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**Addendum to the note by the Secretariat**

Topic:  
**Filling of casual vacancies**

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INTERNATIONAL LAW COMMISSION  
Twenty-ninth session  
Geneva, 9 May - 29 July 1977

FILLING OF CASUAL VACANCIES

Addendum to the note by the Secretariat

I

List of candidates

The names of the following candidates have been submitted for the seat which has become vacant in consequence of the death on 1 February 1977 of Mr. Edvard Hambro:

Mr. Abdul Hussain Al Katifi (Iraq)

Mr. Estelito P. Mendoza (Philippines)

Mr. Abdul Hakim Tabibi (Afghanistan)

II

Curricula vitae of candidates

Mr. ABDUL HUSSAIN AL KATIFI

(Iraq)

[Original: English]

Place and date of birth

Baghdad (Iraq), 11 December 1919

Languages

Arabic, French, English and German

Legal education

Law College, Baghdad (1939-1943); Law Faculty, Universities of Paris and Montpellier (1947-1951); Institut des hautes études internationales, Université de Paris (1948-1950); The Hague Academy of International Law (1951, 1952 and 1960).

Qualifications obtained

Licencié en droit, Law College, Baghdad (1943); Diplômé d'études supérieures de droit public, University of Montpellier (1948); Diplômé d'études supérieures d'économie politique, University of Montpellier (1949); Docteur en droit (doctorat d'Etat), University of Paris (1951); Diplômé de l'Institut des hautes études internationales, University of Paris (1960).

Legal profession

Admitted at the Baghdad bar (1943). Law practice as a lawyer in Baghdad (1943-1947).

Academic career

Lecturer on public international law, Law College, Baghdad (1951-1952); Lecturer on public international law, College of Commerce and Economics, Baghdad (1952-1954); Has lectured on public law at the same College (1954-1956); Has lectured on the law of diplomatic and consular relations at the Law College, Baghdad (1956-1958); Research on the position of aliens in international law, in the Centre national de la recherche scientifique, Paris (1959-1960); Assistant Professor of Public International Law, Law College, University of Baghdad (1960-1961); Has lectured on the law of diplomatic and consular relations, history of international relations and the law of international institutions, at the College of Law and College of Arts (Department of Political Science) of the University of Baghdad (1961-1963); Visiting Professor of Public and Private International Law at the University of Libya (1964-1967); Has lectured on public international law at the Libyan War College, Benghazi (1965-1967);

Associated Professor of Public International Law at the University of Baghdad (1967-1969); Has lectured also on public international law at the University of Mustansirya, Baghdad (1967-1969); Full Professor of International Law, University of Baghdad (April 1969); Professor and Head of the Department of International Law, College of Law and Political Sciences, University of Baghdad (1969-1973); Lecturing on public international law at the same College since 1969; Has lectured for the post-graduate students at the same College on the following subjects: methods of international law, gaps in law, international boundaries in boundary rivers, succession of States in respect of treaties and territorial disputes in the jurisprudence of international courts (1967-1969, 1971-1976); Dean of the College of Law and Political Sciences, University of Baghdad, since April 1973; Acting Dean of Post-Graduate Studies and Scientific Research, University of Baghdad, 1974.

#### Diplomatic career

Entered the Iraqi Foreign Service as legal counsellor in January 1961; Director General of the Legal Department, Ministry of Foreign Affairs of Iraq (1961-1962); Sometimes Acting Director General of the Political Department, Ministry of Foreign Affairs of Iraq (1961-1962); Under Secretary of State, Ministry of Foreign Affairs of Iraq (1962-1965).

#### Special missions

Head of the Iraqi Delegation to the Committee for the Revision of the Charter of the League of Arab States (June 1961); Head of the Iraqi Delegation to the Council of the League of Arab States (July 1961); Head of the Iraqi Delegation to United Nations Conference on Trade and Development, the Working Group on the "Charter of Economic Rights and Duties of States", third session, Geneva, February 1974; Member of Iraqi Delegations for the conclusion of the Treaty of International Frontier and Good-neighbourliness, and several protocols and agreements between Iraq and Iran (March-December 1975); Member of the Iraqi Delegation to the ordinary session on a Ministerial Level of the Council of the League of Arab States (March 1976).

