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Filling of casual vacancy in the Commission - Note by the Secretariat (Addendum)

Topic:
Filling of casual vacancies

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INTERNATIONAL LAW COMMISSION
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FILLING OF A CASUAL VACANCY IN THE COMMISSION

Note by the Secretariat

Addendum

I. CANDIDATURE

The following nomination has been submitted for the seat which became vacant following the death of Professor Paul Reuter (France) on 29 April 1990.

II. CURRICULUM VITAE OF THE CANDIDATE

Alan PELLET
(France)

[Original: French]

Born on 2 January 1947, Paris, 16th arrondissement

Married, 4 children

Address: 16, avenue Alphonse de Neuville
92380 Garches (France)

Agrégé of the Faculties of Law

Professor at the University of Paris-Nord and at the University of Paris X-Nanterre

Academic qualifications

Bachelor of laws (public law) (1968 - Faculty of Law and Economics, Paris)

Diploma of the Institute of Political Studies, Paris (Sciences-Po) (1968 - public service section)

Auditor at the Academy of International Law, The Hague (public international law courses, 1967, 1969 and 1971)

Diploma of advanced studies in public law (1969 - Faculty of Law and Economics, Paris)

Diploma of advanced studies in political science (1969 - Faculty of Law and Economics, Paris)

State Doctorate in public law (1974 - University of Law, Economics and Social Sciences, Paris)

Agrégation in public law and political science (1974)

Foreign languages: English: read and speak (well), write
Italian: read and speak (poorly)

Posts

Assistant lecturer at the Faculty of Law and Economics, Paris, and at the University of Law, Economics and Social Sciences, Paris, from 1968 to 1974

At the University of Constantine (Algeria), from 1975 to 1977, Agrégé Lecturer in public law, seconded by the University of Paris-Nord under the civilian cultural co-operation scheme

Courses given:

International development law (degree course, fourth year)

Petroleum law (degree course, fourth year)

Public international law, general course (three semesters, degree course, third and fourth years)

At the National School of Administration, Algiers

1975 to 1977, Professor

Courses given:

The law of international organizations (diplomatic section)

General public international law (general section and diplomatic section)

At the Faculty of Law and Political Science of the University of Paris-Nord:
Professor since 1 January 1975 (seconded to the University of Constantine until 15 September 1977)

1976-1977: Courses given during short-term assignments:

Public international law (general course) (degree course, third year)

International development law (degree course, fourth year)

The law of Community institutions (degree course, fourth year)

International economic law (advanced studies diplomas in public law and business law)

International administrative law (advanced studies diploma in public law)

Member of the University Council and the Scientific Council (1979-1986)

Director of the Study and Research Group on International law, economics and development (GERDIED)

Delegate for international relations at the University (1973-1982)

Adviser to the Dean (1981-1982)

Member of the Faculty Council (1978-1982 and since 1987)

Since 1985, Chairman of the Commission on Specialization in and the Establishment of Public Law and Political Science

At the University of Law, Economics and Social Sciences, Paris (IHEI), course on "International law, disarmament and development" (1979-1980)

At the Institute of Political Studies, Paris (Sciences-Po)

From 1970 to 1975, leader of a seminar on international relations (with Professor M. Marie)

Topics discussed:

"International persons" (1970-1971)

"Multinational corporations" (1971-1972)

European security problems (1972-1973 and 1973-1974)

Petroleum as a major factor and issue in international relations (1974-1975)

(The proceedings of these seminars have been issued in document form)

From 1972 to 1975 and from 1977 to 1981, Senior Lecturer in international law (international relations section, second and third years)

Since 1980: professor, course on "The legal framework of international economic life"

At René Descartes University (Paris V) - Institute of Legal Sciences of Development

1978-1985 and 1987-1988: seminar course on "The financing of development" (advanced studies diploma)

1988-1989: Seminar on "International development law" (Master's degree from the Institute of Legal Sciences of Development, ISJD)

At the National School of Administration, Paris

Member of the admissions panel (1980: second external competitive examination; 1981: first external competitive examination and of the graduation panel (1982))

Course on the "framing" of international relations: "Third world and development - legal aspects" (1984-1985)

At the University of Paris X-Nanterre

From 1986 to 1989: course on "International development law" (Master's degree and advanced studies diploma)

In 1989-1990: course on "The sources of international economic and development law" (Advanced studies diploma and Master's degree)

Elected full professor in 1990

At the Academy of International Law, The Hague

Leader of the French-language seminars during the course on public international law (1985)

Other activities

From 1969 to 1975 served on the staff of an Advocate to the Council of State and the Court of Cassation (drafting written procedural documents for applications to the Council of State and to administrative tribunals)

