactions and international commercial arbitration in Soviet/Russian and foreign legal periodicals (about one hundred)

Participation in international conferences and seminars on international arbitration and comparative commercial law as a reporter and panelist.

Arbitrator (starting in 1983) in international proceedings (institutional and *ad hoc*) in Moscow , Paris, Stockholm, London, Vienna, Budapest, Warsaw, Sofia, Kiev, Geneva, Zürich

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Ricardo Luis LORENZETTI

(Argentina)

- Chief Justice of the Argentinean Supreme Court of Justice
- Doctor of Juridical and Social Sciences, Universidad Nacional del Litoral.
- Tenure Professor of Civil and Commercial Contracts at Universidad de Buenos Aires.
- Doctor Honoris Causa, Universidad Nacional del Litoral.
- Doctor Honoris Causa, Universidad Nacional del Noreste.
- Corresponding Member of the Córdoba National Academy of Law.
- Academic Member Award from the Peruvian National Academy of law.
- Recipient of the Award from the Buenos Aires National Academy of Law and Social Sciences for the piece Las Normas Fundamentales de Derecho Privado [Fundamental Principles of Private Law].
- Recipient of the Award in Civil Law fro the Córdoba National Academy of Law and Social Sciences.
- Recipient of the Academic Merit Award granted by the Universidad Nacional Autónoma de Mexico School of Law.
- Recipient of the Ius Ambiens-Lumen Orbis Award from the World League on Environmental Lawyer.
- He has developed an intense academic activity in post-graduate courses. He has directed the post-graduate Specialization in Tort Law and the Program in Commercial Contracts at Universidad de Buenos Aires. Before being appointed to the Argentinean Supreme Court, he has taught post-graduate courses at the following universities: Universidad de Palermo, Universidad Austral, Universidad Católica de Buenos Aires, Universidad de Ciencias Sociales y Empresariales, Universidad Nacional del Litoral, Universidad Católica de Rosario, Universidad de Tucumán and Universidad de Mendoza.
- In Brazil, he has given lectures at the following universities: Universidad de San Pablo, Universidad de Porto Alegre, Universidad de Curitiba, Universidad de Belho Horizonte, Universidad de Rio de Janiero, and three of his books have been translated into Portuguese.
- In Chile, he has given lectures at the following universities: Universidad Católica, Universidad de Chile, Universidad de Valparaíso, Universidad de los Andes, and he was a Professor in the Master's Course in Private Law at Universidad Católica de Valparaíso.
- In Mexico, he has given lectures at Universidad Autónoma de México, and two of his books are in press.
- In Peru, he has published five books and received several awards, including:
 - Doctorate Honoris Causa from Universidad Nacional de Cajamarca;

- Academic Member Award from the Peruvian Academy of Law;
- Honoris Causa Award for Universidad Privada de San Pedro de Trujillo;
- Honorary Professor of Universidad Privada del Norte de Lima;
- Honorary Professor of the School of Law and Social Sciences of Universidad Inca Garcilaso de la Vega
- Merit Award for his participation as a speaker at the International Seminar Teoría General del Contrato [General Theory of Contracts] held at the School of Law and Political Science of the Universidad Nacional Mayor de San Marcos; and
- Distinguished Visitor at the Colegio de Abogados de Arequipa.

- In Uruguay, he has given several lectures and he is Professor Emeritus at Universidad de la República.

- In Europe, he has given lectures at Universidad de Salamanca and Universtà degli Studi di Roma Tor Vergata.

Books:

- Teoría del Derecho Ambiental [Theory of Environmental Law], Buenos Aires, La Ley, 2008.

- Teoría de la decisión judicial Fundamentos de derecho [Theory of the Judicial Judgment Fundamentals of the Law], Buenos Aires, Rubinzal y Culzoni, 2005.

- Tratado de los contratos Parte general [Treatise on Contracts General Part], Santa Fé, Rubinzal y Culzoni, 2004.

- Consumidores [Consumers], Santa Fé, Rubinzal y Culzoni, 2003.

- Contratos Parte Especial [Contract Special Part], Santa Fé, Rubinzal y Culzoni, 2003.

- La emergencia económica y los contratos [Economic Emergency and Contracts], Santa Fé, Rubinzal y Culzoni, 2002.

- Comercio electrónico [E-Commerce], Buenos Aires, Abeledo Perrot, 2001.

- Tratado de los contratos, vols. I, II y III [Treatise on Contracts, vols. I, II & III], Santa Fé, Rubinzal y Culzoni, 2000.

- La empresa médica [The Medical Business], Santa Fé, Rubinzal y Culzoni, 1998.

- Responsabilidad civil del médico, tomo I y II [Medical Civil Liability, vols. I & II], Santa Fé, Rubinzal, y Culzoni, 1997.

Ricardo Luis LORENZETTI

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- Juge et Président de la Cour Suprême de Justice Argentine
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- Professeur Titulaire par concours de «Contrats Civils et Commerciaux», Universidad de Buenos Aires.
- Doctorat Honoris Causa, Universidad Nacional del Litoral.
- Doctorat Honoris Causa, Universidad Nacional del Noreste.
- Membre de l'Académie de Droit de Córdoba.
- Membre de l'Académie de Droit du Pérou.
- Prix de l'Académie Nationale de Droit et Sciences Sociales de Buenos Aires pour l'ouvrage "Las Normas Fundamentales de Derecho Privado" [Les lois fondamentales du Droit Privé].
- Prix "Académie Nationale de Droit et Sciences Sociales de Córdoba" en Droit Civil.
- Distinction Mérite Académique, Universidad Nacional Autónoma de Mexico
- Bénéficiaire du prix Ius Ambiens-Lumen Orbis, attribué par la Ligue Mondiale des Avocats de l'Environnement.
- Il a exercé une intense activité académique dans plusieurs cours de post-graduation à la Faculté de Droit de l'Université de Buenos Aires, il a été Directeur de Maîtrise en Droit des Dommages, et du Programme en Contrats d'Entreprise. Avant d'être choisi comme Juge de la Cour Suprême, il a enseigné des cours de Maîtrise dans les Universités suivantes: Université de Palerme, Universidad Austral (Buenos Aires), Católica (Buenos Aires), de Ciencias Empresariales y Sociales (Buenos Aires), Nacional del Litoral, (Santa Fé), Católica (Rosario), de Tucumán, de Mendoza.
- Au Brésil, il a donné des conférences aux Universités de San Pablo, Porto Alegre, Curitiba, Belho Horizonte, Rio de Janeiro, et il a publié trois livres traduits en portugais.
- Au Chili, il a donné des conférences aux Universités suivantes: Católica, Universidad de Chile, de los Andes, et il a été professeur de Maîtrise en Droit Privé, Universidad Católica de Valparaíso.
- Au Mexique, il a donné des conférences à l'Université Autónoma et il est en train de publier des ouvrages sur le Droit des Contrats et la Théorie de la Décision Judiciaire.
- Au Pérou, il a publié cinq livres et il a reçu de nombreuses distinctions:
 - Doctorat Honoris Causa, Universidad Nacional de Cajamarca, 25 août 2006.
 - Distinction Membre Académique, Academia Peruana de Derecho, Lima, 1^{er} décembre 2005.
 - Distinction Professeur Honoraire, Universidad Privada del Norte de Lima, Résolution N° 10-2004-UPN-SAC, 7 juin 2004.

- Distinction Honoris Causa, Universidad Privada de San Pedro de Trujillo, 22 août 2002.
- Distinction Professeur Honoraire, Faculté de Droit et de Sciences Politiques, Universidad Inca Garcilaso de la Vega, 28 novembre 2001.
- Honneur au Mérite pour sa présentation au Séminaire International Théorie Générale du Contrat, Universidad Nacional Mayor de San Marcos.
- Visiteur Illustre, Colegio de Abogados de Arequipa, 13 novembre 2000.
- Professeur Honoraire, Universidad Católica de Santa María, Arequipa, 16 novembre 2000.

- En Uruguay, il a donné de nombreuses conférences et il est Professeur honoraire de la Universidad de la República.

- Il a donné de nombreuses conférences dans les universités européennes de Salamanca et de Tor Vergata de Rome.

Livres:

- Teoría del Derecho Ambiental [Théorie du Droit de l'Environnement], Buenos Aires, La Ley, 2008. 291 p.

- Teoría de la decisión judicial Fundamentos de derecho [Théorie de la Décision Judiciaire. Fondements en droit], Buenos Aires, Rubinzal y Culzoni, 2005, 512 p.

- Tratado de los contratos-Parte general [Traité des Contrats. Partie Générale], Buenos Aires, Rubinzal y Culzoni, 2004, 800 p.

- Consumidores [Consommateurs], Santa Fé, Rubinzal y Culzoni, 2003, 568 p.

- Contratos Parte Especial [Contrats. Partie Spéciale], Santa Fé, Rubinzal y Culzoni, 2003.

- La emergencia económica y los contratos [La crise économique et les contrats], Santa Fé, Rubinzal y Culzoni, 2002, 399 p.

- Comercio electrónico [Commerce Electronique], Buenos Aires, Editorial Abeledo Perrot, 2001, 331 p.

- Tratado de los contratos, vols. I, II y III [Traité sur les contrats, vols. I, II & III, Santa Fé, Rubinzal y Culzoni, 2000.

- La empresa médica [L'entreprise médicale], Santa Fé, Rubinzal y Culzoni, 1998, 580 p.

- Responsabilidad civil del médico [Responsabilité Civile des Médecins], Santa Fé, Rubinzal, y Culzoni, 1997.

1998 - 2000	Dean of the College of Law, Korea University
1999 - 2000	Vice Chairman of Governing Council, UNIDROIT
1999 -	President, the Society for Research of Sea and Territory Affairs of North-East Asia, Korea
2000 -	Member of the Permanent Court Arbitration
2000 - 2001	President, the Korean Society of International Law
2000 -	President, the Korean Association of International Law, Korea

Professional Affiliations

President, Korean Association of International Economic Law

Languages

Korean (native), English, French, German (limited) and Latin

Publications

1. Books

- 1) Le Commandement des Nations Unies en Corée et ses Problèmes Juridiques, Seoul, 1980
- 2) Introduction to International Law (Korean), Seoul, 1981
- 3) Introduction to Law (Korean), Seoul, 1982
- 4) Practices of International Law (Korean), Seoul, 1984
- 5) Philosophy of Law (Korean), Seoul, 1984
- 6) Law of the Sea (Korean, with Prof. Park Choon-Ho), Seoul, 1986
- 7) Peace and Unification in Korea and International Law, Occasional Papers, University of Maryland Law School 1986
- 8) International Law I (Korean), Seoul, 1987
- 9) International Law II (Korean), Seoul, 1988
- 10) International Law (Korean), New Edition, Seoul, 1990
- 11) Northeast Asia and Law of the Sea (Korean), Seoul, 1991
- 12) International Environmental Law, Seoul, 1997
- 13) International Law I, II Second Edition (Korean), Seoul, 1998
- 14) International Law I, Third Edition (Korean), Seoul, 1999
- 15) International Law II, Third Edition (Korean), Seoul, 2000

2. Articles

- 1) "The Legal Problems of the UN Command in Korea and the Korean Armistice", Law and Administration Review, Volume 18, December 1980
- 2) "The Structure and the Competence of International Organization" Law and Administration Review, Volume 19, December 1981
- 3) "Barcelona Traction Case of the I.C.J.", Pan Rye Yun Gu, Volume 1, June 1982

- 4) "The Sunday Times Case", the European Court of Human Rights, Pan Rye Yun Gu, Volume 2, June 1983
- 5) "The Root of the Legal Positivism (Duns Scotus and William of Ockam), the Law Review, Korea University, Volume 20, December 20, December 1982
- 6) "The Legal Regime of the International Seabed Area and Its Prospect", Sung Gok Non Chong, Volume 14, 1983
- 7) "UN and World Peace: Crisis and Peace of the Modern World", Kyung-Hee University, Seoul, 1983
- 8) "International Regulation of the Pollution of the Sea", Law Review, Korea University, 1984
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- 16) "Legal Studies of the South-North Korean Basic Agreement", the Law Review, Korea University, Volume 27, April 1992
- 17) "The Development of South-North Korean Relation and the Subsequent Adaptation of Korean Armistice Agreement", the Law Review, Korea University, Volume 28, December 1992
- 18) "Current Situation of International Arbitration", the Changing World and International Law, Jubilee Publication in Commemoration of Professor KIM Jung-Gun on his 60th Birthday, August 1993
- 19) "Legal Problems on Detained Persons in North Korea and their Repatriation", Understanding North Korean Human Rights, 1995
- 20) "Legal Problems on the Korea - U.S. SOFA Agreement", Economic Justice, 1995
- 21) "1992 UNCED and International Environmental Law", 1995
- 22) "Judgment of the Korean Courts on the Hijacking of A Chinese Communist Civil Aircraft to Seoul", 1983-1984, Chinese Yearbook of International Law and Affairs, Col. 4, 1984
- 23) International Legal Problems of DOKDO, 1996.6
- 24) "The Legal Problems of the Repatriation of the Detainees in North Korea, Understanding Human rights in North Korea, Center for the Advancement of North Korean Human rights, 1997
- 25) "The Basic Assignment for Development of East Asia Community", the International Law and Business, Autumn 1999, 1999.