#### Various activities

Member of the Association of Iraqi Jurists; Founder Member of the Arab Jurists Union; Editor-in-Chief, Review of Juridical and Political Sciences, College of Law and Political Sciences, Baghdad; Member of the Permanent Court of Arbitration (1975- ); Sometimes Legal Consultant with the Ministry of Foreign Affairs of Iraq (1969- ).

#### Principal publications

##### Books

Principes généraux du droit comme source du droit des gens, thèse, Paris, 1951; Courses on Public International Law, Al Maaraf of Printing-house, Baghdad, 1951-1952 (in Arabic); Principles of Public Law, 2nd ed., Al Aani Printing-house, Baghdad, 1960 (in Arabic); Courses on Libyan Private International Law, Law Faculty, University of Libya, Benghazi, 1965-1966 (in Arabic); Public International Law, Vol.1, Al Aani Printing-house, Baghdad, 1970 (in Arabic);

Courses on the Legal Order of International Relations (Organs of International Relations - International treaties, responsibility, communications and conflicts), College of Law and Political Sciences, Baghdad, 1972-1973 (in Arabic).

Chapter in book

"Quelques aspects du modernisme juridique en Orient Arab" in Norms et valeurs dans l'Islam contemporain, edited by Jacques Berque and others, Payot, Paris, 1966, pp.301-312.

Articles and essays

"Conflict of sources in Iraqi civil law", Recueil des Arrêts, No.7, November 1953, Baghdad, pp.267-274 (in Arabic); "The role of judge in the law-making", Baghdad, 1955, p.12 (off-print); "Le problème des immunités diplomatiques du personnel de service des ambassades", Revue critique de droit international privé, 1960 - No.4, pp.485-531; "Legality of boycott in international law", Review of Alsiasah Al Duwaliyah, Cairo, No.7, January 1967, pp.54-71 (in Arabic); "The Role of Arbitration in the settlement of international disputes", Review of Juridical Sciences, College of Law, University of Baghdad, Vol.1, No.1, 1969, pp.29-100 (in Arabic); "Some legal aspects of the Iraqi-Iranian boundary dispute", Review of Juridical Sciences, Baghdad, Vol.1, No.2, 1969, pp.54-91.

Mr. ESTELITO P. MENDOZA

(Philippines)

[Original: English]

Born 5 January 1930 in Manila

Eldest child of Guillermo D. Mendoza and Barbara P. Mendoza of Bacolor, Pampanga

Married to Rosa A. Mendoza (B.S.HE., U.P.)

Educational Attainment

Secondary education - U.P. High School, 1946; A.A. - College of Liberal Arts, University of the Philippines, 1948; LL.B. (cum laude) - College of Law, University of the Philippines, 1952; LL.M. - Harvard Law School, Harvard University, 1954.

Present positions

- (a) Solicitor General (Member of the Cabinet) (2 May 1972 - )
- (b) Chairman, Special Committee on Naturalization (LOI 270)
- (c) Member, Cabinet Committee on Land Divestment (LOI 307)
- (d) Director, Philippine National Oil Company and Philippine Foreign Loan Guarantee Corporation
- (e) Member, Board of Pardons and Parole
- (f) Professorial Lecturer in Law (U.P.)