Numerous legal consultations on administrative law and international law at the request of various authorities (Ministry of Foreign Affairs), public and semi-public bodies and international organizations (UNESCO and various other organizations: Federation of International Civil Servants' Associations (FICSA), staff associations of several international organizations, United Nations University) and private companies

1979-1982, President of the French Association for Disarmament Research and Studies (AFRED)

Government expert at the UNESCO Congress on Education for Disarmament (June 1980). Report on "Disarmament in the teaching of international questions". Consultant on the same subject (August 1981)

Member of the Board of Examiners in the competition for the recruitment of administrator-trainees for the City of Paris (1978 and 1979)

Adviser to the French representative on the Working Group of Governmental Experts on the Right to Development, set by the United Nations Commission on Human Rights (1981)

Consultant to the Ministry of Foreign Affairs (United Nations Department - "Follow-up" to the North-South multilateral negotiations, institutional and legal aspects (1981-1983)). Member of the French delegation at the GATT ministerial session (Geneva, 1982), at UNCTAD VI (Belgrade, 1983) and a number of sessions of the Trade and Development Board

Alternate member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, United Nations Commission on Human Rights (since 1983)

Co-editor with P.M. Eisemann of the international law collection at Editions Economica.

Activities at the International Court of Justice

Counsel for the French Republic in the case of the application for review of Judgment No. 273 of the United Nations Administrative Tribunal (Mortished case). (Advisory Opinion of 20 July 1982 - drafting of written observations)

Adviser and counsel for Nicaragua in the cases involving Military and paramilitary activities in and against Nicaragua (First phase: Judgment of 26 November 1984 - drafting of part of the memorial and oral pleading; Second phase: Judgment of 27 June 1986 (*idem*); Third phase (reparation) (pending)) and in the cases relating to Frontier and transfrontier armed activities (Nicaragua versus Costa Rica - drafting of the memorial and Nicaragua versus Honduras: First phase, Judgment of 20 December 1988; Second phase, pending)

Adviser and counsel for Burkina Faso in the Frontier Dispute case (Burkina Faso versus Mali) (Judgment of 22 December 1986)

Decorations

Chevalier des Palmes académiques (1986)

Etoile d'or de Nahour (Burkina Faso 1987)

Missions abroad

Numerous missions to the University of Constantine: post-graduate (doctorate) courses on the law of international organizations (1977-1978) and on the law of decolonization (1979-1980); seminar on transnational corporations (1981-1982)

At the University of Algiers (November 1977 - report on a thesis for a State doctorate)

Guest professor at Thammasat University, Bangkok (Thailand), under a UNESCO programme on human rights (January 1978)

Lectures (in English):

Human Rights and Peace

The International Law of Human Rights and Domestic Jurisdiction

Teaching missions at the Antilles Guyane University (Guadeloupe) - 1979 and 1980: third year degree course on international development law and on international institutions. 1981 to 1985 - Master's degree courses on: international economic organization (annual teaching mission). 1984-1986: Chairman of the Board of Examiners for a thesis (Martinique)

Teaching mission at the National University of Benin (Faculty of Law), degree course: international development law; law of the sea (June 1979)

Teaching mission at Mohamed V University, Rabat (Morocco) (Faculty of Law)

Doctorate course: "Translation into legal terms of the ideology of development" (1981)

Lectures for third-year and fourth-year students (as well as at the Faculty of Law, Fez) on international development law (1981); degree course, third year: "The law of the sea" (1982)

Missions to the United Nations University 1981 (Tokyo) and 1983 (Cairo)

Guest Professor at the Centre for External Relations (Mozambique-Tanzania) at Dar-es-Salaam, lecturer on various aspects of the New International Economic Order (1982)

Guest Professor at the Faculty of Law, Damascus. Doctorate lectures: "International law aspects of development" in French and in English (1983)

Lecture at Warwick University, Coventry (United Kingdom) - "Disarmament and development" (1984)

At the Faculty of Law, Casablanca (November 1984), report on a thesis for a State doctorate and course for degree students

University College, Faculty of Laws, London (October 1986) Lecture: "A New International Legal Order?"

At the University of Mauritius, degree course on: "International Development Law (November 1989)

Research and publications

Publications

Droit international public (with Nguyen Quoc Dinh and Patrick Daillier), LGDJ, 3rd edition, 1987, 1,189 p. (2nd edition, 1979, 994 p.; supplement with update of 1st edition, 1977, 132 p.; 4th edition in preparation)

La Charte des Nations Unies (co-edited with Jean-Pierre Cot), Economica, 1985, XVI-1,553 p.; preface by Mr. J. Pérez de Cuéllar (work awarded the Lemonon Prize of the Institut de France, Academy of Moral and Political Sciences). Translations into English and Japanese and second edition in preparation

Le droit international du développement, PUF, "Que sais-je?", No. 1731, 2nd edition, 14,000 copies sold, 1987, 128 p., 1st edition, 1978. Japanese translation, 1989.