Feb 1996- Feb 2003	City University of Hong Kong Law School
July 1992- Dec 1995	Deakin University Law School
August 1991- June 1992	Queensland Electoral and Administrative Reform Commission

Publications:

Books :

1. *Butterworths Student Companion: International Commercial Law*, Sydney, Butterworths, 1995, 88 pages
2. *International Commercial Law*, Sydney, Butterworths, 1997, 736 pages
3. *Maritime Law of China*, in Chinese, Hong Kong, Joint Publishing Co Ltd, 1998
4. *Maritime Law of China*, in Chinese, Beijing, Law Press, 1999, Mainland Edition
5. *Shipping Law in China*, Sweet & Maxwell Asia, Hong Kong, 1999, 488 pages
6. *Chinese Law*, co-edited with Wang Guiguo, Kluwer Law International, London, 1999, 839 pages
7. *International Commercial Law*, 2nd edn, Sydney, Butterworths, January 2000, 754 pages
8. *Arbitration Law in China*, Hong Kong, Sweet & Maxwell Asia, 2001, 715 pages
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10. *Safeguard Measures*, in Chinese, Beijing, Beijing University Press, October 2005
11. co-editor, *WTO and Fair Trade: Contemporary Issues and China's Policy*, in Chinese, Beijing, People's Court Press, 2006
12. Editor-in-Chief, *International Law Review*, Vol 1, in Chinese, Beijing, Legal Publication Co Ltd, 2007
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- 1) "Chapter 8: Foreign Investment Law", in Chenguang Wang and Xianchu Chang eds, *Introduction to Chinese Law*, Hong Kong, Sweet & Maxwell, 1997, pp 275-304
- 2) "Chapter 11: Alternative Dispute Resolution", in Chenguang Wang and Xianchu Chang eds, *Introduction to Chinese Law*, Hong Kong, Sweet & Maxwell, 1997, pp 367-407

- 3) "Chapter 4: General Principles of Civil Law", in Wang Guiguo and John Mo, eds, *Chinese Law*, London, Kluwer Law International, 1999, pp 95-178
- 4) "Chapter 7: Law of Foreign Investment", in Wang Guiguo and John Mo, eds, *Chinese Law*, London, Kluwer Law International, 1999, pp 255-285
- 5) "Chapter 14: Law on Intellectual Property", in Wang Guiguo and John Mo, eds, *Chinese Law*, London, Kluwer Law International, 1999, pp 497-556
- 6) "Chapter 18: Maritime Law", in Wang Guiguo and John Mo, eds, *Chinese Law*, London, Kluwer Law International, 1999, pp 677-722
- 7) "Chapter 20: Non-Judicial Means of Dispute Resolution", in Wang Guiguo and John Mo, eds, *Chinese Law*, London, Kluwer Law International, 1999, pp 757-805
- 8) Chapter on "China", in *Arbitration Procedures in Asia*, loose-leaf service, published by Sweet & Maxwell, Hong Kong, June 2000, China 1 – China 204
- 9) "Free Trade Agreements and Options for Mainland China, Hong Kong, Macau and Taiwan Within WTO" in Wang Guiguo and David Smith eds, *WTO and China: The Road to Free Trade*, Beijing, Law Press, 2002, pp 182-206 "Chapter 2: Protection of Plant Varieties in Greater China" in Heath and Sanders eds, *Industrial Property in the Bio-Medical Age*, Lancaster, Kluwer, 2003 , pp 35-48.
- 10) "Chapter 2: Protection of Plant Varieties in Greater China" in Heath and Sanders eds, *Industrial Property in the Bio-Medical Age*, Lancaster, Kluwer, 2003 , pp 35-48.

Refereed Articles (excluding articles in Chinese):

- 1) "Some Aspects of the Australian-China Investment Protection Treaty" (1991) 25:3 *Journal of World Trade* pp 43 – 80
- 2) "Issues of Sovereign Immunity in the Australia-China Trades and Investment" (1992) 7 *Queensland University of Technology Law Journal* pp 57-73
- 3) "Foreign Investment Power and Control of Foreign Investment in Newspapers" (1992) 20:4 *Australian Business Law Review* pp 302 – 310
- 4) "Taxation Power and Invalidity of Certain Local Tax Concessions in China" (1992) 26 *International Lawyer* pp 933-942
- 5) "Freedom of Speech versus Administration of Justice-Balancing Public Interests in the Contempt of Court Cases in New South Wales" (1992) 9 *Australian Bar Review* pp 215-237
- 6) "'Breach of Confidence' in Section 45 of the FOI Act 1982 (Cth) and Clause 46 of the FOI Bill of Queensland" (1992) 4 *Bond Law Review* pp 145 – 167
- 7) "The End of the Road for Rolled-Up Plea in Queensland: What Does *Hill v Comben* Say?" (1992) 13:3 *Queensland Lawyer* 11-28 (Article on civil procedure)
- 8) "Physical Possession versus Constructive Delivery" (1993) 16 *New South Wales University Law Journal* pp 513 - 535 (Article on sale of goods)
- 9) "Presumed Power versus Presumed Right" (1994) 68 *Australian Law Journal* pp 51-64 (Article on administrative law)
- 10) "Goods, Consumers and Manufacturer's Liability under Pt V, Div 2A of TPA", (1994) 22 *Australian Business Law Review* pp 142 – 145

- 11) "The Duty to Obey versus an Inherent Sense of Justice" (1995) 69 *Australian Law Journal* pp 276-303 (Article on carriage of goods by sea)
- 12) "Australian Press Council: A Pioneer in Alternative Dispute Resolution", co-authored with Prof D. Flint, Chairman of the Australian Press Council, (1995) 2 *Australian Commercial Dispute Resolution Journal* pp 1 – 22
- 13) "China, the World Trade Organisation, and the Agreement on TRIMS" (1996) 30:5 *Journal of World Trade* pp 89-113
- 14) "Probing Chinese Mediation" (1997) Vol 8:1 *Australian Dispute Resolution Journal* pp 43-56
- 15) "Forwarder's Bill and Bills of Lading", (1997) Vol 5:2 *Asia Pacific Law Review*, pp 96-110
- 16) "Legal Effect of a Bill of Lading under the Maritime Law of the PRC" [1999] *The International Journal of Shipping Law* 224-234 (Part 3, September 1999)
- 17) "The Code of Contract Law of the People's Republic of China and the Vienna Sales Convention" Vol 15:1 (1999) *American University International Law Review* 209-270.
- 18) 'Dilemma of "Foreign Related Arbitration" in PRC' [1999] Part 4, *The Arbitration and Dispute Resolution Law Journal* 257-264
- 19) "Bill of Lading and Letter of Indemnity in the PRC" [1999] *The International Journal of International Shipping Law* 287-295 (Part 4, December 1999)
- 20) "Mystery of Market Access" Vol 3: No 2 (2000) *The Journal of World Intellectual Property* 225-247.
- 21) "Probing the Uniformity of the Arbitration System in the PRC", Vol 17:3 (2000) *The Journal of International Arbitration* 1-54
- 22) "Probing Labour Arbitration in the PRC" (2000) 17:5 *Journal of International Arbitration* pp 19-83
- 23) "Determining the Validity of Arbitration Agreements by Chinese Courts and Arbitration Commissions", Vol.11, No.4 (2000) *Australian Dispute Resolution Journal* pp 228-236.
- 24) "Development of Maritime Legislation and Cases in Hong Kong Since July 1997", Fasc. IV 2000 *Il Diritto Marittimo* pp 1543-1569.
- 25) "Reform of the Patent System of the PRC after WTO" Vol.4 No.1 (January 2001) *The Journal of World Intellectual Property* pp 33-89
- 26) "Legality of the Presumed Waiver in Arbitration Proceedings under Chinese Law", Vol.29, No.1 (January 2001) *International Business Lawyer* pp 21-26
- 27) "The Greater China Free Trade Zone within the WTO: A Solution to Ease Tension Across the Taiwan Strait", vol.2:1 (2001) *The Journal of World Investment* pp 87-121
- 28) "Protection of Plant Varieties in China", Vol.4 No.6 (2001) *The Journal of World Intellectual Property* pp 871-904
- 29) (Co-authored with Weidong Li), "Legal Education in the People's Republic of China", (2002) Vol 4, No.1 *Journal of History of International Law* pp 176-203
- 30) "Options to Combat Maritime Piracy in Southeast Asia", (2002) Vol.33 *Ocean Development & International Law* 343-358

- 31) "Development of Maritime Legislation and Cases in Hong Kong Since September 2000" (2003) *II Diritto Marittimo* 626-645.
- 32) "Settlement of Trade Disputes between Mainland China and the Separate Customs Territory of Taiwan within the WTO", 2003, Vol 2, no.1, *Chinese Journal of International Law*, pp 145-174
- 33) "Legislacion Y Jurisprudencia De Derecho Maritimo En Hong Kong Desde Septiembre De 2000", Anuario De Derecho Maritimo Vol XXII (2004) 377-39
- 34) "Reviewing the Development of Chinese Maritime Law since 2000", (2005) *II Diritto Marittimo* pp 1479-1504
- 35) "EL DESARROLLO DEL DERECHO MARITIMO CHINO A PARTIR DEL 2000" (2006) VOL XXIII ANUARIO DE DERECHO MARITIMO PP 281-310.
- 36) "A Critical Examination of Chinese Position in the Auto Part Dispute" (2006) Vol.13 *James Cook University Law Review* 167-186
- 37) "Security and Legal Implications of Sino-Korean FTA", Vol.1 No.2 Sept 2007, *Korean Journal of Security and Trade* pp 195-209 (ISSN 1976-0078)

Refereed Conference Proceedings:

- 1) "China, the WTO and the Agreement on TRIMS", Chai, Yuen and Tisdell, eds, *China and the Asian Pacific Economy*, Queensland, The University of Queensland, 1997, pp 411-428.
- 2) "The Carrier's Liability under the Law of Mainland China and Hong Kong", in Wei Zhengyi and Guang Guiguo eds, *A Comparative Study on the Law of Mainland China and of Hong Kong*, (in Chinese, Beijing, Beijing University Press, 1998) pp 116-129.
- 3) "Options to Combat Maritime Piracy in Southeast Asia", D M Johnston & A Sirivivatnanon, eds, *Ocean Governance and Sustainable Development in the Pacific Region*, (Selected Papers, Commentaries and Comments Presented to the SEAPOL Inter-Regional Conference held in Bangkok on March 21-23, 2001), Bangkok, SEAPOL, 2002, pp 402-414.

Articles and Book Reviews Published in Other Journals (including those published in Chinese):

More than 60 articles in both English and Chinese in various areas of legal studies, such as Australian law, Chinese law, public international law, private international law, international commercial law, WTO law, shipping law and comparative law, details omitted.

Newspaper Articles:

More than 60 newspaper articles, details omitted.

