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第六十三届会议

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起诉应对 1991 年以来前南斯拉夫境内

所犯严重违反国际人道主义法

行为负责者的国际法庭

2009 年 8 月 7 日秘书长给大会主席的信

谨提及你 2009 年 8 月 4 日的来信。该信同意我任命居伊·德尔瓦先生、霍华德·莫里森先生及伯顿·霍尔爵士前南斯拉夫问题国际法庭常任法官的提议。

我已收到安全理事会主席的相应来信(S/2009/387)。因此，我已任命德尔瓦先生、莫里森先生及伯顿·霍尔爵士担任前南斯拉夫问题国际法庭常任法官，任期分别自 2009 年 9 月 1 日、2009 年 8 月 31 日和 2009 年 8 月 7 日起生效，至 2010 年 12 月 31 日止或至分派其审理的案件结案止，以二者中较早者为准。随信附上他们的简历(见附件)。^{*}

请将上述任命提请大会成员注意。

潘基文(签名)

^{*} 附件仅以原文分发。



附件

Curricula vitae**Guy Delvoie**

PERSONAL INFORMATION	
Name	DELVOIE
Surname, other names	Guy Lucas, Martin
Address	Kaenbergstraat 14 B- 3051 Sint Joris Weert BELGIUM
Telephone	32 16 38 95 58 Cell : 32 485 53 23 55
E-mail	guy.delvoie@skynet.be
Nationality	Belgian
Date of birth	20 august 1947
Office	Court of appeals of Brussels
Address	Palais de Justice Place poelaert, B- 1000 Brussels BELGIUM
Telephone	32 2 508 66 37
E-mail	guy.delvoie@just.fgov.be

WORK EXPERIENCE (acquired in full time jobs)	
<ul style="list-style-type: none"> • Dates (from – to) • Name and address of employer • Type of business or sector • Occupation or position held • Main activities and responsibilities 	<p>April 2007 - present</p> <p>Belgian Judiciary – Department of Justice, avenue de Waterloo 115, B-1000 Brussels.</p> <p>Brussels Court of appeals</p> <p><i>President of the Brussels Court of appeals</i></p> <p>The bilingual Brussels court is Belgian's premier court of appeals.</p> <p>Presiding over the Brussels Court of appeals, a jurisdiction with some 70 full time professional judges handling appeals cases (criminal proceedings, civil, commercial and tax matters). Representation of the Court. Organising it's functioning. Controlling, to a certain degree the lower courts within its jurisdiction.</p>

<ul style="list-style-type: none"> • Dates (from – to) • Name and address of employer • Type of business or sector • Occupation or position held • Main activities and responsibilities 	<p>October 1995 - March 2007 Belgian Judiciary – Department of Justice, avenue de Waterloo 115, B-1000 Brussels. Brussels Court of appeals Judge and Section President Presiding over a section of the Court of appeals; handling and deciding appeals cases in civil and tax matters as well as criminal proceedings</p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and address of employer • Type of business or sector • Occupation or position held • Main activities and responsibilities 	<p>JUNE 1998- DECEMBER 2003 Belgian Judiciary – Department of Justice, avenue de Waterloo 115, B-1000 Brussels. Brussels Court of appeals Court Manager Special office whereby one of the Section Presidents is appointed to oversee and coordinate management of the Court as a whole</p>
<ul style="list-style-type: none"> • Name and address of employer • Type of business or sector • Occupation or position held • Main activities and responsibilities 	<p>MAY 1985- OCOBER 1995 Belgian Judiciary – Department Justice, avenue de Waterloo 115, B-1000 Brussels. Brussels Court of appeals Judge Handling and deciding appeals cases, in civil and tax matters as well as in criminal cases.</p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and address of employe • Type of business or sector • Occupation or position held • Main activities and responsibilities • Occupation or position held • Main activities and responsibilities 	<p>SEPTEMBER 1980 – MAY 1985 Belgian Judiciary – Department of Justice Brussels Court of first instance Judge Handling and deciding cases at district court level, in civil, cases and in criminal proceedings Researcher Conducting academic research and preparing academic publications</p>
<ul style="list-style-type: none"> • Dates (from – to) • Type of business or sector • Occupation or position held • Main activities and responsibilities 	<p>SEPTEMBER 1972 – SEPTEMBER 1980 Brussels Bar Attorney, associate to a member of the Supreme Court Bar; preparing and trying cases before Belgium’s Supreme Court</p>