Droit international public, PUF, Memento Themis, Paris, 1981, 154 p.

Le cadre juridique de la vie économique internationale, duplicated lecture notes (Institute of Political Studies, Paris, 1981-1982); fasc. I: Droit et économie internationale, le droit des relations monétaires internationales, 322 p.; updated 1982-1983; fasc. II: Le droit des relations commerciales internationales; fasc. III: La souveraineté économique de l'Etat - in preparation

Les voies de recours ouvertes aux fonctionnaires internationaux, Pédone (extract from the Revue Générale de Droit International Public), 1982, 202 p.

Les forces régionales de maintien de la paix, collective study edited by Alain Pellet, FNED, dossier No. 3, 249 p.

Répertoire de la jurisprudence des tribunaux administratifs internationaux, prepared at the request of FICSA, vol. II, Le droit procédural, United Nations, 1987, 1,304 p., vol. I, Le droit applicable, 1988, 528 p. and vol. III, Le droit substantiel, in preparation

In preparation

Le droit international du développement social et culturel, publication of the proceedings of the Round Table organized by the Faculty of Law of the University of Paris-Nord and the Fondation de l'Arche, 11-12 May 1990

Les fonctionnaires internationaux, PUF, "Que sais-je?", to appear in 1990

Droit international du développement, Manuel Masson, Paris, to appear in 1991

Désarmement, to be published by Pédone in the IHEI collection of courses and studies, in co-operation with Jean-Pierre Cot.

L'OCDE, PUF, "Que sais-je?", in preparation

Droit des organisations internationales, PUF, "Droit fondamental" collection, in preparation

Articles on international law

"Ventures between Multinational Corporations, Local Companies and Investors, and a Labour Union - Factory Machinery in World Markets", in Wolfgang Friedmann and Jean-Pierre Beguin, Joint International Business Ventures in Developing Countries, Columbia University Press, New York and London, 1971, pp. 167-184

"La succession des organisations internationales et l'indépendance des fonctionnaires internationaux - A propos d'une décision de la Commission de recours du C.I.H.E.A.M.", Annuaire français de droit international, 1972, pp. 413-421

"Le droit international public", in Le Droit aujourd'hui, collective work published under the editorship of Professor Rouvier, CPEL, 1973, pp. 304-331

"La ratification par la France de la Convention européenne des Droits de l'Homme", Revue de droit public et de la science politique, 1974, pp. 1319-1379

"La grève dans les services publics internationaux", Revue générale du droit international public, 1975, No. 4, pp. 932-971

Commentaire de la décision du Conseil constitutionnel en date du 15 janvier 1975 déclarant la loi relative à l'interruption volontaire de la grossesse conforme à la Constitution, Gazette du Palais, 14-15 January 1976, p. 9.

"Budgets et programmes aux Nations Unies, quelques tendances récentes", Annuaire français de droit international, 1976, pp. 242-282

"Restructuration et démocratisation - L'exemple de la CNUCED et de l'ONUDI", report to the Symposium on International Law and Development (October 1976, OPU, Algiers, 1977, pp. 381-409).

Corrected practical test "Arrêt fictif de la CIJ dans l'affaire de Gibraltar - Les difficultés d'application du principe du droit des peuples à disposer d'eux-mêmes", Revue de l'Etudiant en Droit, December 1976, pp. 74-80

"L'article 53 de la Constitution de 1958 - Le rôle du Parlement dans la procédure d'entrée en vigueur des traités et accords internationaux", in La constitution de 1958, edited by F. Luchaire and G. Conac, Economica, 1979, pp. 671-709, updated 2nd edition 1987, pp. 1005-1038.

"L'affaire Dumitrescu à l'UNESCO; note sur l'indépendance des fonctionnaires internationaux", in Journal du Droit international (Clunet), 1979, No. 3, pp. 570-588

"La reconnaissance par la France du droit de requête individuelle devant la Commission européenne des Droits de l'Homme", report to the Seventh Besançon Symposium, 1980, published in Revue du Droit public et de la science politique, 1981, pp. 69-103

"Les voies de recours ouvertes aux fonctionnaires internationaux; recherche sur quelques problèmes d'actualité - L'exemple de la Commission de recours de l'OCDE", Revue générale du droit international public, 1981, No. 2, pp. 253-312 and No. 4, pp. 657-792

"Légitime défense et agression - Le phénomène de libération nationale", eighth Rencontre de Reims, Realités du droit international contemporain - Discours juridique sur l'agression et réalité internationale, CERI, Reims, 1982, pp. 117-126