Languages: Chinese and English

Didier OPERTTI BADÁN

(Uruguay)

PERSONAL INFORMATION

Born on 23 April 1937 in Uruguay, married, four children.

Address: Joaquin Nuñez 2954, Montevideo, Uruguay

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PRINCIPAL ACADEMIC DEGREES

Lawyer and Doctor of Law and Social Sciences, graduated from the College of Law and Social Sciences of the University of the Republic, Montevideo, Uruguay, in 1960.

TEACHING ACTIVITIES

National Level

He began his teaching career in International Private Law in 1961, being accomplished in all its stages. In 1986, following a Merits Contest, he was nominated First Regular Professor of International Private Law (rank 5) and Chairman of the careers of Law and Notary and of the Bachelor's Degree Program in International Relations.

Between 1977 and 1979 and from 1985 to 1987 - by Merits - as First Regular Professor of Juridical Pedagogy of the University of the Republic.

Between 1984 and 1985, he worked as the Director of the Institute of Law and International Relations of the College of Law and Social Sciences.

In 1993 he was nominated first Professor of International Private Law of the College of Law and Social Sciences of the University of the Republic, being reconfirmed in this position for five years in 1999.

In 1994 he was nominated First Regular Professor, Chairman, of International Private Law of the Dámaso Antonio Larrañaga Catholic University (UCUDAL).

Between 2004 and 2007 he taught as visiting professor at the University of Montevideo and at the ORT, both private.

January and July 2008, Professor at the Master on Community Law for foreign students at the Universidad de la Empresa (UDE), Montevideo.

From 2008, Professor of Community Law and of Private International Law at the Universidad de la Empresa (UDE), Montevideo.

International Level

From 1975 to 1982, and in 1991 and 2002, Professor of International Private Law in the Annual Course on International Law, of the Inter-American Juridical Committee of O.A.S., (Río de Janeiro).

During the years 1979, 1980 and 1981, Director of the Annual Course on International Law of the Inter-American Juridical Committee.

Professor of the course on "L'Adoption Internationale", in the Academy of International Law in the Hague, in 1983.

Speaker, rapporteur and special guest in numerous academic meetings, seminars, round tables, etc., in Argentina; Belgium; Bolivia, Brazil; Canada; Costa Rica; Ecuador; Spain; United States; Guatemala; Mexico; Panama; Paraguay; Dominican Republic; Sweden and Venezuela.

Invited as Professor by different Universities in the Argentinean Republic, Brazil, Colombia, Chile, Costa Rica, Spain, Panama and Venezuela.

Activities within the Public Sector

From January to June 1973, Member of the Council of Secondary, Basic and Higher Education.

From 1985 to 1988, Director of the Juridical-Diplomatic Advisory of the Ministry of Foreign Affairs. In this sense, he was in charge of multiple international missions. Among others, as Secretary of the Uruguayan-Argentinean Bi-national Commission of the Buenos Aires-Colonia Bridge. During this period, he chaired the Uruguayan Delegation in the Uruguayan-Argentinean Juridical Cooperation Bi-national Commission. He was member of the Uruguayan Delegation in the Rio de la Plata Administrative Commission, and chairman in 1987.

From 1988 to 1992, he was Delegate for Uruguay in the Inter-American Convention on Drug Abuse Control (CICAD).

In December of 1994 he was nominated Personal Representative of President-elect Dr. Julio Maria Sanguinetti, in the summit of American Presidents held in Miami and in that capacity he attended the signing of the Ouro Preto Protocol in Brazil (1994). In both cases, he accompanied the President of the Republic, Dr. Luis Alberto Lacalle.

On 1st March 1995 he was nominated Minister of Home Affairs by the President of the Republic, Dr. Julio Maria Sanguinetti, being in this position until February 1998 when he was nominated Minister of Foreign Affairs (1998-2000).

As Minister of Home Affairs, he headed the delegation of Uruguay to the meetings of the General Assembly of Interpol, held in Beijing, China in 1995 and in New Delhi, India in 1997. In 1996, as a Uruguayan delegate, he attended the Specialized Conference of the Organization of American States on Corruption held in Caracas, Venezuela.

In March 2000 he was reconfirmed as Minister of Foreign Affairs by the President of the Republic, Dr. Jorge Batlle Ibañez, being in this position up to February 2005.

Private Activity at National Level

He practiced his profession from 1960 to 1979, from 1982 to 1987 and from 1993 to 1995 at the level of civil and commercial advising. As a specialist in International Private Law, he worked as a consultant for various national as well as international law firms and auditorships. Partner at "International Consultancy Opertti – Fresnedo & Associates" (Profs. Drs. Didier Opertti Badán y Cecilia Fresnedo de Aguirre)

International Activity

He acted as delegate in CIDIP 1 (1975), II (1979), III (1984) and V (1994) and chaired CIDIP IV (1989) and VI (2002).

Between 1979 and 1981, Director of the Office of Codification and Development of International Law of the Organization of American States (O.A.S), in Washington, D.C.

In 1986, at the request of the Legislative Assembly of Quebec, he assisted in the discussion and in the analysis of Canada's Law Reform on the Adoption of Foreign Children (Law N° 21).

Between 1988 and 1993, he was the Uruguayan Permanent Ambassador to the O.A.S., (Washington, D.C.). In this capacity he was: President of the Commission of Juridical and Political Matters of the Permanent Council (1989), President of the Permanent Council of the Organization (1990), President of the Executive Commission of the Inter-American Council on Education, Science and Culture - CIECC - (1990), President of the Permanent Council's Special Working Group on Integration and Regional Juridical Development (1991-1993), President of the Permanent Council Ad-hoc Group regarding CIDIP IV (1989) and alternate President of the same group regarding CIDIP V (1993). Speaker on: "Inter-American Defense Board - O.A.S. Relations", within the frame of the Permanent Council's Group on Hemispheric Security. He had an active participation as rapporteur of the Resolution 1080 which approved the Managua and Washington Protocols.

In 1995 he was nominated Member of the National Uruguayan Group of the Permanent Court of Arbitration.

Since 1997 he has been member of the United Nations Commission on International Law.

From September 1998 to September 1999, being unanimously elected, he acted as President of the 53rd Period of the United Nations General Assembly Session, representing the Latin American and the Caribbean Group.

He participated in the Extraordinary Session of the O.A.S. General Assembly held on 10 September 2001 in Lima, Peru, having an outstanding and active participation in the creation of the Inter-American Democratic Chart.

In the name of the ALADI group, he participated in the O.A.S. Permanent Council Special Session, devoted to Commemorate the 1st anniversary of the Inter-American Democratic Chart, held in Washington, September 2002 .

He had an active participation, together with the O.A.S., in the organization of the Seminar "The Democratic Culture - contribution of the Inter-American Democratic Chart", held on 26 and 27 November 2002.

March 2005-March 2008: Secretary General at the Latin-American Integration Association (ALADI), elected October 18, 2004, at the XIII Council of Ministers.

Activity as International Expert

Organization of American States

From 1976 to 2002, he carried out research and prepared numerous studies and projects on all subjects discussed in the Inter-American Specialized Conference on International Law (CIDIP).

From 1982 to 1994, he provided advice, as special Counselor, to the Inter-American Children's Institute (IIN), regarding both, children and family, International private law aspects.

Participation in The Hague Conference on International Private Law

In 1985, worked as a delegate for Uruguay in the Diplomatic Conference, in which The Hague convention on the Law Applicable to Contracts concerning the International Sale of Goods was approved.

Likewise, he was the expert Delegate for Uruguay to The Hague Commission responsible for preparing a Convention on the Protection of Children and regarding International Cooperation on matters of International Adoption (1990 to 1992).

Delegate for Uruguay in the Special Commission on General Matters and Conference's Politics where he was elected Vice-president.

United Nations

In 1998 he acted as Special Delegate (Expert), in the United Nations Commission on International Trade Law (UNCITRAL) Working Group responsible for the drafting of the Convention regarding International Bills of Exchange and Promissory Notes, which was signed in New York.

In 1990 he participated as delegate for Uruguay in the meetings of UNCITRAL.

UNIDROIT (International Institute for the Unification of Private Law)

In 1987, he was Delegate for Uruguay in the Third Congress on Uniform Law, organized by UNIDROIT in Rome. Reports on this meeting were published.

Correspondent of UNIDROIT in Uruguay.

BID / INTAL

From September 1993 to December 1994, held the position of Special Counsellor regarding institutional topics of MERCOSUR.

PRINCIPAL PUBLICATIONS

1972 - Estudio sobre Transporte Internacional Terrestre de Mercaderías, Revista Uruguaya de Derecho Internacional, N° I.

1975 - "El transporte internacional terrestre y la compraventa internacional de bienes muebles", Revista del Colegio de Abogados del Uruguay, tomo N° 3-4.

1975 - Publicación con los Dres. Manuel A. Vieira y Edison González Lapeyre sobre la CIDIP I, editada por la Fundación de Cultura Universitaria.

1976 - "La Contratación en obras públicas internacionales", en Cuestiones jurídicas relativas a las Obras Hidroeléctricas de Salto Grande, Universidad de la República, Montevideo.

1976 - Exhortos y Embargo de bienes extranjeros (Medios de Cooperación Judicial Internacional), Ed. Amalio Fernández (Tesis).

1980 - "Regulación jurídica internacional de los complejos de obras publicas bi-nacionales", Instituto de Estudios Internacionales de la Universidad de Chile.

1982 - "El transporte terrestre internacional de mercadería por carretera", Anuario Jurídico Interamericano, 1982, OEA (colaboró el Dr. Eduardo Tellechea Bergman).

1982 - "La adopción internacional en el Derecho Internacional Privado", Boletín de Instituto Interamericano del Niño (Tomo LVI).

1983 - "L'Adoption Internationale", Recueil de Cours, Académie de Droit International de La Haye, tome 180.

1986 - Estudio sobre la Convención de La Paz sobre conflicto de Leyes en materia de Adopción de Menores, Instituto Interamericano del Niño, 1986.

1987 - Las reformas a la Carta de la OEA en el Protocolo de Cartagena de Indias (II), Revista de la Facultad de Derecho y Ciencias Sociales de Montevideo, Cuadernos N° 5.

1989 - Convención Americana de Derechos Humanos - Relaciones principales de la Convención con el Derecho Interno, Cuadernos de la Facultad de Derecho y Ciencias Sociales, No°9.

1989 - "La Adopción internacional y la Convención de las Naciones Unidas sobre los Derechos del Niño", Conferencia dictada en Madrid, en el Seminario organizado por el Ministerio de Asuntos Sociales de España y la Fundación de Estudios para la Paz (FERPI), Revista de Familia, N°6.

1990 - "Transitions to Democracy and the rule of Law", Seminario organizado por el Centro de Derechos Humanos y Derecho Humanitario de la American University, Journal of International Law and Policy, N°4.

1990 - "Desarrollo Jurídico e Integración" Ponencia presentada en el XIV Seminario de Derecho Internacional Privado, organizado por la Academia Mexicana de Derecho Internacional Privado, en Chilipancingo, México, Revista de la Facultad de Derecho de Montevideo, N° 1.

1992 - "Peligroso apartamiento del Derecho Internacional", comentario sobre el caso Alvarez Machain, (Sentencia de la Suprema Corte de los Estados Unidos), Revista Diplomática en Acción, Ministerio de Relaciones de Uruguay.

1992 - "La Contaminación Transfronteriza en el Derecho Internacional Privado", en la obra colectiva "Medio Ambiente y Desarrollo", editado por el Ministerio de Relaciones Exteriores de Uruguay, con motivo de la Conferencia de Estocolma de 1992.

1992 - "Juridical Mutual Cooperation in Criminal Matters - The Latest Trends in the Interamerican System and the Treaties Between the United States and Latin American Countries", Netherlands International Law Review, vol. XXXIX.

1993 - "La justicia ante la Internacionalización del Derecho", Publicación del BID, Seminario "La Justicia en Latinoamérica y el Caribe en la década de los noventa. Desafíos y Oportunidades", San José de Costa Rica.

1993 - Documento preparado por el Instituto Interamericano del Niño para la Reunión de Expertos de Oaxtepec, Morelos, México (octubre de 1993) incluye un papel de trabajo del Profesor Operti sobre aspectos Civiles y Penales del Trafico de Menores.