<u>WORK EXPERIENCE</u> <i>(acquired in secondary activities)</i>	
• Dates (from – to) Type of activity	1999 - 2003 Member of the academic board of the “Justice in the World Foundation”, (with headquarters in Madrid, Spain)
• Dates (from – to) Type of activity	1987 - 2000 Member of the First Study Commission of the International Association of Judges ((International study commission within the I.A.J., The commission prepares and reviews comparative studies on matters of judicial organisation) Chairperson 1995 - 2000 Vice-chairperson 1991 - 1995 Belgian reporter 1987 – 1991
• Dates (from – to) Type of activity	January 1993 - April 1995 Member of the Flemish Council for Advertisement and Endorsements on Radio and Television
• Dates (from – to) Type of activity	September 1991 - June-1996 Lecturer at the Flemish School for Higher Education in Business; lecturing in the graduate program “Master in Tax Management”
• Dates (from – to) Type of activity	1987 – 1997 Founder and editor-in-chief of the Belgian Review for Civil Law
• Dates (from – to) Type of activity	1987 – 1991 Member of the Dispute Resolution Council for Non-Public Radio and Television Providers
• Dates (from – to) Type of activity	September 1985 - June 1990 Lecturer at the Vrije Universiteit Brussel (Free University of Brussels) for the course “Ethics of the Legal Profession”
• Dates (from – to) Type of activity	February 1974 - 30 June 1985 Assistant professor at the Vrije Universiteit Brussel (Free University of Brussels) for the course Family Law (Prof. Dr. G. Baeteman)

EDUCATION AND TRAINING	
<ul style="list-style-type: none"> • Dates (from – to) • Name and type of organisation providing education and training • Principal subjects/occupational skills covered • Title of qualification awarded 	<p><i>June 1999 – May 2000 (3 weeks stay in Williamsburg in June 1999 - writing a paper on a specific court management project - stay of one week in Washington DC in May 2000)</i></p> <p><i>Institute for Court Management, National Centre for State Courts, Williamsburg, Virginia, U.S.</i></p> <p><i>Court management</i></p> <p><i>Fellow of the Institute for Court Management</i></p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and type of organisation providing education and training • Principal subjects/occupational skills covered • Title of qualification awarded 	<p><i>1997</i></p> <p><i>Department of Justice, Office of Continuous Learning for Judges</i></p> <p><i>Court management</i></p> <p><i>Certificate of completion</i></p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and type of organisation providing education and training • Principal subjects/occupational skills covered • Title of qualification awarded 	<p><i>1997</i></p> <p><i>Stichting Studiecentrum Rechtspleging (Dutch institute for judges' training), Zutphen the Netherlands, 1997</i></p> <p><i>Court management</i></p> <p><i>Certificate of completion</i></p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and type of organisation providing education and training • Principal subjects/occupational skills covered • Title of qualification awarded 	<p><i>August 1973 and august 1974(first and second cycle)</i></p> <p><i>Faculté de droit comparé de l'Université de Strasbourg (School of Comparative Law of the University of Strasbourg, France).</i></p> <p><i>Comparative Law</i></p> <p><i>Diploma first cycle and diploma second cycle</i></p>
<ul style="list-style-type: none"> • Dates (from – to) • Name and type of organisation providing education and training • Principal subjects/occupational skills covered • Title of qualification awarded 	<p><i>September 1968 – June 1972</i></p> <p><i>Vrije Universiteit Brussel (Free University of Brussels)</i></p> <p><i>Law degree (5 years of legal education)</i></p> <p><i>Licencié en droit (JD equivalent), magna cum laude</i></p>

LANGUAGE SKILLS MOTHER TONGUE	
OTHER LANGUAGES	
<ul style="list-style-type: none"> • Reading skills • Writing skills • Verbal skills 	<p>DUTCH</p> <p>FRENCH (SECOND LANGUAGE, DAYLY USED IN THE BILINGUAL BRUSSELS COURT)</p> <p>excellent</p> <p>excellent see publications in French</p> <p>excellent</p> <p>ENGLISH</p> <p>excellent</p> <p>excellent see publication in English</p> <p>excellent</p> <p>GERMAN</p> <p>very good</p> <p>good</p> <p>good</p>
<ul style="list-style-type: none"> • Reading skills • Writing skills • Verbal skills 	
<ul style="list-style-type: none"> • Reading skills • Writing skills • Verbal skills 	

