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الجمعية



الدورة التاسعة

كينغستون، جامايكا

٢٨ تموز/يوليه - ٨ آب/أغسطس ٢٠٠٣

انتخابات لملء شاغر في اللجنة المالية وفقا للفرع ٩ من مرفق الاتفاق المتصل بتنفيذ الجزء الحادي عشر من اتفاقية الأمم المتحدة لقانون البحار

مذكرة من الأمين العام

- ١ - يرجى من الجمعية أن تحيط علما بأن ناريندر سينغ (الهند) قد استقال من عضوية اللجنة المالية اعتبارا من أيار/مايو ٢٠٠٣. وكان السيد سينغ قد انتخب عضوا في اللجنة المالية في ١٠ تموز/يوليه ٢٠٠١ لمدة خمس سنوات (ISBA/8/A/5، الفقرة ٦).
- ٢ - وتنص الفقرة ٥ من الفرع ٩ من مرفق الاتفاق المتصل بتنفيذ الجزء الحادي عشر من اتفاقية الأمم المتحدة لقانون البحار ("الاتفاق") على أنه في حالة وفاة أو عجز أو استقالة أحد أعضاء اللجنة المالية قبل انتهاء فترة عضويته تقوم الجمعية بانتخاب عضو من نفس المنطقة الجغرافية أو من نفس مجموعة الدول للفترة المتبقية من العضوية.
- ٣ - وينص الفرع ٩ من الاتفاق على أن اللجنة المالية تتكون من ١٥ عضوا من حملة المؤهلات المناسبة المتصلة بالمسائل المالية. وتتولى الجمعية انتخاب أعضاء اللجنة المالية.
- ٤ - وفي مذكرة شفوية مؤرخة ٢٢ أيار/مايو ٢٠٠٢، أخطرت البعثة الدائمة للهند لدى الأمم المتحدة أمانة السلطة بتسمية م. غاندي المستشار القانوني للبعثة الدائمة للهند لدى الأمم المتحدة في نيويورك لملء المقعد الشاغر في اللجنة المالية. وترد السيرة الشخصية للسيد غاندي في مرفق هذه الوثيقة^(١).

(١) السيرة الشخصية للسيد غاندي مستنسخة حسبما وردت وباللغة الأصلية التي قدمت بها.

Curriculum Vitae

Dr. M. Gandhi

Born 21 May 1952; Indian Citizen.

Ph. D. (Doctor of Philosophy) in International and Constitutional Law,
University of Madras, Madras (1992)

Post Graduate Diploma in French Law; University of Madras (1984).

M.A. in Political Science, International Relations and Public Administration,
Madurai Kamaraj University, Madurai (1983).

M.L. (Master of Laws) in International and Constitutional Law,
University of Madras, Madras (1981).

B.L. (Bachelor of Laws); University of Madras (1978).

B.G.L. (Bachelor of General Law); University of Madras (1977).

B.A. in Economics, Economic Statistics and Modern Governments,
Madurai University, Madurai (1975).

Professional Experience

Counsellor & Legal Adviser to the Permanent Mission of India to UN, New York. (May 2002 till date)

Director, Legal & Treaties Division, Ministry of External Affairs, Government of India. (October 2001 to April 2002)

Counsel for India in case concerning Aerial Incident of August 10 1999 (Pakistan v. India) before the International court of Justice, The Hague, The Netherlands.

Legal Officer (Grade I) Legal and Treaties Division, Ministry of External Affairs, Government of India, (November 1995 to October 2001).

Lecturer/Senior Lecturer in Law, Government Law College, Pondicherry University, (1984 to 1995).

Called to the Bar 1979

Fellowships/Prizes/Honors:

Recipient of L.C. Miller Gold Medal for best performance in M.L. Degree Examinations of University of Madras (First Class First), May 1981.

Recipient of A.L. Mudaliar Prize for best performance in M.L. Degree Examinations, May 1981

Madras University Research Fellow, Department of Legal Studies, 1983

Colombo Plan Fellowship for the course on *Legal Advice and International Contracts* in the Institute of Advanced Legal Studies, University of London, (March 4 to April 11, 1997).

UNITAR Fellowship, to Participate in the workshop for the Asia-Pacific Region on *Integrated Conservation and Development Planning: The Role of Multilateral Agreements Related to Biodiversity* held in Kushiro Japan, (August 28 to September 2, 1999)

Other Relevant Professional Experience:

Visiting Professor, School of Indian Legal Thought (SILT), Mahatma Gandhi University, Kottayam, Kerala (1997).

Expert/resource person to SAARC Workshop on Biotechnology and Meteorology, Colombo, Sri Lanka, February 1998.

Expert member on the discussion of Role of The Permanent Court of Arbitration, in resolving environmental disputes, Peace Palace, The Hague, The Netherlands June 13 1996.

Expert to study the Mauritius claims over Diego Garcia, May 2001.

Member/Secretary of the high level committee of Government of India on Legislation concerning civil liability for nuclear damage caused by nuclear installations 2001 – 2002.