Previous Government positions held

- (a) Under-secretary of Justice (15 September 1971 - 1 May 1972)
- (b) Chairman, Deportation Board
- (c) Acting Chairman, Anti-Dummy Board
- (d) Vice-Chairman, Fair Trade Board
- (e) Acting Chairman, Special Committee on Narcotics (Executive Order No. 318)

Professional experience

Practising Lawyer, 1952-1971

- 1972 - 1957 - Senior Associate (San Juan, Africa and Benedicto Law Offices)
- 1958 - 15 Sept. - Partner (Teves, Mendoza and Hernandez, Law Offices, 5th Floor, 1971 Magsaysay Building, T.M. Kalaw Street, Ermita, Manila)

Other activities in law

Vice-Chairman, Philippine Delegation, United Nations Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor Beyond the Limits of National Jurisdiction (Preparatory Committee on the Law of the Sea Conference, Geneva, 1971; New York 1972; Geneva, 1972; New York, 1973; Geneva, 1973); Vice-Chairman, Philippine

Delegation to the Third United Nations Conference on the Law of the Sea (Caracas, Venezuela, 1974; Geneva, Switzerland, 1975); Special Adviser, Philippine Delegation to the Thirtieth Session of the United Nations General Assembly (1975); Member, Philippine Panel on Renegotiation of Philippine - United States Military Bases Agreement (1971); Member, Advisory Committee on the Law of the Sea (Department of Foreign Affairs); Philippine Participant, International Law Commission Seminar on International Law at Geneva (Third Session 1967); Philippine Delegate, United Nations Conference on the Law of Treaties at Vienna (1968 and 1969); Member, Criminal Law Reform Project (U.P. Law Center, 1965-1966); Member, Revised Administrative Code Revision Project (U.P. Law Center, 1966); Member, Philippine Trade Mission to Europe, 1963; Member, Philippine Panel, Philippine-German Negotiations on "Treaty Concerning the Protection of Investments", 1964; Chairman, Committee VIII, Constitutional Revision Project (U.P. Law Center, 1969-1970); Member, Reorganization Panel No. 12, Commission on Reorganization (1969-1971); Member, Planning Committee, UNITAR-UNESCO Regional Refresher Training Course in International Law for Asia (1969); Member, Philippine Delegation to the Thirteenth Session of the Asian-African Legal Consultative Committee (Lagos, Nigeria, January 1972); Chairman, Philippine Delegation to its Fourteenth Session (New Delhi, January 1973); Chairman, Philippine Delegation to its Fifteenth Session (Tokyo, January 1974).

#### Teaching Experience

Faculty Member since 1954 (Instructor, 1954-1957); Assistant Professor, 1957-1958; Professorial Lecturer in Law, 1958 - ).

Subjects taught at U.P. -

#### LL.B. Course

Criminal Law 1 (Prin. of Crim. Sc.); Criminal Law 2 (Specific Crimes and their Penalties); Criminal Law Review; Philippine Political Law; Constitutional Law; Contemporary Problems of Constitutional Law; Public Officers and Civil Service; Labour and Tenancy Law; Succession; Extra-Contractual Oblig. and Damages; Negotiable Instruments Law; Private Corporations; Civil Procedure; Criminal Procedure; Special Proceedings; Evidence; Legal History; Statutes and Their Construction; Forensics; Legal Writing; Land Titles and Deeds; Conflict of Laws; Legal and Judicial Ethics; Legal Writing and Research; Trial Technique.

#### LL.M. Course

Comparative Constitutional Law; Legal Philosophy; Public Control of Business; Problems of Business Associations; Thesis Seminar.

#### Publications and papers read

"Crimes Against Persons, Working Paper for the Conference on Criminal-Law Reform" (U.P. Law Center, July 1965); "Settlement of Disputes Arising from the Alleged Invalidity, Termination and Suspension of the Operation of Treaties" (Read on the occasion of the Joint Annual Meeting of the Philippine Society of International Law and the International Commission of Jurists, 18 January 1969); "The Base-Lines of

the Philippine Archipelago", read before the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction on 16 August 1971 (46 Phil. L. Journal 628, September 1971); "Practical Problems of Practice in Civil and Criminal Cases", Law Practice for the Young Lawyer (Law Institute Series, 1969); "A New Law of the Sea: Sea-Bed Resources Development" (Read before the Symposium on Private Investments and International Transactions in Asian and Pacific Countries in Sydney, Australia on 23 August 1974); "Personal Property Security in the Philippines", 40 Washington Law Review 399 (Seattle, Washington, USA, 1965); "Brief-Making and Oral Arguments", read on 18 November 1972 in connexion with the U.P. Law Center course on "Remedial Law Revisited"; "The Suspension of the Writ of Habeas Corpus: Suggested Amendments", 6 Far Eastern L. Review 310 (September 1958); 38 Phil. L. Journal 630 (1958); "Presidential Suspension of the Writ of Habeas Corpus in the Philippines: Its Antecedents", 31 Phil. L. Journal 138 (February 1956); "Commercial Law: Insurance, Private Corporations, Negotiable Instruments and Public Service Law", 27 Phil. L. Journal 262 (April 1952).