1994 - "La Quinta Conferencia Especializada Interamericana de Derecho Internacional Privado (CIDIP V) - Una Visión en Perspectiva -, Revista Uruguaya de Derecho Internacional, Año 1, N° 1.

1995 - "Solución de controversias en el Mercosur: aspectos de derecho internacional privado", en "El Mercosur después de Ouro Preto; aspectos jurídicos", Revista uruguaya de Derecho Constitucional y Político, UCUDAL.

1995 - "El Mercosur después de Ouro Preto. La nueva estructura institucional del Mercosur", Cuaderno de negocios internacionales e integración, Vol. 1 N° I.

1995 - "Ouro Preto: un Mercosur hasta el 2006", Zona de Integración, año 1, N° 4.

1995 - "Solución de Controversias en el MERCOSUR". Fundación Nueva Justicia, Buenos Aires.

1995 - "La estrategia de reforma judicial en el marco de la integración regional: desafíos y perspectivas" II Conferencia sobre Justicia y Desarrollo en América Latina y el Caribe, BID.

1995 - "Compatibilidad a integración de la codificación regional interamericana con los ámbitos de producción jurídica universal y subregional. Balance de los primeros veinte años de la CIDIP", VI Jornadas de profesores de Derecho Internacional Privado. Segovia, España.

1995 - "El Derecho Internacional Privado en el umbral del siglo XXI", Instituto Ramón Carande, Universidad Complutense de Madrid.

1995 - "El MERCOSUR, aspectos institucionales desde Asunción a Ouro Preto". Exposición en el Aula Magna de la Universidad de Salamanca.

1996 - "La cooperación judicial en el derecho privado." Conferencia y Mesa Redonda en el XXIII Curso anual de Derecho Internacional organizado por el Comité Jurídico Interamericano (OEA), Washington.

1996 - "Renovados Desafíos Jurídico-Institucionales de los Procesos de Integración", Seminario de la Asociación Latinoamericana de Integración (ALADI).

1996 - "L'oeuvre de la CIDIP dans le contexte du droit international privé actuel", Liber Amicorum Georges A.L. Droz, sur L'Unification Progressive du Droit International Privé, Ed. Martinus Nijhoff Publishers.

1997 - "Ajustes necesarios a la normativa interna para la adecuación a la integración", IV Encuentro Internacional de Derecho de América del Sur.

1997 - "Unión Europea y Mercosur: El papel de los órganos Jurisdiccionales en los procesos de Integración, organizado por la Corte Suprema de Justicia de Paraguay y Embajada de España. Asunción del Paraguay.

1997 - "Los particulares en el Mercosur", Exposición realizada en la reunión "Previsibilidad y Seguridad Jurídica en el Comercio y las Inversiones Internacionales: "Experiencias de la Organización Mundial del Comercio, la Unión Europea, el Nafta y el Mercosur" - Consejo Argentino para las Relaciones Internacionales - INTAL - BID.

1997 - "Respuesta del Gobierno de Uruguay al informe de la Comisión Interamericana de Derechos Humanos en el Denominado caso Uruguay", Liber Amicorum Hector Gros Espiell, con la coautoría del Dr. Jorge Tálice. Etablissements Emile Bruylant, S.A.

1998 - "La cooperación jurídica interamericana", Conferencia dictada en Burgos, España.

1999 - "Política exterior del Uruguay"; febrero de 1998 - setiembre de 1999, extractos de discursos y escritos del Señor Ministro de Relaciones Exteriores. Instituto Artigas del Servicio Exterior, Montevideo.

2000 - "La Cumbre del Milenio; ¿Hacia dónde van las Naciones Unidas?", Ciclo de mesas redondas. Ciudad de México.

2000 - "Reforma del Consejo de Seguridad de las Naciones Unidas", Revista de Derecho, N° 1, UCUDAL.

2000 - "El Derecho Internacional: Una Agenda Renovada" publicada en 2000. Jornada de Derecho Internacional auspiciada por la Organización de Estados Americanos.

2002 - "Uruguay: inserción en un mundo globalizado", Participo como expositor invitado por el Centro de Estudios Estratégicos 1815 del Uruguay.

2002 - "Protocolo de Olivos y Solución de controversias en el Mercosur", Conferencia dictada en el Colegio de Abogados del Uruguay.

2002 - "La política exterior de Uruguay", Conferencia dictada en el Instituto "Matías Romero" (Ciudad de México), Revista Mexicana de Política Exterior N° 67-68 (2003).

2002 - "Aspectos Jurídicos del Mercosur", Conferencia dictada en Río de Janeiro por invitación del Departamento de Derecho Internacional de la Organización de Estados Americanos (en prensa).

2002 - "Nueva Visión del Mercosur", Conferencia académica dictada en la Universidad de Quebec (Montreal) Canadá.

2002 - "Cooperación internacional: Un concepto de dimensión política", Capítulo SELA No. 64.

2002 - Conferencia en la Universidad Estacio de Sá.

2002 – CIDIP VI "Responsabilidad Civil por contaminación transfronteriza: las bases de una futura regulación" with the collaboration of Dra. Berta Feder; Tribuna del Abogado, Publication of the Uruguayan Bar Association, N° 127.

2002 - Colloquium "Uruguay, opciones para su inserción en un mundo global. Aspectos productivos, comerciales y financieros", August 6.

2002 – Conference at the University of Québec, in Montreal – Canada: “Nueva visión del MERCOSUR”.

2002 – Closing lecture at the Seminar “Es posible controlar el contrabando en Uruguay”, organized by Foundation PAX, SGS (Société Générale de Surveillance), November 11.

2002 – Opening lecture at the Seminar “La integración hemisférica y los acuerdos regionales: logros, obstáculos y desafíos”, organized by CERES, BID y LACEA (Latin American Caribbean Economic Association), December 19.

2002 – Publication: “Cooperación internacional: Un concepto de dimensión política”, Capítulo Sela N° 64 January- April 2002 pp. 9-13.

2002 – Avances del Derecho Internacional Privado en América Latina – Liber Amicorum Jürgen Samtleben; title: “Sistema de Solución de Controversias en el MERCOSUR”.

2002 - Grupo de Reflexao Prospectiva sobre o MERCOSUL. “Reflexiones sobre el MERCOSUR” - Ed. Colecao Países e Regioes - pp. 13- 26

2003 - “La jurisdicción exclusiva en el Derecho Internacional Privado Uruguayo”. Revista de Derecho Procesal.

2003 - “Jornada académica sobre el Protocolo de Olivos para la solución de controversias en el MERCOSUR” Montevideo ALADI.

2003 - “Hoja de ruta de la política exterior uruguaya”. Diplomacia vol.1, num.2.

2003 – Jornadas de Derecho Internacional Privado, Córdoba, Rpca. Argentina (en prensa).

2004 - “Los últimos desarrollos institucionales del MERCOSUR”. Revista del Colegio de Abogados N° 139.

2004 - “Política Exterior del Uruguay”, Revista Diplomacia, Estrategia & Política, Número 1, oct/dic 2004. Revista del Ministerio de Relaciones Exteriores de Brasil.

2004 – Conference at the Uruguayan Bar Association on “El Derecho Internacional ante el desafío de la globalización”.

2005 - Revista Uruguay de Derecho Internacional Privado No. 5; title: “El Derecho Internacional Privado en Tiempos de Globalización”.

2005 – Lecture at the General Secretariat of ALADI: “Patria Grande 10, Órgano Oficial del Parlamento Latino-Americano”.

2005 – Publication of the University of Salamanca in “Diario Cumbre”, in the opportunity of the XV Cumbre Iberoamericana de Salamanca – “Un nuevo destino para la Asociación Latinoamericana de Integración (ALADI)”, (October 10 and 11, Salamanca –Spain).

2006-2008: Several conferences on matters related to the ALADI, to globalization and integration, in national and international seminars, meetings and universities which took place in Uruguay, Argentina, Paraguay, Chile, Korea, Cuba, Colombia, Suiza (at UNCTAD), Brasil.

2007 – Conference on “Proceso y método de formulación de reglas internacionales” (Key words), at the Congress organized by UNCITRAL celebrating the 40^o period of annual sessions (Austria, Vienna).

2008 – Liber Amicorum Prof. Gualberto Lucas Sosa, Derecho Procesal Internacional, “Algunas reflexiones sobre jurisdicción internacional y jurisdicción exclusiva” (sent July 2008).

2008 – “Globalization and Latin American Evolution on Private International Law. The Last Trends in the Uruguayan System of Private International Law”, Yearbook of Private International Law, 2008, co-author Prof. Cecilia Fresnedo de Aguirre (in working process).

Academic Entailment

Founding and Directing Member of the International Law Association of Uruguay, branch of the International Law Association.

Member of the Luso-Hispano-American International Law Institute (IHLADI).

Member of the International Law Association of Argentina.

Member of the International and Comparative Law Academy of Brazil.

Member and Director of the Uruguayan Comparative Law Institute.

Member of the Lawyers' Association of Uruguay, he has formed part of its directorate as a Board Director and Provisional President.

Active Member of the Inter-American Lawyers' Federation .

Honorary founder member of the American Association of Private International Law (ASADIP), www.asadip.org

Kathryn SABO

(Canada)

**Director and General Counsel
International Private Law Section
Department of Justice Canada
284 Wellington St.
Ottawa, Ontario
Canada K1A 0H8
Telephone: 613 957-4967
E-mail: kathryn.sabo@justice.gc.ca**

Personal Data

Date of birth - September 11, 1958
Place of birth - Regina, Saskatchewan

Education

1988 Bachelor of Common Law (LL.B.) and Bachelor of Civil Law (B.C.L.), McGill University, Montreal, Quebec, Canada
1982 B.A. Etudes françaises et anglaises, Université de Sherbrooke, Sherbrooke, Quebec, Canada

Professional Affiliations

Since 1989 Member of the Bar of Québec
1991-93 Member of the Law Society of Upper Canada

Professional Experience

Current Position

Since 2000 Director and General Counsel, International Private Law Section, Department of Justice Canada, Ottawa, Ontario, Canada

Previous Departmental Positions

1999-2000 Senior Counsel, Private International Law Team, Public Law Policy Section, Policy Sector, Department of Justice Canada
1996-99 Counsel, Public Law Policy Section, Policy Sector, Department of Justice Canada, Substantive responsibilities in private international law
1992-96 Counsel, Constitutional and International Law Section, Department of Justice Canada, Substantive responsibilities in constitutional, public and private international law

Private Sector

1991-92 Associate lawyer, Beament Green, Barristers & Solicitors, Ottawa, Ontario, Canada

International Activities

Since 1992 Head of the Canadian delegation to UNCITRAL on a number of projects including:

- Procurement of services
- UNCITRAL Model Law on Cross-border Insolvency
- UN Convention on the Assignment of Receivables in International Trade
- Legislative Guide on Secured Transactions
- Security interests in intellectual property

Since 1999 Head legal and policy advisor responsible for Canada's participation at:

- UNIDROIT
- Hague Conference on Private International Law
- United Nations Commission on International Trade Law (UNCITRAL)
- Inter-American Specialized Conferences on Private International Law (CIDIP) of the Organization of American States

Since 2002 Chair of UNCITRAL's Working Group VI on Security Interests

Since 2006 Head of the Canadian delegation to the UNIDROIT project to develop a Convention on Harmonised Substantive Rules regarding Intermediated Securities

1999-2005 Head of the Canadian delegation to the Hague Conference on international jurisdiction and the effects of foreign judgments in civil and commercial matters

1995-97 Chair of UNCITRAL's Working Group on Insolvency Law

Other Legal Harmonization Activities

Since 2000 Chair of Department of Justice of Canada's intergovernmental Advisory Group on Private International Law

Since 2001 Head of federal delegation to the Civil Section of the Uniform Law Conference of Canada

2007-08 President of the Uniform Law Conference of Canada

2006-07 Vice-President of the Uniform Law Conference of Canada

2005-07 Co-chair of joint project (Uniform Law Conference of Canada - National Conference of Commissioners on Uniform State Laws-Mexican Centre of Uniform Law) to implement the UN Convention on the Assignment of Receivables in International Trade