<u>JOB REQUIREMENTS</u>	<p><i>All judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices...</i></p> <p><i>with experience in the fields of criminal law or international law, including international humanitarian law and human rights law.</i></p>
<u>SKILLS AND COMPETENCES RELATED TO THE JOB REQUIREMENTS</u>	<p>The applicants appointment in April 2007 to one of the highest judicial offices in Belgium (president of the Brussels Court of appeals, in the Belgian Judiciary only outranked by the position of president of the Supreme Court) gives evidence as to the first requirement above.</p> <p>A solid experience in criminal law has been acquired in the course of a career of almost 30 years within the Belgian Judiciary (see details below) while judging criminal cases on the first instance level as well as in the appellate court and also in the "Cour d'assises" (jury trial).</p> <p>Ability to formulate independent judgment in sensitive and complex matters and unquestionable impartiality and integrity is evidenced by an outstanding judicial career, including years as Section President of criminal, civil and Tax sections of the Court of appeals of Brussels, and a term as Court Manager. .</p> <p>Knowledge of different legal systems and international legal matters acquired trough comparative studies and trough very active involvement, in the First Study Commission of the International Association of Judges, including five years as chairperson of the Commission.</p> <p>Proven record of French and English language proficiency, both in a domestic environment ((French) and in an international legal environment (verifiable e.g. through graduation from a U.S. Court management program and preparation of a 70 pages-long paper on court management in English).</p>

<p style="text-align: center;">ORGANISATIONAL SKILLS AND COMPETENCES</p>	<p>Successful completion of various Court management programs in Belgium, The Netherlands and the United States of America.</p> <p>Numerous years as section president and a five-year term as Cour Manager of the Brussels Court of appeals. The latter position involves the organisation and management of Belgium's premier (and bilingual) appellate court..</p>
<p style="text-align: center;">TECHNICAL SKILLS AND COMPETENCES</p>	<p>Excellent PC-skills, including knowledge of WORD, EXCEL and POWER POINT</p>
<p style="text-align: center;">ADDITIONAL INFORMATION</p>	<p>CONTACT PERSONS :</p> <p>Johan Vlogaert Head of Unit External Aid Investigations, European Anti-fraud Office (OLAF), European Commission e-mail: JOHAN.VLOGAERT@CEC.EU.INT</p> <p>The Honorable Louise Mailhot, Former judge at the court of appeals of Quebec, actually strategic counsel to Fasken Martineau's Litigation and Employment Law Practice Groups Montréal Canada e-mail : lmailhot@fasken.com</p> <p>Klaus Decker Legal and Judicial Reform Public Sector Group – PREM Network e-mail: KDECKER@WORLDBANK.ORG.</p> <p>Karel De Gucht Minister of Foreign Affairs Karmelietenstraat 15 B-1000 Brussel e-mail: kab.bz@diplobel.fed.be</p>

ANNEXES

LIST OF PUBLICATIONS (IN DUTCH)

CV

HHJ Howard Morrison CBE QC

Born Kent UK 1949

Pots-school VSO service Ghana 1968-9 the London University[law graduate LLB] Military service [Subaltern, Queen's Regt and subsequently Para Regt TAVR then RARO] and then development work in West and Central Africa [VSO officer responsible for Zambia and Malawi] Post-grad Bar final, Inns of Court School of Law, called to Bar by Grays Inn in 1977.

Private practice as a barrister from 1977 -1985 doing criminal, civil and family law cases when appointed as a Resident then Chief Magistrate of Fiji and, concurrently, Senior Magistrate of Tuvalu. Took Magistracy through first of two military coups intact, the second coup dismantled the constitution.

1988-89 Served as Attorney General of Anguilla getting anti drugs legislation through a very hostile Parliament and local legal community 1989- 2004 practice on the UK Midland Circuit in crime, sitting as a Assistant Recorder [1993] and Recorder [1997] in crime, family and civil cases. Appointed Queen's Counsel 2001.

.In practice prosecuted cases for the Crown Prosecution Service, Customs and Excise and the Serious Fraud Office at the highest prosecutorial grade in each case and defended in the most serious rape and murder cases. Defence practice included Courts Martial in UK and Germany.

From 1997-2004 defending at the UN International Criminal Tribunals for Yugoslavia and Rwanda defending in genocide, crimes against humanity and war crimes allegations including two camp commanders [ICTY][Mucic and Nikolic] and a former Rwandan government Minister [Mugenzi][ICTR] charged with genocide. Created the procedure for dealing with cases of diminished responsibility at the ICTY in the case of Kovocavic.

