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**GENERAL ASSEMBLY**  
**65<sup>th</sup> session**  
**Rome, 2 December 2009**

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**Item No. 10 on the Agenda: Appointment of the members of the  
Administrative Tribunal**

(Secretariat Memorandum)

<i>Summary</i>	<i>See below</i>
<i>Action to be taken</i>	<i>Appointment of the members of the Administrative Tribunal</i>
<i>Related documents</i>	<i>None</i>

1. The General Assembly, at its 65<sup>th</sup> session, is called upon to appoint the members of the Administrative Tribunal.
2. The Secretariat regrets to inform the General Assembly that Professor Philippe Cahier, member of the Tribunal since 1977, passed away. One of the members of the Administrative Tribunal, Professor Sir Francis Jacobs, as well as the additional member, Professor Erik Jayme, have expressed their willingness to continue to serve on the Tribunal, while Professor Francesco Durante no longer wishes to be appointed to that role.
3. It is therefore proposed that the Administrative Tribunal be composed as follows: Professor Sir Francis Jacobs should be confirmed in his position; Professor Erik Jayme, who served as additional member, would be appointed as member of the Tribunal; for the third member of the Tribunal, it is proposed to appoint Professor Gianluigi Tosato; for the function of substitute member of the Tribunal, it is proposed to appoint Judge Rafael García Valdecasas. The *curriculum vitae* are appended to this document.
4. *The General Assembly is called upon to decide on the appointment of Professors Sir Francis Jacobs, Erik Jayme and Gianluigi Tosato to the post of members of the Administrative Tribunal and of Judge Rafael García Valdecasas. to the post of additional member as of 1<sup>st</sup> January 2010, for a period of five years.*

**APPENDIX****Rafael García Valdecasas**

Born 1946; Bachelor of Laws (Universidad de Granada); *Abogado del Estado* (at Jaén and Granada); Member of the Bar (Jaén and Granada); Head of the Spanish State Legal Service for cases before the Court of Justice of the European Communities (Ministry of Justice); Head of the Spanish delegation in the working group created at the Council of the European Communities with a view to establishing the Court of First Instance of the European Communities; Judge at the Court of First Instance from 25 September 1989 to 17 September 2007.

Member of the Advisory and Editorial Committees of the following legal journals: "Noticias de la Unión Europea – CISS", Madrid, Spain; "Gaceta Jurídica de la Unión Europea y de la Competencia", Madrid, Spain; "World Competition Law and Economics Review", The Hague, The Netherlands; "Competition Policy International", Boston. USA

**Sir Francis Jacobs**

The Right Hon. Sir Francis Jacobs, KCMG, QC is Professor of Law at King's College London, Jean Monnet Professor, and President of the Centre of European Law. He was Advocate General at the European Court of Justice from 1988 to 2006.

He is a Bencher of the Middle Temple and Reader (2009).

He is the author of several books on European law, including *The European Convention on Human Rights* (Oxford University Press: fifth edition by Ovey and White to be published in 2010) and *The Sovereignty of Law: the European Way* (Cambridge University Press 2007).

He is General Editor of the Oxford EC Law Library, and was founding Editor of the Yearbook of European Law (Oxford University Press).

He is President of the UK Association for European Law; a Patron of the UK Environmental Law Association; and Chairman of the European Maritime Law Organisation. He is a member of the UNIDROIT Administrative Tribunal since 1984.

He is President of Missing Children Europe.

**Erik Jayme**

Born at Montreal (Canada) on 8 June 1934.

Studies at Frankfurt, Munich and Pavia; Doctorate at Munich (1961); LL.M. at Berkeley, California (1966); “Abilitation” at the University of Magonza (1969); Professor at the University of Munster, Westphalia (1973-1974); Professor at the University of Munich and co-Director of the International Law Institute (1974-1983); Professor of Civil, Private International and Comparative Law at the University of Heidelberg and Director of the Institute for Foreign and International Private and Economic Law of the University of Heidelberg (1983-2002; emeritus Professor from 1 October 2002).

Degrees of Honour: Ferrara (1991 ); Budapest (2000); Porto Alegre (Brasil) (Universidade Federal do Rio Grande do Sul) (2003); Montpellier (2003).

Academies: *Académicien titulaire* at the *Académie internationale de Droit comparé* (Paris, from 1987); Institut de droit internationa (Geneva, from 1981, President 1997-1999); Heidelberg *Akademie der Wissenschaften* (from 1989); *Istituto Lombardo* (foreign member from 2000); *Accademia Nazionale dei Lincei* (Rome, foreign member from 2001); Austrian *Akademie der Wissenschaften* (Vienna, foreign member from 2001); Hague Academy of International Law (member of the curatorium from 1999, vice-President from 2004).

Holder of the *Landesforschungs* prize Baden-Württemberg (1989).

Publications on private and comparative international law, studies on Italian law and the history of law in the eighteenth century, in particular on Pasquale Stanislao Mancini, Emerito Amari, Giuseppe Pisanelli; publications on “art and law” and on the return and restitution of cultural objects to their countries of origin.

**Gianluigi Tosato**

“Libera docenza” in 1976; currently Professor of International Law, lecturing in European Union Law at the Law Faculty of the Università “La Sapienza” in Rome.

Visiting Scholar at Michigan University (1973) and Stanford University (1974-1975).

Member of the Executive Committee of the Italian *Istituto Affari Internazionali* (IAI) and the Advisory Board of the *Associazione Italiana dell’Arbitrato* (AIA).

Author or curator of several publications on public and private international law and European Union law.