2005-07 Chair of Uniform Law Conference of Canada Working Group on Uniform Assignment of Receivables in International Trade Act

1999-2003 Chair of Uniform Law Conference of Canada Working Group on Uniform Enforcement of Foreign Judgments Act

Recent Conferences and Lectures

- 2007 *"Coordination of domestic positions in international forums"*, UNCITRAL Congress on Modern Law for Global Commerce, Vienna
"When Canada Leads the Way in Implementing Private International Law", Canadian Council on International Law Annual Conference, Toronto
"The Hague Choice of Court Convention and Recognition and Enforcement of Foreign Judgments in Canada", Ontario Bar Association International Law Section, Toronto
"New International Commercial Instruments", Canadian Bar Association Quebec
- 2006 *"Foreign Judgments: Finding the Way Forward"*, International Law Association 72nd Biennial Conference, Toronto
"Demystifying International Private Law Instruments", Continuing Legal Education Society of British Columbia, Vancouver
- 2004 *"Registration of Security: There Is More than the PPSA Financing Statement - the UNIDROIT Mobile Equipment Convention and the UN Assignment of Receivables Convention"*, Ontario Bar Association, Toronto
"Recognition and Enforcement of Foreign Judgments in Canada: the SCC Decision in Beals, the UEFJA and the Hague Judgments Project", Osgoode Hall Law School, Toronto
"Because That's Where the Money Is - Recognition and Enforcement of Foreign Money Judgments", American Bar Association, Section of International Law and Practice Fall Meeting, Houston

Other Qualifications

Extensive bilingual expertise (harmonisation of the civil law and common law)
Knowledge of practices and procedures at UNIDROIT and other international organizations
Knowledge of international legal issues in the area of private law
First language English, fluent in French, basic knowledge of German and Spanish
Experience in budgetary preparation and monitoring in the public sector
Extensive experience in international negotiation

Kathryn SABO

(Canada)

Directrice et avocate générale
Section du droit privé international
Ministère de la Justice du Canada
284, rue Wellington Ottawa (Ontario)
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Renseignements personnels

Date de naissance	11 septembre 1958
Lieu de naissance	Regina (Saskatchewan)

Études

1988	Baccalauréat en common law (LL.B.) et baccalauréat en droit civil (B.C.L.), Université McGill, Montréal (Québec), Canada.
1982	Baccalauréat Études françaises et anglaises, Université de Sherbrooke, Sherbrooke (Québec), Canada.

Affiliations professionnelles

Depuis 1989	Membre du Barreau du Québec
1991-1993	Membre du Barreau du Haut-Canada

Expérience professionnelle

Poste actuel

Depuis 2000	Directrice et avocate générale, Section du droit privé international, ministère de la Justice du Canada, Ottawa (Ontario), Canada
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Postes antérieurs occupés au Ministère

1999-2000	Avocate-conseil, Équipe du droit international privé, Section des politiques de droit public, Secteur des politiques, ministère de la Justice du Canada
1996-1999	Avocate, Section des politiques de droit public, Secteur des politiques, ministère de la Justice du Canada Responsabilités importantes en droit international privé
1992-1996	Avocate, Section du droit constitutionnel et du droit international, ministère de la Justice du Canada Responsabilités importantes en droit constitutionnel, en droit international public et en droit international privé

Secteur privé

1991-1992	Avocate associée, Beament Green, Barristers & Solicitors, Ottawa (Ontario), Canada
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Activités internationales

- Depuis 1992 Chef de la délégation canadienne à la CNUDCI pour un certain nombre de projets, notamment
- Passation de marchés de services
 - Loi type de la CNUDCI sur l'insolvabilité internationale
 - Convention des Nations Unies sur la cession de créances dans le commerce international
 - Guide législatif sur les opérations garanties
 - Sûretés grevant la propriété intellectuelle
- Depuis 1999 Conseillère principale en matière de droit et de politiques, responsable de la participation du Canada
- à UNIDROIT
 - à la Conférence de La Haye de droit international privé
 - à la Commission des Nations Unies pour le droit commercial international (CNUDCI)
 - aux Conférences spécialisées interaméricaines de droit international privé (CIDIP) de l'Organisation des États américains
- Depuis 2002 Présidente du Groupe de travail VI sur le droit des sûretés de la CNUDCI
- Depuis 2006 Chef de la délégation canadienne pour le projet de Convention d'UNIDROIT sur l'harmonisation des règles de droit matériel applicables aux titres intermédiés
- 1999-2005 Chef de la délégation canadienne à la Conférence de La Haye sur la compétence internationale des tribunaux et les effets des jugements étrangers en matière civile et commerciale
- 1995-1997 Présidente du Groupe de travail sur le droit de l'insolvabilité de la CNUDCI.

Autres activités en matière d'harmonisation juridique

- Depuis 2000 Présidente du Groupe consultatif intergouvernemental sur le droit international privé du ministère de la Justice du Canada
- Depuis 2001 Chef de la délégation fédérale à la Section civile de la Conférence pour l'harmonisation des lois au Canada
- 2007-2008 Présidente de la Conférence pour l'harmonisation des lois au Canada
- 2006-2007 Vice-présidente de la Conférence pour l'harmonisation des lois au Canada
- 2005-2007 Coprésidente d'un projet conjoint (Conférence pour l'harmonisation des lois au Canada / National Conference of Commissioners on Uniform State Laws / Centre mexicain du droit uniforme) qui vise la mise en œuvre de la Convention des Nations Unies sur la cession de créances dans le commerce international
- 2005-07 Présidente du Groupe de travail de la Conférence pour l'harmonisation des lois au Canada sur la *Loi uniforme sur la cession de créances dans le commerce international*

1999-2003 Présidente du Groupe de travail de la Conférence pour l'harmonisation des lois au Canada sur la *Loi uniforme sur l'exécution des jugements étrangers*

Conférences et exposés récents

- 2007 « *Coordination des positions nationales dans les instances internationales* », CNUDCI, Congrès intitulé : Un droit moderne pour le commerce mondial, Vienne.
"Lorsque le Canada trace la voie dans la mise en oeuvre du droit international privé", conférence annuelle du Conseil canadien de droit international, Toronto.
"The Hague Choice of Court Convention and Recognition and Enforcement of Foreign Judgments in Canada", Association du Barreau de l'Ontario, Section du droit international, Toronto.
"Nouveaux instruments en droit commercial international", Association du Barreau canadien, Québec.
- 2006 "Jugements étrangers : une voie vers de nouvelles résolutions", 72^e Conférence biennale de l'Association du droit international, Toronto.
"Demystifying International Private Law Instruments", Continuing Legal Education Society of British Columbia, Vancouver.
- 2004 "Registration of Security: There Is More than the PPSA Financing Statement - the UNIDROIT Mobile Equipment Convention and the UNAssignment of Receivables Convention", Association du Barreau de l'Ontario, Toronto.
"Recognition and Enforcement of Foreign Judgments in Canada: the SCC Decision in Beals, the UEFJA and the Hague Judgments Project", Osgoode Hall Law School, Toronto.
"Because That's Where the Money Is - Recognition and Enforcement of Foreign Money Judgments", American Bar Association, Section of International Law and Practice Fall Meeting, Houston

Autres qualifications

Vaste compétence bijuridique (harmonisation du droit civil et de la common law).
Connaissance des pratiques et des procédures d'UNIDROIT et des autres organisations internationales.

Connaissance des questions juridiques internationales dans le domaine du droit privé.
Connaissance approfondie de l'anglais et du français; connaissance de base de l'allemand et de l'espagnol.

Expérience de la préparation et de la supervision budgétaire dans le secteur public. Vaste expérience des négociations internationales.

Jorge A. SÁNCHEZ CORDERO DÁVILA

(Mexico)

Arquimedes 36, Colonia Polanco

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I. Personal information

- Date of birth: July 23rd, 1949
- Place of birth: México City, México

II. Academic background

- Ph. D. studies: University of Law, Economics and Social Sciences of Paris (Université Panthéon-Assas Paris II), sponsored by the French Government. The dissertation took place 29th January 2003. Graduated.
- "Très honorables avec félicitations du jury" Thesis advisors Mme Camille Jauffret-Spinosi and Mr. Michel Grimaldi. Title of the thesis "The Mexican Pre-Columbian Cultural Objects. Their legal protection".
- BA studies: Law School National University of Mexico (Universidad Nacional Autónoma de México-UNAM) 1969-1975. Graduated Summa Cum Laude.
- Grantee of academic training program of the National University of Mexico (UNAM) Law School., 1969-1975.
- Grantee of the Institute of Legal Research of the National University of Mexico (UNAM), to pursue BA thesis "*Objective Responsibility*". Thesis advisor Professor Manuel Borja Martínez.
- Elementary and high school studies, German School "*Alexander von Humboldt*", A. C. 1954-1968. Obtained the official High School Diploma (Deutsches Abitur) certified by the Department of Public Education of Germany.

III. Awards

- Best Student Award, Law School, National University of Mexico (UNAM), 1969-1975 generation.
- "*Gabino Barreda*" Medal awarded by the board of governors of the National University of Mexico (UNAM) as the best undergraduate, class of 1969.
- "*Henri Capitant*" Medal awarded by the University of Law Economics and Social Sciences of Paris (Université of Paris II).

IV. Professional experience

- Notary Public Number 153. Obtained license on July 28th, 1980.
- Representative Arbitrator of Mexico in the North American Free Trade Agreement (Chapter XIX) and arbitrator in ICC Chapter Mexico.

- Current member of the Academic Commission of the Legal Consulting Service of the Mexican Ministry of Foreign Affairs.
- Current member of the International Union of Attorneys. (Union Internationale des Avocats). Vice President of the Cultural Objects Chapter.
- Current member of the Mexican Law Bar.
- Current member of the Notary Public Association of Mexico City.
- Current member of the International Bar Association .
- Former Judge of the Federal Electoral Court in Mexico.
- Law Professor in the "Technological Institute of Mexico".
- Prosecuting Attorney certified by the Mexican Department of Public Education since 1974.
- Advisor of the Attorney General of the National University of Mexico (UNAM).
- 15 years of professional services rendered at the Notary Public Number 15.
- Fellow researcher at the Institute of Law Studies of the National University of Mexico (UNAM).
- Director of the Uniform Law-Center Mexico
- Member of the American Law Institute.
- Member of the International Academy of Comparative Law.
- Member of the International Law Association.

V. Publications

- Published essays:
 - "Introduction to Civil Law"*
 - "The notion of Representation"*
- Editor of various books:
 - "Fiftieth Anniversary of the Civil Code"* (two volumes)
 - "Abortion: An Interdisciplinary Study"*.
 - "75 years of Legal Evolution in the World"*.
 - "Legal Protection of the Weak in Consumption Matters"*.
- Co-author of the book "Units of Investment and the Mexican Legal System"
- Published translations in the Mexican Bulletin of Comparative Law, of specialized articles from English, French and German into Spanish.
- Various articles published in Mexican and foreign magazines.
- Author of several books, among others " *Les biens culturels précolombiens. Leur protection juridique*". (Pre-Columbian Cultural Objects: Their legal Protection). Currently in print in Paris. (The translation into Spanish is in process).

VI. Conferences

- Organizer of various domestic and international academic events, such as:
 - "Fiftieth Anniversary of the Civil Code"*
 - "Abortion in Mexico."*
 - "Legal Protection of the Weak in Consumption Matters."*
 - "The Right to Housing"* (in conjunction with the "Henri Capitant" French International Association.).
 - "The Minorities"* (in conjunction with the "Henri Capitant" French International Association).
 - "Rules and Principles of Transnational Civil Procedure (In conjunction with the American Law Institute)*
 - "The International Commercial contracts for the Americas. A Utopia?, (In conjunction with the American Law Institute)*

- Speaker for Latin America in the meeting organized by the International Association of Legal Science at the University of California, Berkeley.
- Special guest at the fiftieth anniversary of the "Max Planck Institute for Foreign and Private International Private Law" based in Hamburg, Germany.
- Special guest at the meeting "75 years of legal Evolution in the word" organized by the institute of law Studies of the National University of Mexico (UNAM).
- Frequent speaker in conferences sponsored by the "Henri Capitant" international French association.
- Frequent participant in meeting of the International Union of Lawyers (Union International des Avocats), the International Bar Association, the American Law Institute, the Association Henri Capitant and the International Law Association.