Present memberships civic and professional organizations

Member, Executive Council, Philippine Society of International Law; Member, Philippine Bar Association; Member, Lawasia; Member, Rotary Club of Manila; Fellow, International Academy of Trial Lawyers; Member, Harvard Club of the Philippines; Member, Upsilon Sigma Phi; Member, Padre Burgos General Assembly, Knights of Columbus; Member, St. Joseph Council No. 3913, Knights of Columbus; Member, U.P. Alumni Association; Member, Wack Wack Golf and Country Club; Member, Manila Polo Club.

Past awards and memberships

First Vice-President, U.P. Alumni Association (1964-1965); Phi Kappa Phi Honor Society; Phi Gamma Mu (for excellence in the social sciences); University President's Pin (for scholarship); President Quirino Gold Medal (for oratory), 1951; President Tan Gold Medal (for oratory), 1951; Justice Padilla Gold Medal (for oratory), 1952; Upsilon Sigma Phi (for excellence in oratory); Past Grand Knight, St. Joseph Council No. 3913, Knights of Columbus; College Editor, 1952 Philippinensian; Philippine Law Journal Editorial Board; Vice-President, U.P. Debating-Oratorical Club (1951-52); Vice-President, U.P. Law Sophomore Association (1949-50); Award of Honor (Outstanding son of Bacolor, Pampanga), 1972; Special Award (Distinguished alumnus, Lakan-Dula Elementary School), Division of City Schools, Manila, 1973; Professional Awardee in Law (1975, U.P. Alumni Association).

(Citation reads as follows:

For outstanding achievement as lawyer, scholar, teacher and Solicitor-General;

For his steadfast advocacy of the Rule of Law during the martial law period, thus championing the cause of liberty, peace and public order;

For his noteworthy example and role in the protection and promotion of vital national interests - in international negotiations, in the conservation



of natural resources, in the setting up of oil and energy programs, in the integration of aliens as citizens and in the maintenance of law and order while safeguarding civil liberties;

For his impeccable integrity and sustained superior performance as government official, lawyer, diplomat, private practitioner, law professor and civic leader - bringing honour to the legal profession, to his Alma Mater and to our country and people.)

President Ferdinand E. Marcos:

11 September 1973 -

"... the man who has fought my battles in the Supreme Court with brilliance and tenacity."

21 October 1974 -

"I commend you ... for your effective and skillful advocacy before the Supreme Court of the cause of the New Society."

19 September 1975 -

"... I want to make an announcement pertaining to a reward to a deserving public servant. Today I have the honor and the pleasure to elevate to the position of cabinet member the Solicitor-General of the Philippines, Estelito Mendoza, in view of his exemplary service to the Republic of the Philippines not only in the conduct of the legal defense of the Republic in our courts but also in legal conferences and forums outside the Philippines."

Mr. ABDUL HAKIM TABIBI

(Afghanistan)

[Original: English]

Born on 24 October 1924 at Kabul, Afghanistan.

Education: Habibia High School, 1942; Faculty of Law, Kabul University, 1946; George Washington University (United States of America), 1952, M.A.; American University (United States of America), 1954, Ph.D. (with honours).