Member of the:

- **Guest Faculty to the courses conducted by the Indian Law Institute on (i) Environmental Law (ii) Cyber Laws. (2000- 2002)**
- **Guest Faculty to the courses conducted by the Indian Society of International Law on (i) International Law and Diplomacy; (ii) Trade Law. (1995-2002)**

- Guest Faculty to the International courses conducted by WWF on Environmental Law. (2000-2002)
- Faculty to the course conducted by the Foreign Service Institute (Ministry of External Affairs) for Diplomats from developing countries. (1997-2001)

Membership in Professional Associations:

Member, Bar Council of Tamilnadu

Member, Indian Society of Criminology.

Life Member, Comparative Law Association, Pondicherry.

Life Member, Indian Society of International Law.

Member of the Editorial Board of Indian Journal of International Law.

Publications:

Case Laws under Indian Constitution in Vol. XIX, Indian Year Book of International Affairs 1086 pp.551-592.

A Book Review in Vol. XIX, Indian Year Book of International Affairs, pp 680-682.

“Promotion of Human Rights through Policy Implementation: Employment Policy and Right to Work”, IV *Law and Social Problems* 1986-87, pp. 64-76.

Co-author, LEGAL LANGUAGE AND LEGAL WRITING, Pondicherry, Prabha Publishers, 1988. Now in Third edition.

Contributed more than 25 articles on International Law in Tamil Encyclopedia Published by Tamil University, Thanjavur.

Co-author INTRODUCTION TO LEGAL METHOD AND LEGAL RESEARCH, Pondicherry, Prabha Publishers, 1992.

Right to Development as a Right to Equal Resources (Chapter 2.3) in Subrata Roy Chowdhury, Eric. M.G. Denters and Paul J.M. Dewaart (eds.) RIGHT TO DEVELOPMENT IN INTERNATIONAL LAW, Martinus Nijhoff Publishers, Dordrecht, and The Netherlands pp. 139-143 (1992).

Dunkel Draft Text and Its Impact on India with reference to Legal Regime, S.B.R.R.M. Journal of Law Vol. 1 No.1, March 1994.

Relationship between Discussion in the Bio-safety Negotiations and work Undertaken in relation to Article 14 of CBD, European Commission and the Government of United Kingdom, 1998.

Trade and Environment, Report of the Seminar relating to certain aspects of the functioning of the WTO settlement mechanism and other allied matters, New Delhi, India, November 1998, Asian-African Legal Consultative Committee, pp. 111 to 115.

"Common article 3 of Geneva Conventions, 1949 in the era of International Criminal Tribunals" Vol. 1, ISIL Year Book of International Humanitarian and Refugee Law. 2001

Towards a Liability Regime under Biosafety Protocol, International Conference on International Law in the New Millennium, Indian Society of International Law, October 2001.

Experience in the Negotiation of Treaties/Agreements:

Member of the Indian delegation to various international conferences and meetings including:

Negotiation of Agreement on Confidence Building Measures between China-India, New Delhi, Nov. 1996.

Negotiation of Trade Agreement between Iran-India, Nov. 1996.

Negotiation of Maritime Agreement between China-India, 22 & 23 November 1996.

Second, Third, Fourth and Fifth Meetings of the Working Group of Experts for developing a Protocol on Bio-Safety, Montreal, 1997-1998

Air Service Agreement with Algeria, Algiers 29- 31 July 1997.

Negotiation of a Regional Agreement on Port State Control (Indian Ocean States) held in Pretoria from 1st to 5th June 1998.

Negotiation on Sir Creek boundary Dispute between India and Pakistan, New Delhi, 9th November 1998.

38th Session of the UN Sub-Committee (Legal) on Peaceful Uses of Outer space held in Vienna, Austria from 1st to 5th March 1999.

Second, Third and Fourth Meetings of Governmental Experts to discuss

the draft Convention for the Protection of Under Water Cultural Heritage held in Paris, France, April 1999, March 2000, and April 2001 and July 2001.

39th Session of the UN Sub-committee (Legal) on Peaceful Uses of Outer Space held in Vienna, Austria from 27 to 31, March 2000.

International negotiation on Draft Protocol Against the Smuggling of Migrants by Land, Air and Sea, Supplementing the UN Convention Against Trans-national Organized Crime, from 9th to 13th October 2000 held in Vienna, Austria.

Ad-hoc Working Group on fire Arms Protocol held in Vienna from 26th February to 2nd March 2001.

40th Session of the Legal Sub-committee of the UNCOPUOS held in Vienna, Austria from 7th to 12th April 2001.

Eighth Session of the International Sea Bed Authority, 2002.

United Nations General Assembly 2002.

57th Session of the General Assembly (6th committee) 2002.

UN Special Committee on the Charter of the United Nations on the strengthening of the Role of the Organisation 2003.

UN Special Session on the Commemoration of the twentieth Anniversary of the opening for signature of the 1982 United Nations Convention on the law of the Sea. 2002

Ad Hoc Committee on International Terrorism 2003.

Vice Chairperson, Ad Hoc Committee of the Sixth Committee of the UN on Convention on Jurisdictional Immunities of States and Their Properties 2003.

UNCITRAL Working Group on Arbitration 2003.

UNCITRAL Working Group on Electronic Commerce 2003.