VII. Parliamentary activities

- Secretary of the Advisory Committee of the "L" legislature of the Mexican Congress in the reform of the Civil Code of Mexico City.
- Advisor to the court of Justice of the Federal State of Coahuila in the Reform of the Civil Code of that State.

VIII. International activities

- Member of the board of governors of the International Institute for the Unification of Private Law (UNIDROIT) based in Rome, Italy.
- Representative of the Mexican Government in the Diplomatic Conference held in Luxembourg, in February 2007 which approved the Railroad Protocol.
- Representative of the Mexican Government in the Diplomatic Conference held in South Africa, in 2001, which approved the Cape Town Convention and its Aircraft Protocol.
- Representative of the Mexican Government in the Committee of International Experts which developed the initial project of the "International Convention on Stolen or Illegally Exported Cultural Objects".
- Representative of the Mexican Government in the Diplomatic Conference held in Rome, Italy, in June 1995, which approved the International Convention on Stolen or Illegally Exported Cultural Objects.
- Representative of the Mexican Government in the Diplomatic Conference "International Conventions on Financial Leasing and Factoring", held in Ottawa, Canada, in May 1988.
- Representative of Mexico in the Diplomatic Conference "International Convention for Sale of Goods" held in Vienna, Austria, in April 1980.

IX. Languages

- Native Spanish speaker.
- Fluent in English, French and German.

Jorge A. SÁNCHEZ CORDERO DÁVILA

(Mexique)

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00 52 555 281 20 49
Télécopieur: 00 52 555 281 03 37
Adresse électronique : Jorgeas@mail.internet.com.mx
Nationalité : mexicaine
Date de naissance: 23 juillet 1949

FORMATION ET DIPLÔMES

1954-1968: Etudes primaires et secondaires au Collège Allemand «Alexander Von Humboldt»
1958: Un semestre de CM2 effectué à l'Ecole Saint Joseph à La Grange Park, Illinois, Etats-Unis d'Amérique
1968: Baccalauréat mexicain et allemand
1974: Licence en droit (mention honorifique) - Université Nationale Autonome du Mexique
1975 : Maîtrise en droit - Faculté de droit de l'Université Nationale Autonome du Mexique
2003: Doctorat en droit. Université Panthéon-Assas (Paris II). Sujet de thèse: La protection des biens culturels au Mexique en droit interne et en droit international (La Convention d'UNIDROIT) (mention « très honorable avec félicitation du jury »)

EXPÉRIENCE

Depuis 1975: Avocat à la ville de Mexico
Depuis 1980: Notaire public à la ville de Mexico
Membre du Collège des notaires de la ville de Mexico
Membre de l'Association Nationale du Notariat Mexicain
1980 : Représentant du gouvernement mexicain à la Conférence diplomatique relative à l'achat et à la vente de marchandises
Depuis 1982: Conseiller du Ministère des Affaires Étrangères du Mexique
Depuis 1986: Membre de l'Institut de recherches juridiques de l'Université Nationale Autonome du Mexique
1988: Représentant du gouvernement mexicain à la Conférence diplomatique sur le crédit-bail international et sur l'affacturage international qui déboucha sur les deux Conventions d'UNIDROIT du même nom (Ottawa)
Depuis 1990: Membre du Barreau Mexicain, Collège des avocats
Membre de l'International Bar Association
1990-1993 Magistrat du Tribunal Fédéral Électoral
Depuis 1992: Membre de l'Union internationale des avocats
Depuis 1995: Président du Groupe mexicain de l'Association internationale «Henri Capitant»

1995:	Vice-président de la Conférence diplomatique sur la Convention sur le retour international des biens culturels volés ou illicitement exportés
Depuis 1996:	Arbitre du Chapitre XIX de l'ALENA
Depuis 1998	Membre du Conseil de Direction de l'Institut international pour l'unification du droit privé (UNIDROIT)
Depuis 2000:	Arbitre de la Section mexicaine de la Chambre de commerce de Paris Adhérent individuel de l'Union internationale du notariat latin
Depuis 2001:	Membre du Conseil International des Musées
Depuis 2001:	Membre de <i>l'American Law Institute</i>
2001	Représentant du Gouvernement mexicain à la Conférence diplomatique sur la Convention du Cap du sud et son Protocole aéronautique (Afrique du Sud 2001)
2001-2002	Vice-Président du Conseil de Direction de l'Institut international pour l'unification du droit privé (UNIDROIT)
Depuis 2002	Directeur du Centre Mexicain du Droit Uniforme Président de la Conférence Mexicaine des Commissionnaires Nationaux des Etats Fédérés pour le droit uniforme
2000-2002:	Professeur en matière de succession, obligations et contrats à l'Institut Technologique Autonome du Mexique
Depuis 2003:	Membre du Patronat pour la Défense du Patrimoine Culturel et Naturel d'Oaxaca
2006	Représentant du Gouvernement mexicain à la Conférence diplomatique pour le Protocole ferroviaire (Luxembourg, 2007)

PRIX

Médaille d'argent «Gabino Barreda» délivrée par le Conseil universitaire de l'Université Nationale Autonome du Mexique au meilleur étudiant de la promotion de 1974

Médaille «Henri Capitant» délivrée par l'Association internationale «Henri Capitant»

ASSOCIATIONS PROFESSIONNELLES

Collège des notaires de la ville de Mexico
Association Nationale du Notariat Mexicain
Barreau mexicain. Collège des avocats
International Bar Association
Association internationale « Henri Capitant »
Union internationale des avocats
Section mexicaine de la Chambre de commerce de Paris
Union internationale du notariat latin
American Law Institute
International Law Association

PUBLICATIONS

Essais publiés :	Introduction au Droit Civil, La Notion de Représentation,
Editeur de divers livres:	Cinquantième Anniversaire du Code Civil (Deux Volumes), Avortement: Une Étude Interdisciplinaire 75 ans d'Evolution Légale dans le Monde, Protection Légale des Faibles dans le Droit de Consommateurs, L'Action Collective et la Protection des Droits

Diffus, Collectifs et Individuels au Brésil. Un Modèle pour les Pays du Système Continental,
Procédure Civile Internationale. Principes et Règles d'ALI/UNIDROIT.
Mémoires Mexicaines
« Les Minorités » Coédition faite avec l'Association Henri Capitant
« Los derechos de la tradición civilista en predicamento » Traduction en espagnol. Coédition faite avec l'Association Henri Capitanat

Co-auteur du livre :

«Unités d'investissement et le système légal mexicain »
Publications de traductions dans le Bulletin Mexicain du droit Comparé d'articles spécialisés de l'anglais, du français et de l'allemand à l'espagnol.
Publications de plusieurs articles dans des revues mexicaines et étrangères

Auteur de plusieurs livres, entre autres «Les biens culturels précolombiens, Leur protection juridique» Publication en cours à Paris.

RENSEIGNEMENTS COMPLEMENTAIRES

Langue maternelle: espagnol

Langues étrangères: français, anglais et allemand

Rachel SANDBY-THOMAS

(United Kingdom - *Royaume-Uni*)

Born in 1963, Rachel took a double first in Law at Cambridge. She qualified as a solicitor in 1989 with Linklaters, a top city law firm. She joined the Government Legal Service in 1993. She is married to Richard with two children, Jonathan and James.

Rachel Sandby-Thomas is an experienced lawyer and Civil Servant, whose career has taken in a wide spectrum of UK government legal work.

Department of Business, Enterprise and Regulatory Reform

Currently Solicitor and Director General, Legal Services at the Department of Business, Enterprise and Regulatory Reform (BERR), Rachel runs a staff of some 250 lawyers and administrators in support of the Department's overall aim of creating a successful economic climate for business. She oversees the provision of legal advice to the BERR's ministers and staff of 10,000. The Legal Services Group, for which she is responsible, gives quality legal advice and guidance and supports litigation on domestic and international facets of all aspects of BERR's activities. These embrace civil and criminal law and public and international law, covering subjects as diverse as nuclear and other energy, radio and telecommunications, insolvency, intellectual property, competition policy, employment law, consumer interests, ecommerce and B2B and equality issues to name but a few. Legal Services also advises and supports policymakers on the preparation of legislation, including the implementation of multilateral agreements, from bodies such as the EU and UN. The Group investigates and prosecutes fraudulent activities by company directors and others associated with companies.

As Solicitor, Rachel is also responsible for BERR's bids for parliamentary time for the Bills needed to achieve its policy aims. She chairs the Legislative Board to scrutinise and manage the quality of these bids. BERR's Legal Services Group also provides a focal point for many international legal policy issues, including the UK's participation in international fora, such as UNIDROIT, UNCITRAL and the Hague Conference on Private International Law.

Having overall management responsibility for the Legal Services Group, Rachel is the Department's Champion for 'Investors in People' staff care and management standard, demonstrating her commitment to and awareness of the needs of its staff. This is achieved against demanding financial and quality of service targets.

Her Majesty's Revenue and Custom (HMRC)

Before joining BERR, Rachel was responsible for the advisory lawyers in HMRC. HMRC was created in 2005, following the merger of two former departments, Inland Revenue and Customs and Excise. Rachel had responsibility for about 100 lawyers coming from two very different authorities and was responsible for bringing about the change to a unified culture and working practice.

Department of Trade Et Industry (DTI)

The DTI was the predecessor department to BERR. Rachel joined DTI in 2004 and headed up the directorate which provided legal advice on employment, equality, intellectual property, Europe and World Trade and Insolvency.

Department of Health

Before joining the DTI, Rachel spent over four years at the Department of Health. She was advising the Medical Healthcare and Regulatory products Agency (formerly the Medicines Control Agency and the Medical Devices Agency) heading the team providing legal advice on all European and domestic aspects of medicines and medical devices. She was also a member of the Board.

Legal Secretariat to the Law Officers

Between 1997 and 1999, Rachel was at the Legal Secretariat to the Law Officers. The Law Officers are the Attorney General and Solicitor General. They are the Government's chief legal advisers. Rachel worked on helping the Law Officers to give best advice to Government Departments and to answer Parliamentary Questions. She provided advice on any matter connected to EU, ECHR, devolution and vires.

Cabinet Office Legal Advisers

Rachel spent 2½ years before that providing opinions to 13 departments on matters needing EU advice. She also co-ordinated legal advice to ensure consistency between departments so as to maintain a coherent Government position. She also provided training on the basics of EU law to lawyers who had recently joined the GLS. She returned to the team to head it up for a period of 7 months in 2004.

HM Treasury

Rachel started her career in Government Legal Services in the legal team to HM Treasury. She specialised in advice on public procurement but also advised more widely on the legal aspects of privatisation and the Government's Private Finance Initiative.

Other professional activities

Rachel is a member of the Law Society. She is a member of the Government Legal Service (GLS) Executive Board and chairs the GLS Sub-Group on Training (which has oversight of the training of lawyers in Government).

Biswanath B. SEN

(India - *Inde*)

Born: 15th January 1926. Citizen of India.

Educated in England and called to the English bar by Gray's Inn, London. Designated as Senior Advocate of the Supreme Court of India in 1956 (a status equivalent to that of Queen's Counsel in England).

Elected to the Governing Council of the UNIDROIT in November 1989 in the vacancy caused by the death of Judge Nagendra Singh; Re-elected to the Governing Council in 1993, 1998 and 2003; Member of the Permanent Committee of the UNIDROIT since 1994; Member of the UNIDROIT Study Group of Franchising 1996; Chairman of the UNIDROIT Study Group on international capital markets since September 2002-2005.

Practiced in England for a period of six years, mainly before the Privy Council specializing in appeals from India and the Colonies; Joined the Bar of the Supreme Court of India in 1952; Built up practice in Constitutional, commercial and tax cases.