"Le bon droit et l'ivraie - Plaidoyer pour l'ivraie (Remarques sur quelques problèmes de méthode en droit international du développement)", in Mélanges Charles Chaumont, Pédone, 1984, pp. 465-493

"Le droit au développement: un nouveau droit de l'homme?" in La formation des normes en droit international du développement, collective work edited by Maurice Flory, CNRS-OPU, 1985, pp. 71-85 (and conclusions of the symposium, pp. 368-373)

"The Functions of the Right to Development - A Right to Self-Realization", in Third World Legal Studies, 1984, pp. 129-139

"Qui a peur du droit des peuples à disposer d'eux-mêmes?" Critique socialiste, 1984, pp. 89-104

"La carrière des fonctionnaires internationaux", in SFDI, Aix-en-Provence Symposium, Les agents internationaux, Pédone, 1983, pp. 143-191

"Le sage, le prince et le savant" (A propos of "La politique juridique extérieure" by Guy de Lacharrière), JDI, 1985, pp. 407-414

"A New International Legal Order? What Legal Tools for What Changes?", report to the Franco-British Symposium, Aspects du Droit international du développement (January 1985), in Francis Snyder and Peter Slinn, eds., International Law of Development: Comparative Perspectives, Professional Books, Abingdon, 1987, pp. 117-135

"La glaive et la balance - Remarques sur le rôle de la Cour internationale de Justice en matière de maintien de la paix et de la sécurité internationales", in Mélanges Rosenne, Nijhoff, Alphen, 1989, pp. 539-566

"Contre la tyrannie de la ligne droite. Aspects de la formation des normes en droit international de l'économie et du développement", course of lectures at the International Law Institute of Thessalonica, 1988, to appear in Thesaurus Acroasium, vol. XV

"La destruction de Troie n'aura pas lieu - Il n'y a qu'un critère de mise en oeuvre du droit de l'occupation de guerre: le respect des droits souverains du peuple soumis à occupation" (Pal. Yb.I.L., 1987-1988, pp. 44-84); to appear also in English in International Commission of Jurists-Al-Haq, The Administration of Occupied Territories: The West Bank, (Jerusalem Symposium, 1988)

In preparation

"La mise en oeuvre des normes internationales des droits de l'homme" to appear in CEDIN, La France et les droits de l'homme, Montchrestien, Paris, 1990

"Droit international et révolution - l'exemple du Cambodge" - Participation in the SFDI Round Table, Dijon Symposium, 1989, to appear in SFDI, Révolutions et droit international, Pédone, 1990

"L'objet et la méthode en droit international - Y a-t-il une 'méthode de Reims'?", report to the eighth Rencontre de Reims, May 1989, to appear in Réalités du droit international contemporain, 8ème Rencontre de Reims, CERI, 1990

"Examen critique de la notion de droit au développement en droit international", to appear in United Nations, Centre for Human Rights, Consultation globale sur la mise en oeuvre du droit au développement en tant que droit de l'homme, 1990

"Quelques problèmes institutionnels et juridiques posés par la coopération économique entre pays en développement au sein de la CNUCED", communication to the Rabat Symposium, La coopération sud-sud et l'avenir du Tiers monde, to appear in the IDEID publications

Numerous reviews of books and articles in Annuaire français de droit international since 1969, Journal du Droit International (Clmet) since 1974 and Politique étrangère since 1989

Participation in numerous congresses and symposia on public international law, international development law and international relations

Administrative law - Notes on case law

Council of State (Conseil d'Etat) administrative court, Sect. 5 May 1972, Société d'Equipement de l'Indre, and 21 July 1972, Société 'Entreprise Ossude", JCP (Semaine Juridique), 1973, No. 17481

Council of State Sect. 19 January 1973, first case, Société d'Exploitation Electrique de la Rivière du Sant: second case, Minister of Industrial Development versus Le Vavasseur JCP (Semaine Juridique), 1971, No. 17629

Council of State Ass. 2 November 1973, Société Librairie Maspéro (case of the "Tricontinental" journal) Recueil Dalloz, 1974, p. 432

Council of State Ass. 18 January 1975, Da Silva and CFDT (case of the Marcellin-Fontanet circulars relating to immigration of foreign workers in France) JCP (Semaine Juridique), 1976, No. 18235 and Revue de l'Etudiant en droit, April 1977

Council of State Ass. 13 February 1976, Association de Sauvegarde du Quartier Notre-Dame à Versailles, Recueil Dalloz, 1977, p. 105

Political science

Une morale de la République - Pierre Mendes France et les institutions politiques, Mémoire IEP, 1968, 246 ff.

Pierre Mendes France et les événements de mai et juin 1968, Mémoire DES de Sciences Politiques, 1969, 108-LXXIII ff.
