



### 2009年7月31日秘书长给安全理事会主席的信

谨提及《起诉应对 1994 年 1 月 1 日至 12 月 31 日期间在卢旺达境内的种族灭绝和其他严重违反国际人道主义法行为负责者和应对这一期间邻国境内种族灭绝和其他这类违法行为负责的卢旺达公民的国际刑事法庭规约》第 12 条之二第 2 款：

依本条当选或获得任命的分庭常任法官出缺时，秘书长与安全理事会主席和大会主席协商后应任命符合本《规约》第 12 条所定资格的人一名，完成有关法官的剩余任期。

就此，谨报告，谢尔盖·阿列克谢耶维奇·叶戈罗夫(俄罗斯联邦)法官已辞职。

俄罗斯联邦政府提出由 Bakhtiyar Tuzmukhamedov 教授接替叶戈罗夫法官。Bakhtiyar Tuzmukhamedov 教授履历附后(见附件)。<sup>\*</sup>

我认为，Tuzmukhamedov 教授符合《国际法庭规约》第 12 条规定的资格。

我还要回顾，安全理事会在 2009 年 7 月 7 日通过的第 1878(2009)号决议中决定，虽有《国际法庭规约》第 11 条第 2 款的规定，作为例外情况，叶戈罗夫法官一旦在其作为国际法庭法官的职务被接替后继续完成他辞职前已开始审理的案件。

依照《国际法庭规约》第 12 条之二第 2 款规定，我期待着获悉你对任命 Tuzmukhamedov 教授为国际法庭常任法官一事的意见。

潘基文(签名)

<sup>\*</sup> 附件仅以呈件原文分发。



附件

**Bakhtiyar Tuzmukhamedov (Russian Federation)**

Born 30 March 1955

**Professional career**

1992–current. Counsellor of the Court, Constitutional Court of the Russian Federation. *Previous positions held at the Constitutional Court*: Senior Adviser, Head of Section, Counsellor of the Department of International Law, acting Head of the Department of International Law (on leave for the duration of graduate studies at Harvard Law School and for the duration of the United Nations field mission assignment)

1984–current. Professor of International Law, Diplomatic Academy, Moscow (part-time since 1992). *Previous positions held at the Diplomatic Academy*: Research Fellow, Senior Research Fellow, Associate Professor of International Law

1977–1984. Research Fellow, Law of the Sea Division, Institute of Merchant Marine (on leave for the duration of post-graduate studies)

**Education**

1993–1994. LL. M. candidate, Harvard Law School

1979–1982. Study and research for the degree of Candidate of Juridical Science, Moscow Institute of International Relations

1972–1977. Basic legal education, Moscow Institute of International Relations

**Membership in professional associations**

Vice-President of the Russian Association of International Law

Expert Board, PIR-Center (security and non-proliferation research)

International Law Association, formerly co-rapporteur of the ILA Committee on Arms Control and Disarmament Law (Committee mandate completed)

International Consortium-Forum on Challenges of Peace Operations

### Other related activities

Deputy Editor-in-Chief, Moscow Journal of International Law

Member of the Editorial Board, International Review of the Red Cross

Member of the Advisory Board, International Law in Domestic Courts

Adviser, United Nations Special Committee on Peacekeeping Operations (2009)

Member of the group of government and academic experts for the International Committee of the Red Cross study of customary norms of international humanitarian law (study published in 2005)

Civil Affairs Officer, United Nations Protection Force (UNPROFOR)/United Nations Peace Forces (UNPF) in the former Yugoslavia (1994/95)

Member of the United Nations Institute for Disarmament Research study group on maritime confidence-building (study published in 1993)

Adviser, United Nations Ad Hoc Committee on the Indian Ocean (1987)

### Recent publications in English

Scattered Reflections on the International Law in the Russian Legal Landscape, in *Regards d'une génération de juristes sur le droit international*, Paris, 2008, pp. 413–429.

The End of Contractual Disarmament? *Peace in Liberty/Festschrift für Michel Bothe zum 70. Geburtstag*, Baden-Baden, Nomos Verlag, 2008, pp. 333–338.

Preemption of Trans-boundary Terrorist Threats: The Russian Perspective. *International Law Studies*, vol. 83, Newport, RI, 2007, pp. 83–95.

Keeping Pace with the Times? *Austrian Review of International and European Law*, vol. 8 (2003), 2005, pp. 205–209.

The ICC and Russian Constitutional Problems, *Journal of International Criminal Justice*, No. 3, 2005, pp. 621–626.

Maintaining the ABM Treaty regime by multiple actors: Options for the post-USSR space. *Crisis Management and Humanitarian Protection. Festschrift für Dieter Fleck*, Berliner Wissenschafts-Verlag GmbH, 2004, pp. 593–610.

The implementation of international humanitarian law in the Russian Federation. *International Review of the Red Cross*, vol.85, No.850, 2003, pp.385-396.

Russian Federation: the Pendulum of Powers and Accountability, in *Democratic Accountability and the Use of Force in International Law*, Cambridge University Press, 2002, pp.257-279.

The Legal Dimension of Peace Operations, in *Challenges of Peace Operations: Into the 21st Century*, Elanders Gotab (Stockholm), 2002, pp.61-74.

The Role of the Russian Constitutional Court in Protecting the Rights of Active Duty and Retired Servicemen. *The Air Force Law Review*, vol.52, 2002, pp.81-92.

Russian Forces in the Commonwealth of Independent States. *The Handbook of the Law of Visiting Forces*, Oxford University Press, 2001, pp.417-441.

The Legal Framework of CIS Peace Operations. *International Peacekeeping*, vol.6, No.1, 2000, pp.1-6.

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