Participated in forty international arbitrations (nine as leading Counsel and as Arbitrator) in dispute relating to economic and commercial transactions. These involve interpretation of international contracts, trade regulations, financial arrangements for projects, operation of investment protection agreements and the GATT. The cases included construction of fertilizer plants, construction of dams, devaluation of currencies, interpretation of oil and gas joint Venture Agreement, construction of pipelines, processing of iron ore, export of steel, commodities, interpretation of double taxation agreements and audio visual advertising.

In December 1956, was appointed Legal Adviser, Ministry of External Affairs, Government of India; Worked in that capacity for a period of ten years. During this period, advised the Government on a large number of international legal issues; participated in negotiations of treaties and attended international conferences.

Acted as Chief Negotiator of the Government of India for the implementation of the Indus Waters Treaty (1969-76).

Acted as promoter/coordinator and later as the Chief Executive of the Asian African Legal Consultative Committee (AALCC), (now Asian African Legal Consultative Organization), an intergovernmental organization of forty-five nations having permanent observer status with the United Nations. As the Secretary General of the AALCC from 1971 to 1987 took initiatives in coordinating the view points of the Member States on major legal issues before the United Nations including the Law of the Sea, improvement of the functioning of the United Nations and global negotiations on international economic issues. Was largely instrumental in adoption of a scheme for settlement of commercial disputes within the AALCC, which led to the establishment of Regional Centres for Arbitration in Kuala Lumpur and Cairo in 1979-80. Organised Training Programmes, Seminars and Workshops for legal advisers of Member Governments between 1980 and 1987. Sponsored meetings between interest groups on North South Cooperation for international Economic Development.

Invited by UNITAR to give lectures in a Regional Course for Government Officials in Bangkok in December 1986 and at the International Law Fellowship Programme at the Hague in July 1987.

Invited by UNHCR to participate as an expert for preparation of a Thesaurus on Refugee Terminology (April to November 1988), member of Topic Committee for preparation of a Study on Movement of Persons across Frontiers (ASIL Project for UN Decade of International Law (1990-91). UN Consultant to Arab Economic Union at Amman in 1990 and for a Government Project on Settlement of Disputes in West Africa 1992. Delivered lectures at 25 institutions and universities in seventeen countries on various legal and economic issues.

Member of the Executive Council of the International Law Association in London since 1990 and Vice President of the India International Law Foundation. Formerly Visiting Fellow at the University of Cambridge Research Centre for International Law.

Decorations. Was the recipient of an award. **The Order of the Rising Sun, Gold and Silver Star** - from the Emperor of Japan for contribution to the development of international Law within the United Nations.

Author of a standard work entitled: A diplomat's Handbook of International Law and Practice published by Martinus Nijhoff in the Netherlands. The third revised edition of this work was brought out at the end of October 1988 in conjunction with UNITAR. Also Contributor to Halsbury's Law of India, Chapter on Oil, Gas and Atomic Energy.

Stanisław J. SOLTYSIŃSKI

(Poland – *Pologne*)

1. **Personal data:**

Date of birth: 2 May 1939

2. **Legal education:**

A. Mickiewicz University, Poznań: magister iuris, doctor iuris, post-doctoral degree in civil law.

Post-graduate studies abroad: London School of Economics and Oxford (British Council scholarship), Columbia University, New York (LL.M.).

3. **Academic experience:**

Professor of law at Poznań University Department of Civil and Commercial Law, recurring visiting professor of Pennsylvania Law School, Philadelphia (1975-1991) and professor of Law, College of Europe, Brugge (1991-1994); taught at the Hague Academy of International Law and offered seminars and lectures at more than 30 universities, including Harvard, Columbia, Berkeley, Berlin, Moscow, Buenos Aires, Mexico, Munich, Seoul, Budapest, Michigan and Georgetown; current member of Faculty of Munich Intellectual Property Law Center (since 2006).

4. **Areas of specialization:**

Company law, civil and commercial law, arbitration, intellectual property and comparative law.

5. **Practical experience in Poland:**

Practising lawyer since 1975; co-founder and managing partner of Soltysiński Kawecki & Szlęzak, Legal Advisors; long-time member of Poland's Legislative Council.

Recent assignments: (1990-2007) advisor to the Minister of Finance; counsel to the Minister of Ownership Transformations (Mass Privatization Project); assisted International Finance Corporation, EBRD, the World Bank, and numerous Polish and foreign firms in more than fifty privatisation and joint-venture projects; Chairman of the Committee of Experts in Prime Minister Balcerowicz's Commission on Deregulation of the National Economy; Chairman of the Supervisory Board of Citi Handlowy Bank.

6. **Legislative experience:**

Long term member of Poland's Legislative Council and Codification Commission; co-author of Polish Code of Commercial Companies; Chairman of a task force which prepared the Code passed by the Parliament in 2000 and statutes implementing Societas Europea (2005) and European Cooperative Society (2006); the European Company Model Law Group (member).

7. **Past International Experience (non-academic assignments):**

Ad hoc expert of UNIDO and UNCTAD; member of Poland's delegation in Brussels during negotiations which have led to the signing of the Europe Agreement between Poland and the EU (1991-1993); Administrative Court of European Bank of Reconstruction and Development (member appointed for a three year term 2007-2009).

8. **Membership in international organizations and learned societies:**

Ordinary member of the European Academy of Science and Arts (Salzburg); corresponding Member of Polish Academy of Science and Art (Polska Akademia Umiejętności); ATRIP (the former member of the Executive Committee); Scientific Council of Max-Planck-Institute in Munich (former member of the Council); Asser College of Europe Curatorium (former member); corresponding member of the Academy of Comparative Law (Paris); member of UNIDROIT Governing Council.

9. **Arbitration:**

Professor Soltysiński's name appears on the rosters of arbitrators of the Arbitration Court at the National Chamber of Commerce, Warsaw, International Arbitration Court, Vienna, and American Arbitration Association, participated as chairman, arbitrator and counsel in more than 90 international arbitration proceedings, including arbitration proceedings subject to ICC Court of Arbitration, Stockholm Court of Arbitration, Vienna Court of Arbitration and London International Court of Arbitration rules.

10. **Publications:**

Author of twelve books and more than 300 other publications published in Polish, English, French, German, Russian, Spanish and Korean, co-author of main commentaries on Polish company law.

11. **Honors Received:**

Second Prize for the best doctoral dissertation (1965) and First Prize of the best post-doctoral dissertation received in All-Poland competitions organized by Instytut Państwa Prawa and Państwo I Prawo (1971); Nagroda Młodych (the Prize for the Young Scholar) awarded by the City of Poznań (1966); Best Lawyer in the field of Company Law in 2003, 2004, 2005 and 2006 according to rankings of a leading Polish daily "Rzeczpospolita"; "Lawyer of the Year" according to the recent ranking by "Gazeta Prawna" (2007).

Itsuro TERADA
(Japan – Japon)

Date of birth: January 9, 1948

Current position: Judge of the Tokyo High Court

Education and Career:

1971	Passed the National Bar Examination
1972	Graduated from the University of Tokyo
1972-1974	The Legal Research and Training Institute
1974	Appointed Assistant Judge and assigned to the Tokyo District Court
1975-1976	Columbia Law School (LL.M)
1977	Assigned to the Sapporo District Court
1980	Assigned to the Osaka District Court
1981	Appointed Attorney of the Civil Affairs Bureau, Ministry of Justice
1985	Appointed First Secretary of Embassy of Japan in the Netherlands
1988	Appointed Counsellor of the Civil Affairs Bureau, Ministry of Justice
1992	Appointed Director of the Fourth Division, Civil Affairs Bureau, Ministry of Justice
1993	Appointed Director of the Third Division, Civil Affairs Bureau, Ministry of Justice
1996	Appointed Director of the First Division, Civil Affairs Bureau, Ministry of Justice
1998	Appointed Director of the Secretariat Division, Minister's Secretariat, Ministry of Justice
2001	Appointed Director-General of the Judicial System Department, Ministry of Justice
2005	Appointed Director-General of the Civil Affairs Bureau, Ministry of Justice
2007	Appointing Presiding Judge and assigned to the Tokyo High Court

Brief history of attending international Conference:

- | | |
|------|--|
| 1982 | The 15 th session of United Nations Commission on International Trade Law (UNCITRAL) |
| 1983 | The 16 th session of United Nations Commission on International Trade Law (UNCITRAL) |
| 1983 | The diplomatic Conference for the adoption of the UNIDROIT Draft Convention on Agency in the International Sale of Goods |
| 1985 | The extraordinary session of the Hague Conference on Private International Law (HCCH) – diplomatic Conference on the Law Applicable to Sales Contracts |
| 1993 | The 17 th session of the Hague Conference on Private International Law (HCCH) – Adoption Co-operation |

Selected list of publications

“The Hague Conventions on Judicial Cooperation” published in The Journal of International Law and Diplomacy (Japanese Association of International Law, 1993)

“Commentary on the Law on Limitation of Liability of the Shipowners” (Hosokai, 1989)

“Accession to the London Convention on Limitation of Liability for Maritime Claims and Amendment of the Law on Limitation of the Shipowners” published in The Report of the Japanese Maritime Law Association (Japanese Maritime Law Association, 1982)

Daniel TRICOT

(France)

Tel: + 33-6-1160-0875; pr.daniel.tricot@free.fr

Corporate Arbitrator and Mediator
Affiliate Professor of ESCP-EAP European School of Management

Honorary Titles and Awards

Honorary President of Chamber of the French Judiciary Supreme Court
Honorary Law Professor of the University of Burgundy, Honorary Attorney at Law
Officer of the *Légion d'Honneur*, Commodore in the *Palmes Académiques*

Judicial Career

Business, Financial and Economic Chamber of the French Judiciary Supreme Court (*Chambre commerciale, financière et économique de la Cour de cassation*)
President of Chamber (*Président de Chambre*, 2003-2007)
Senior Justice (*Doyen*, 2001-2002)
Justice (*Conseiller*, 1991-2001)

Other Positions

Vice-President of the National Society for Comparative Law (since 2005)
President of the National Commission for Bankruptcy Trustees (1995-2000)
President of the National Council for Pro Bono Matters (1993-1999)
Member of the National Commission for Codification (1995-2001)
Mission to Cambodia to restore the Imperial Supreme Court (1995)

University Career

ESCP-EAP European School of Management: Affiliate Professor (since 2006)
University of Burgundy: Law Professor (1975-1991); Law Faculty Dean (1978-1981);
Director of the Master Program in Business Law (1979-1991); Director of the Center for Studies of Consumer and Distribution Law (1979-1991)

Attorney and Consulting Career

Corporate arbitrator and mediator (since July 2007)
Administrator of the National Foundation for Brain Research (since 2007)
UNCTAD International Trade Center Expert (Geneva, 1980-1995)
Attorney at Law (1964-1991)

Education

Awarded tenured law professorship by passing national exam (*Agrégé de droit*, 1973)
Ph.D in Law (*Docteur d'Etat*, 1969)
Master in criminal law (*D.E.S.*, 1966) and Master in private law (*D.E.S.*, 1965)
Juris Doctor (*Maitrise en droit*, 1964)

Recent Publications

Business Chamber Turns 60 (*La chambre commerciale a 60 ans*, Dalloz, 2007)

Bankruptcy Filings (*La cessation des paiements*, Les Petites Affiches, 2007)

An Extraordinary Legal Case (*Le destin d'une décision*, Mélanges Jacques Boré, 2006)

The Supreme Court Working Methods (*L'élaboration d'un arrêt*, JCP, 2004, I, 108)

Daniel TRICOT

(France)

Arbitre et médiateur en affaires

Agrégé des Facultés de droit, Docteur en droit d'Etat

Professeur affilié à l'European School of Management

Président honoraire de la chambre commerciale, financière et économique de la Cour de cassation (France)

Professeur honoraire des Universités

Avocat honoraire

Né le 14 septembre 1941 à Meursault (Côte d'Or-France),
marié, deux enfants

Adresse : 107 rue de Reuilly, F 75012 PARIS

Carrière dans la magistrature

Chambre commerciale, financière et économique de la Cour de cassation

Président du 15 janvier 2003 au 30 juin 2007

Doyen d'octobre 2001 à décembre 2002

Conseiller, installé le 10 juillet 1991 (deuxième chambre civile puis chambre commerciale, financière et économique)

