Curriculum Vitae Professor Dr. Malgosia Fitzmaurice



The Nippon Foundation Professor on Marine Environmental Law

Professor of International Law Queen Mary since 1 August 2000; University Of London; The Nippon Foundation Professor of Marine Environmental Law, IMLI Faculty since October 2012.

Born: Lodz (Poland) 20 July 1955.

Education: Law Degree University of Warsaw (Poland) 1977; Ph.D. University of Warsaw (Poland) 1980.

Professional Qualifications: Member of the Polish Bar

Professional Experience: Consultant to UNEP; Advising on matters of the law of treaties and environmental law to various governments; Examiner of more than 40 Ph.D. dissertations in the U.K. and in other various countries. Editor in Chief of International Community Law Review journal and of the book series published by Brill/Nijhoff Queen Mary Studies in International Law.

Member: Associate Member of the Institut de Droit International; International Law Association (UK Branch and International)

Publications (books edited): (with Stephen Allen, Daniel Costelloe, Malgosia Fitzmaurice, Paul Gragl, and Edward Guntrip eds); The Oxford Handbook of Jurisdiction in International Law (Oxford University Press, 2019) ISBN 978-o-19-878614-6; (with Wouters, Tanzi, Andenas and Chiuzi), Genial Principles and Coherence of International Law (Brill/Nijhoff); (With Attila Tanzi and Angeliki Papantoniou) Multilateral Environmental Treaties (Edward Eagar Publishing 2017), The Introduction (with Editors); with Dai Tamada, Whaling in the Antarctic. Significance and Implications of the ICJ Judgment, Brill/Nijhoff); IMLI Manual on the Law of Sea and Maritime Law (3 vols) co-edited with David Attard, Norman Martinez and Elda Belja) vol. I 2014, II and III, 2016; 'The Interpretation and Application of the European Convention on Human Rights. Legal and practical Implications (co-edited with Panos Merkouris), Martinus Nijhoff Publishers, 2012; Legacies of the Permanent Court of Justice (co-edited with Christian Tams), Martinus Nijhoff Publishers (2013); Research Handbook on International Environmental Law (eds. Fitzmaurice/Ong/Merkouris), Edward Elgar, 2010; Treaty Interpretation and the Vienna Convention on the Law of Treaties 30 Years On (eds. Malgosia Fitzmaurice, Olufemi Elias and Panos Merkouris) (Martinus Nijhoff Publishers, 2010); Interrogating Treaties, Essays in the Contemporary Law of Treaties.

(editor of the volume with Dr. M. Craven) (Wolf Legal Publishers, 2005), Legal Issues of State Responsibility before the International Judicial Institutions (2004), (editor of the volume with Dr. Danesh Sarooshi) Hart Publications, (Hart Publications 2004); Exploitation of Natural Resources in the 21st Century, (M. Fitzmaurice and M. Szuniewicz (eds.), (Kluwer Law International (2003); Right of the Child to Clean Environmental book is published within the framework of the Programme on International Rights of a Child under (co-editor of the book with A.Fijalkowski), (Ashgate Publishers 2000); Fifty Years of the International Court of Justice book of contributions in honour of Sir Robert Jennings published by Cambridge University Press, 1996 co-editor: Professor Vaughn Lowe); Interactions between International Law and Municipal Law a case book published by T.M.C. Asser Institute, 1993 (1,000 pages) (coeditor: Professor C. Flinterman); Constitutional Reforms and International Law in Central and Eastern Europe and Russia by Kluwer Law International, (co-editor with Prof. R. Mullerson and Mads Andenas 1997).

Books authored and co-authored: International Environmental Protection of the Baltic Sea (Martinus Nijhoff Publishers), International Protection of the Environment, RCADI, (2002); Watercourse Cooperation in Northern Europe. A Model for the Future (co-authored with O. Elias), (TMC Asser Press -2004); Contemporary Issues in the International Environmental Law (single authored) (Edward Elgar Publisher 2009,); Contemporary Issues in the Law of Treaties (co-authored with O. Elias) (Eleven Publishing, 2005); 2002 RCADI The International Protection of the Environment (480mpp); Whaling and International Law (Cambridge University Press, 2015), with Panos Merkouris Treaties in Motion. The Evolution of Treaties from Formulation to Termination (Cambridge University Press 2020).

Chapters in books: Exceptional Circumstances and Treaty Commitments', in Duncan Hollis (ed.) The Oxford Gide to Treaties (2nd ed. Oxford University Press, 2020); Due Diligence in the Use of International Watercourses', in: Heike Krieger, Anne Peters and Leonhard Kreuzer (eds.) in Due Diligence in the International Legal Order, (Oxford University Press 2020); 'The Potential of Inter-State Conciliation within the Framework of Environmental Treaties' in: (Tomuschat and Cohen eds.,) Flexibility in International Dispute Settlement Conciliation Revisited (Brill/Nijhoff 2020); The Angst of the Exceptio Inadimplenti non est Adimplendum in International Law', in. Bartels and Paddeu (eds.), Exceptions in International Law (Cambridge University Press, 2020); The Gabcikovo-Nagymros Project: The Background of the Case', in: Forlati, Mbengue McGarry (eds.), The Gabcikovo-Nagymaroz Judgment and its Contribution to the Development of International Law (Brill/Nijhoff 2020); 'Law of Treaties', in: Chesterman, et al (eds.), The Oxford Handbook on United Nations Treaties (Oxford: Oxford University Press, 2019), with Allen, Costelloe, Graql and Guntrip (eds.) Introduction' in: The Oxford Handbook of Jurisdiction in International Law (Oxford University Press, 2019). 'Indigenous Peoples in Marine Areas. Whaling and Sealing', in: Allen, Bankes and Ravna (eds.) Indigenous Peoples in Marine Areas (Bloomsbury 2019) 69-95. 'The European Court of Human Rights and the Right to a Clean Environment: Evolutionary or Illusory Interpretation?, in: Edited by Georges Abi-Saab, Kenneth Keith, Gabrielle Marceau & Clément Marquet (eds.) Evolutionary Interpretation and International Law