Government assignment and activity: Member of International Department, Foreign Ministry, 1946-1948; Attaché, Afghan Embassy in Washington, 1948-1953; Director of third Political Division, Foreign Ministry, 1954-1955; President of Foreign Service Institute, Foreign Ministry, 1954-1955; First Secretary, Permanent Mission of Afghanistan to the United Nations, 1956-1958; Counsellor, Permanent Mission of Afghanistan to the United Nations, 1959-1961; Minister Counsellor, Permanent Mission of Afghanistan to the United Nations, 1961-1964; Ambassador Extraordinary and Plenipotentiary of Afghanistan to the Federal Republic of Yugoslavia as well as Bulgaria, 1964-1965; Minister of Justice and Attorney General of Afghanistan, 1965-1966; Ambassador Extraordinary and Plenipotentiary of Afghanistan to the Imperial Court of Japan as well as to the Republic of the Philippines, 1968-1970; Ambassador Extraordinary and Plenipotentiary of Afghanistan to India, Nepal and Burma, 1970-1973; Governor of the Asian Development Bank, 1967-1973; Vice-President of the Board of Asian Development Bank, 1970-1971.

Participation in international conferences: Delegate of Afghanistan to the General Assembly of the United Nations 1949-1964 and also during 1972 (during these 17 years served in the Special Political Committee, Second Committee, Fifth Committee and in the Legal Committee); Vice-Chairman of the Legal Committee, 1953; Observer of Afghanistan to the Narcotic Drugs Commission, 1956-1957; Rapporteur of the Legal Committee, 1957; Legal Adviser of Afghanistan to the annual meeting of World Bank and Monetary Fund in Istanbul, 1957; Delegate of Afghanistan to the Economic and Social Council, 1959-1961; Chairman of Afghanistan delegation to the First Law of the Sea Conference, 1958; Rapporteur of the Fifth Committee of the First Law of the Sea Conference (Geneva) and also Chairman of Asian Group, 1958; Representative of Afghanistan to the preliminary Conference of Land-Locked States (Geneva), 1958; Lectured in the Institute of Foreign Affairs in Madrid, Spain, on the policy of non-alignment, 1958; Legal Adviser of Afghanistan to the meeting on International Civil Aviation in the United States of America, 1959; Representative of Afghanistan in the Conference on the Single Convention of Narcotic Drugs, and also Chairman of its First Committee, 1961; Representative of Afghanistan in the Technical Assistance Committee of the Economic and Social Council, 1959-1961; Chairman of Technical Assistance Committee and also Chairman of Special Fund, 1960-1961; Vice-Chairman of the Executive Board of UNICEF and also Chairman of the Executive Board of UNICEF (Bangkok), 1959-1962; Member of the Executive Board of UNICEF, 1959-1964; Member of the International Law Commission, 1962-1976; Vice-Chairman of the Committee for Technical Assistance in the Wider Appreciation of International Law, 1963; Member of the Afghanistan delegation to the Non-Aligned Conference in Cairo, Egypt, 1964; Leader of the Afghanistan delegation and Vice-Chairman of the twentieth session of ESCAPE (Tehran), 1964; Vice-Chairman and Acting Chairman of the Afghan delegation to UNCTAD I (Geneva), 1964; Chairman of