Autres fonctions

Vice-président de la Société de législation comparée (depuis 2005)

Président suppléant puis Président de la Commission nationale d'inscription et de discipline des administrateurs judiciaires (1995-2000)

Vice-président puis Président du Conseil national de l'aide juridique (1993-1999)

Membre de la Commission supérieure de codification (1995-2001)

Mission au Cambodge pour la restauration de la Cour suprême impériale (1995)

Carrière universitaire et activités d'enseignement

Professeur affilié à l'ESCP-EAP European School of Management (depuis 2006)

Professeur des Universités (Université de Bourgogne) (1975-1991)

Doyen de la Faculté de droit et de science politique de Dijon (1978-1981)

Directeur du diplôme d'études supérieures spécialisées (DESS/Master II) de droit des affaires de l'Université de Bourgogne (1979-1991)

Directeur du Centre d'études et de recherches juridiques sur la distribution et la consommation (CERJUDICO) de l'Université de Bourgogne (1979-1991)

Activités au barreau et activités de conseil

Arbitrages et médiations (depuis juillet 2007)

Administrateur de la Fédération pour la recherche sur le cerveau (FCR) (depuis 2007)

Avocat au barreau de Dijon puis au barreau de Besançon (1964-1991)

Expert auprès du Centre du commerce international à la Conférence des Nations Unies pour le commerce et le développement (CNUCED) (1980-1995)

Diplômes

Agrégé des Facultés de droit (droit privé et sciences criminelles-1973)

Docteur en droit d'Etat (1969)

Diplôme d'études supérieures de sciences criminelles (1966)

Diplôme d'études supérieures de droit privé (1965)

Licence en droit équivalent maîtrise (1964)

Décorations

Officier de la Légion d'honneur

Commandeur des Palmes académiques

Parmi les récentes publications

La chambre commerciale a 60 ans *in* Le bicentenaire du Code de commerce et l'apport de la jurisprudence, Colloque du 4 octobre 2007, Ed. Dalloz, Paris, 2007

La cessation des paiements, une notion stable souple et sure (Les Petites Affiches, 2007, compte rendu du colloque de Dijon)

Le fabuleux destin d'une décision de non-admission ou les périls de l'interprétation, Mélanges Jacques Boré (2006)

L'élaboration d'un arrêt de la Cour de cassation, JCP Ed. générale, 2004, I, 108

Ioannis VOULGARIS

(Greece - Grèce)

I. Born in 1937, in Athens.

II. In 1959 "*Prychion Nomikis*" (LL.M.) of the University of Athens (Prize of the Law Faculty).

In 1964 degree of "Diplômé d'études supérieures de droit privé" of the Law Faculty of the University of Paris.

In 1970 LL.D. ("*Doctorat d'État en Droit*") of the Law Faculty of the University of Paris (thesis on "Conflict of Laws on transfer of property; A Historic – Comparative Study"; Supervisor Professor Henri Batiffol).

In 1967 diploma of the Hague Academy of International Law (Specialisation on Private International Law). In 1971 participation in the works of the Research Centre of the Academy.

III. Between 1970 and 1975 Lecturer at the Universities of Paris XII-Val-de-Marne (Law Faculty) and Paris I-Panthéon-Sorbonne (Centre of Higher Studies for Tourism): subjects taught: Civil Law, International Trade Law and Transportation Law.

Between 1971 and 1977 Research Fellow of the "National Centre of Scientific Research" of France (C.N.R.S.) appointed at the "Institute (at that time "Service") of Comparative Legal Researches" (Ivry sur Seine in Paris area); between 1973 and 1975 member of the Scientific Committee of Direction of this Institute.

Between 1975 and 1977 Visiting Reader at the Law Faculty of the "Demokritos" University of Thrace; between 1977 and 1982 Associate Professor, between 1982-2004 Full Professor and since 2004 Emeritus Professor of Private International Law and Comparative Law. Other subjects taught: Introduction to Private Law, Civil Procedure Law and Legal Sociology.

Between 1987 and 1993 Professor at the "National School of Greece for Public Administration" (Athens); subjects taught: Private International Law and International Economic Law. Several times member of the Board of examiners for the Admission at this School and at the Hellenic Ministry of Foreign Affairs.

1994 Course given at the Hague Academy of International Law on "Leasing and other analogous institutions in Private International Law" (published in the *Collection of Courses*, vol. 259, 1996, pp. 319 s.)

IV. Between 1983 and 1987 Vice-Rector of the "Demokritos" University of Thrace, appointed for Academic Affairs and the Personnel; Rector ad interim between April – June 1987.

1992 Dean and 1995-1997 Deputy Dean of the Law Faculty of the above University (Demokritos of Thrace).

Between 1984-1986, 1987-1991 and 1997-2004 Director of the Department of International Studies of the Law Faculty of the Demokritos University of Thrace. Between 1991-1997 member of the Senate of this University.

Between 1984-1990 member of the Administration Council of the Hellenic "Inter – Universities Centre for Recognition of Foreign Academic Awards" and during 1989-1990 and 1993-1997 Vice-Chairman of this Centre.

Since 1977 member and between 1987-2001 Chairman of the Hellenic Committee of Private International Law. (National Greek Organ for the Hague Conference on Private International Law operating in the framework of the Greek Ministries of Foreign Affairs and Justice).

Between 2004-2007 Vice-Chairman of the *Scientific Council* of the Greek Ministry of Foreign Affairs.

During the years 1987, 1988, 1994 and 2001 Judge at the Special Court for Judges Civil Liability and between 1998-1999 Judge at the Special Supreme Court of Greece (judging conflicts of jurisdiction and constitutional conflicts).

V. Since 1982-1984 member (as delegate of Greece), between 1984 - 1988 First Vice-Chairman and between 1988-1991 Chairman of the Standing Committee of the European (Council of Europe) Convention on Establishment (individuals).

Between 1984-1990 member (as delegate of Greece) of the Committee of Experts for the promotion of education and information on the field of Human Rights of the Council of Europe (this Committee has ceased to exist after 1990).

Between 1984 and 1990 member of the Working Group within the framework of the Council of European Communities on "Intellectual Property" (Trade Mark); Chairman of this Working Group during the Greek Presidency of the Council of E.C. (2nd Semester of 1988).

Delegate of Greece in various Committees or Groups of Experts of UNIDROIT, UNCITRAL and the Hague Conference on Private International Law. Participation (as a delegate of Greece) in several Diplomatic Conferences. Vice-Chairman during the last (21st) Hague Conference on PIL (November 2007).

Since 1986 Corresponding Collaborator of UNIDROIT and between 1989-2008 member of the Governing Council of this International Institute (UNIDROIT).

Since April 2003 Associated Member of the International Academy of Comparative Law.

VI. Since 1961 Barrister at the Athens Bar Association and since 1977 Barrister before the Supreme Courts of Greece.

VII. Author of students books (on Private International Law and Comparative Law) and of studies and articles (Private International Law – Comparative Law – Law of European Communities – Legal Education and Training) in Greek and French languages.

VIII. Speaking foreign languages: French, English, German, Italian.

APPENDIX II
ANNEXE II

CURRENT MEMBERS OF THE GOVERNING COUNCIL

MEMBRES ACTUELS DU CONSEIL DE DIRECTION

PRESIDENT: Mr Berardino LIBONATI (Italy) (*ex officio* member (pursuant to Article 6(1) of the Statute))

MEMBERS OF THE GOVERNING COUNCIL APPOINTED BY THE GENERAL ASSEMBLY (pursuant to Article 6(3) of the Statute) (with the date of their initial appointment in parenthesis)

Mr Martin ADENSAMER (Austria)	(2003)
Mr Tuğrul ARAT (Turkey)	(2003)
Mr Antonio BOGGIANO (Argentina)	(1993)
Mr Hans-Georg BOLLWEG (Germany)	(2003)
Mr Sergio CARBONE (Italy)	(2003)
Mr Michael ELMER (Denmark)	(1998)
Mr Nabil ELARABY (Egypt)	(2004) *
Mr Henry GABRIEL (United States of America)	(2003)
Mr Ian GOVEY (Australia)	(2003)
Mr Attila HARMATHY (Hungary)	(2003)
Mr Arthur S. HARTKAMP (Netherlands)	(1983)
Mr Gerard W. HOGAN (Ireland)	(1998)
Mr Kiyoshi HOSOKAWA (Japan)	(1998)
Mr Anthony INGLESE (United Kingdom)	(2003)
Mr Alexander S. KOMAROV (Russian Federation)	(1998)
Mr LYOU Byung-Hwa (Republic of Korea)	(1993)
Mr Didier OPERTTI BADÁN (Uruguay)	(2003)
Mr Jorge SÁNCHEZ CORDERO DAVILA (Mexico)	(1988)
Mr Biswanath B. SEN (India)	(1989)
Mr Stanislaw J. SOLTYSINSKI (Poland)	(2003)
Mr Bruno STURLESE (France)	(1998)
Ms Anne-Marie TRAHAN (Canada)	(1988)
Mr Evelio VERDERA y TUELLS (Spain)	(1981)
Mr Ioannis VOULGARIS (Greece)	(1988)
Mr Pierre WIDMER (Switzerland)	(1993)
Mr ZHANG Yuqing (People's Republic of China)	(1993)

* Mr Elaraby was appointed an additional member of the Governing Council by the General Assembly at its 58th session, held in Rome on 26 November 2004, as a judge in office of the International Court of Justice, on a proposal by the President of UNIDROIT, in accordance with the second sentence of Article 6(3) of the Statute.

PRESIDENT: M. Berardino LIBONATI (Italie) (membre *ex officio* (conformément à l'article 6(1) du Statut organique))

MEMBRES DU CONSEIL DE DIRECTION NOMMES PAR L'ASSEMBLEE GENERALE (conformément à l'article 6(3) du Statut organique) (avec la date de leur première nomination entre parenthèses)

M. Martin ADENSAMER (Autriche)	(2003)
M. Tuğrul ARAT (Turquie)	(2003)
M. Antonio BOGGIANO (Argentine)	(1993)
M. Hans-Georg BOLLWEG (Allemagne)	(2003)
M. Sergio CARBONE (Italie)	(2003)
M. Michael ELMER (Danemark)	(1998)
M. Nabil ELARABY (Egypte)	(2004) *
M. Henry GABRIEL (Etats-Unis d'Amérique)	(2003)
M. Ian GOVEY (Australie)	(2003)
M. Attila HARMATHY (Hongrie)	(2003)
M. Arthur S. HARTKAMP (Pays-Bas)	(1983)
M. Gerard W. HOGAN (Irlande)	(1998)
M. Kiyoshi HOSOKAWA (Japon)	(1998)
M. Anthony INGLESE (Royaume-Uni)	(2003)
M. Alexander S. KOMAROV (Fédération de Russie)	(1998)
M. LYOU Byung-Hwa (République de Corée)	(1993)
M. Didier OPERTTI BADÁN (Uruguay)	(2003)
M. Jorge SÁNCHEZ CORDERO DAVILA (Mexique)	(1988)
M. Biswanath B. SEN (Inde)	(1989)
M. Stanislaw J. SOLTYSINSKI (Pologne)	(2003)
M. Bruno STURLESE (France)	(1998)
Mme Anne-Marie TRAHAN (Canada)	(1988)
M. Evelio VERDERA y TUELLS (Espagne)	(1981)
M. Ioannis VOULGARIS (Grèce)	(1988)
M. Pierre WIDMER (Suisse)	(1993)
M. ZHANG Yuqing (République populaire de Chine)	(1993)

* M. Elaraby a été nommé comme membre additionnel du Conseil de Direction par l'Assemblée Générale lors de sa 58^{ème} session, tenue à Rome le 26 novembre 2004, en tant que juge en fonction de la Cour Internationale de Justice, sur proposition du Président d'UNIDROIT, conformément à la deuxième phrase de l'article 6(3) du Statut organique.