Wide knowledge of international criminal and humanitarian and human rights law and a particular knowledge of the jurisprudence of the ad-hoc Tribunals for the former Yugoslavia and Rwanda, in particular command and superior responsibility and the three modes of joint criminal enterprise.

Various publications mostly in the field of International criminal law.

Member of the Race Relations and Equal Opportunities Committees of the Bar Council 1994-2003.

Master of the Bench, Grays Inn 2008

Appointed Circuit Judge December 2004. Authority to try all classes of cases. Extensive experience of teaching advocacy [Grays Inn] and international criminal, humanitarian and human rights issues at universities and conferences/seminars in the Middle East [Iraq, Dubai, Syria, Jordan and Egypt] , Australia [Distinguished Visiting Fellow, Castan Human Rights Centre, Monash University], Europe [including guest lecturer at the Scoula Superiore at the University of Catania, Sicily] 2007 German Bar Conference, 2008 Chaired meeting of the completion strategies for the ICTY/ICTR, European University at Florence. 2009 Co-chair expert meeting of the Amsterdam Centre of Interdisciplinary Research on International Crimes and Security and the USA for the IBA, British Council and independently. OBE [Services to Fiji] (1988), CBE [Services to international law] (2007)

Appointed visiting Senior Judge for the Sovereign Base Areas, Cyprus 2007.

Appointed Trial Judge by the UN Sec General for the Special Tribunal for the Lebanon 2009

Member of Fijian and Eastern Caribbean Bars

Member of Justice, the Commonwealth Judges and Magistrates Association and British Institute for International and Comparative Law

Fellow of the Royal Geographical Society

Member of the Advisory Board, OUP Journal of International Criminal Law.

**The Honourable Sir Burton Hall, Kt., KSS,
Chief Justice and Head of the Judiciary (5 September 2001 – present)
Commonwealth of The Bahamas**

Birth: Nassau, The Bahamas, 10 December 1947

Education:

Sir Burton received an LL. B degree, with Honours, from the University of the West Indies in 1974 and the Legal Education Certificate of the Council of Legal Education of the West Indies in 1976.

Professional Life:

Sir Burton began his public service career in 1968 and served as a Probation Officer and Clerk in the House of Assembly before he began his legal studies.

He entered the Office of the Attorney General as an Assistant Counsel following his admission to the Bar in 1976. He progressed through the ranks of that Office (acting as a Stipendiary and Circuit Magistrate for two years) and held the post of Solicitor General when he was appointed to act as a Justice of the Supreme Court in October of 1990. As Solicitor General, he represented The Bahamas at several regional conferences dealing with drug trafficking and economic crimes.

He was confirmed as a Justice of the Supreme Court with effect from 1 February 1991 and served in that office (presiding over criminal, civil, constitutional and family matters) until he was appointed to the Court of Appeal on 1 April 1997. He demitted office as a Justice of Appeal on 4 September 2001 in order to assume his present post as Chief Justice and Head of the Judiciary.

During 1998, Mr. Justice Hall, as he referred to then, was appointed Chairman of the National Crime Commission. The Commission presented its report to the Government on 30 November of that year.

In 1999 Sir Burton was appointed to serve a three-year term as a member of the Administrative Tribunal of the Inter-American Development Bank, and, in 2002, was appointed for a further, and final, three-year term which ended in 2004.

In August of 2005, Sir Burton was elected by the General Assembly of the United Nations an *ad litem* Judge to the International Criminal Tribunal for the former Yugoslavia (ICTY).

In addition to his present duties, he is also Course Director in Constitutional Law and Legal Systems at the Eugene Dupuch Law School, Council of Legal Education.

In June of 2002, having completed the programme of the Commonwealth Judicial Education Institute at Dalhousie University School of Law, Halifax, Nova Scotia, Canada, Sir Burton became a Fellow of that Institute.

Honours and Awards:

As is customary in The Bahamas, on becoming Chief Justice, Sir Burton was made a Knight Bachelor by Her Majesty, Queen Elizabeth II (who has continued as the constitutional Head of State of The Bahamas since Independence in 1973).

In 2003, he was made a Knight of the Order of St Sylvester by His Holiness, Pope John Paul II. In 2004, Sir Burton was awarded the Pelican Alumni Peer award as outstanding alumnus of the University of the West Indies, Cave Hill Campus.

Professional Memberships:

Sir Burton is a member of: the Commonwealth Magistrates' and Lawyers' Association; the Commonwealth Lawyers Association, and the International Law Association, and holds associate membership in the American Bar Association and the Canadian Bar Association.

Family Life:

Married with three children and two grandchildren