the Land-Locked Committee of the UNCTAD Conference (Geneva), 1964; Chairman of the Asian Group in UNCTAD I, 1964; Chairman of the Afghanistan delegation to the New York Conference on Transit Trade of Land-Locked States and also Vice-Chairman of the Conference (New York), 1965; Chairman of the Afghanistan delegation to the first and second sessions of the Law of Treaties Conference in Vienna and served also as Vice-President of the Conference, 1968-1969; Elected for a second five-year term to the International Law Commission, 1967; Chairman of the Afghanistan delegation to the annual meeting of Colombo Plan meeting in Seoul, Korea, 1968; General Rapporteur of the International Law Commission, 1968; Chairman of the Afghanistan delegation of the Asian Ministerial Meeting of ILO, and Chairman of Credential Committee (Tokyo), 1969; Elected for a third five-year term to the International Law Commission, 1970; Chairman of the Afghanistan delegation to the annual meeting of ECAFE and also Vice-Chairman of the meeting as well as Chairman of the Commission of the Whole, 1970; Commissioner of the Afghanistan delegation to the International Exposition in Japan (EXPO 70), 1970; Chairman of the Afghanistan delegation to the Fourth Ministerial Meeting of Asian Highways (Bangkok), 1970; Chairman of the Afghanistan delegation to the Trade and Banking Meeting of ECAFE (Bangkok), 1970; Chairman of the Committee of the Whole and Vice-Chairman of the Afghanistan delegation to the Asian Economic Ministerial Meetings (Kabul), 1971; Chairman of the Afghanistan delegation to the ECAFE annual session in Manila and also Vice-Chairman of the Conference, 1971; Chairman of the Afghanistan delegation and also Chairman of the Ministerial Meeting of the Fourth Non-Aligned Conference (Kabul), 1972; Represented the International Law Commission before the New Delhi session of the Afro-Asian Legal Consultative Committee, 1972; Invited expert and Permanent Chairman of the Asian-African Committee of Land-Locked States at the annual meeting of the Asian-African Consultative Committee in Tokyo, 1974; Vice-Chairman of the International Law Commission, 1974; Chairman of the International Law Commission, 1975; Chairman of the Afghanistan delegation to the United Nations Conference on Succession of States in Respect of Treaties in Vienna and also Rapporteur of the Committee of the Whole of the Conference, 1977.

Negotiations on behalf of the Government: Negotiated and completed the term of membership of Afghanistan to the World Bank and Monetary Fund, Washington, 1955; Legal Adviser of the Afghan delegation in negotiations with Iran, 1955; Cultural Treaty with Japan, signed on March 1969; Signed the Telecommunication Agreement with neighbouring countries on behalf of ECAFE, Teheran; Negotiated Annual Trade Arrangement with India, 1970-1972.

Publications: Over more than 30 years, scores of articles have been published in periodicals and magazines of Afghanistan and abroad, among them:

Articles published in Afghanistan

Some legal aspects of self-determination; a study of outer-space law; Definition of Aggression; A legal study of co-existence; The International Court; Usefulness of an international criminal court; The right of Pashtune and Boluch peoples to self-determination etc.

Articles published abroad

Free access to the sea and decisions made by the First Law of the Sea Conference, published by the Juridical Centre in Geneva, 1958; The right of land-locked States, published by the Czechoslovak Journal of International Law, 1958; Some legal aspects of the right of transit, published by the Austrian Legal Quarterly Journal, 1972; On the needs of land-locked States, Report prepared and printed by the

Asian-African Legal Consultative Committee, New Delhi, 1971; Paper submitted to the Sub-Committee of State Succession of the International Law Commission (Geneva), 1967; Paper contributed on the international rivers, submitted to the Sub-Committee on Non-Navigable Rivers of the International Law Commission (Geneva), 1974.

#### Books

Right of Transit and its Recognition of the World Community (published by Afghanistan Press Department), 1958; The Right of Land-Locked States for Free Transit (published by the Ministry of Justice, Kabul), 1966; The Right of Transit by Land-Locked Countries (published by the Ministry of Education, Kabul), 1970.

Humanitarian activity: Member of the Zagreb Committee for Preparation of a World Without a Bomb, arranged by the philosopher Bertrand Russell and President Nkrumah of Ghana; Member and Chairman of the First Committee of the Accra Assembly; Permanent member, Council of the Accra Assembly of "World Without a Bomb"; Inspected the UNICEF projects on behalf of the United Nations in Mexico, Iran and Afghanistan, 1964.

Academic activity: Lecturer on History and Economics in Habibia School, 1942-1946; Lectured on policy of non-alignment in the Institute of Foreign Studies in Madrid, Spain, 1958; Lectured in Foreign Service Institute, Foreign Ministry of Afghanistan and served as its Director, 1954-1956; Gave numerous lectures and conferences at home and abroad in the field of law, politics and history.

Decorations: Medal of Rishteen (Afghanistan), 1960; Medal of Star (Afghanistan), 1962; Decoration of Flag with Ribbon (Yugoslavia), 1966; Decoration of Rising Sun (Japan), 1969.