(Bloomsburg, 2020), 141-151; 'Conclusions and Developing Areas of International Law, in: (Fitzmaurice, Wouters, Tanzi, Andenas and Chiuzi eds), Genial Principles and Coherence of International Law, (Brill/Nijhoff), 2019); 'Whale' in Jessie Hochmann and Daniel Joyce (eds.) International Law's Objects (Oxford University Press 2019); 'The Law of Treaties, the Law of State Responsibility and the Non-performance of Treaty Obligations: A View from the Case Law', in: eds. Bowman, Kritsiotis, Conceptual and Contextual Perspectives on the Modern Law of Treaties (Cambridge University Press, 2018); 'Intergenerational Equity, Ocean Governance, and the United Nations', in: Alexandros Ntovas (ed.) The IMLI Treatise on Global Ocean Governance (vol), Oxford University Press (2018); 'The Practical Working of Treaties' in M. Evens 5th ed. International Law (Oxford University Press, 2018); 'Indigenous Peoples and Intergenerational Equity as an Emerging Concept of Ethno-Cultural Diversity in International Law', in, Gaetano Pentassuglia (ed.) Ethno-Cultural Diversity and Human Rights, (Brill/Nijhoff, International Studies in Human Rights, 2018); (with Karolina Jackowicz and Valsamis Mitsilegas), 'Environmental Criminal Law in Poland', in: Andrew Farmer et al (eds.), Environmental Crime in Europe (Bloomsbury, 2017); 'The History of Article 38 of the Statue of the International Court of Justice: The Journey from Past to the Present', in Samantha Besson and Jean d'Aspremont (eds.), The Oxford Handbook on Sources of International Law, Oxford University Press, (2017); 'Customary Law, General Principles, Unilateral Acts', in: Edgardo Sobenes Oberon, Benjamin Samson (eds.), Nicaragua before the International Court of Justice. Impacts on International Law (Springer (2017); 'The Whaling Convention and Thorny Issues of Interpretation', in, (Malgosia Fitzmaurice and Dai Tamada (ed.), Whaling in the Antarctic. Significance and Implications of the ICJ Judgment, (Brill/Nijhoff; 'Whaling and Inter - and Intra - Generational Equity', in, Michael Bowman/Peter Davis/Edward Goodwin (eds.), Research Handbook on Biodiversity and Law, (Edward Elgar Publishing, 2016); 'Lawmaking by Treaty: Conclusion of Treaties and Evolution of Treaty Regimes in Practice' (with Daniel Costelloe), in: Catherine Brölmann and Yannick Radi (eds.), Research Handbook on the Theory and Practice of International Lawmaking (Edward Elgar Publisher, 2016); The International Convention for the Prevention of Pollution from Ships (MARPOL), in Malgosia Fitzmaurice, Norman Martinez Gutierrez, Riyaz Hamza (eds.); The IMLI Manual on Maritime International Law, vol. III, (Oxford University Press, 2016; (with P. Merkouris) 'Scope of the UNECE Water Convention', in: The UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Attila Tanzi et all eds), (Brill, Nijhoff, 2015); Lawmaking and international environmental law: The legal character of decisions of conferences of the parties', in: International Law Making. Essays in Honour of Jan Klabbers, (Rain Liivoja and Jarna Petman), Routledge, (Hart Publishing 2013); Natural Resources Management: Protecting Fisheries in the 21st Century' in: Elena Blanco and Jona Razzaque (eds.), Natural Resources and the Green Economy Redefining The Challenges For People, States And Corporations (Brill/Nijhoff, 2011), 191–243; 'Interpretation of Human Rights Treaties', in: The Oxford Handbook of International Human Rights Law, Dinah Shelton (ed.), (Oxford University Press, 2013); 'The International Court of Justice and International Environmental Law', in The Development of International Law by the International Court of Justice, (Christian Tams and James Sloane (eds.), (Oxford University Press (2013); 'The Question of Indigenous

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Articles: 'Constitutional Bases to the Common Fisheries Policy of the European Union' (with Mercedes Rosello, Max Planck Yearbook of United Nations Law 23 (2020); 'IUU Fishing as a Disputed Concept and Its Application to Vulnerable Groups: A Case Study om Arctic Fisheries' (with Mercedes Rosello), 22 International Community Law Review (2020); 'Subsequent Agreement and Subsequent Practice: Some Reflections on the International Law Commission's Draft Conclusion 22 International Community Law Review (2020); (with Paul Gragl), 'The Legal Character of Article 18 of the Vienna Convention Ton the Law of Treaties' ICLQ 68 (2019); The Evolution and Modernisation of Treaty Regimes. The Contrasting Cases of International Drug Control and Environmental Regulation (co-authored) International Community Law Review 20 (2018); Compliance in International Whaling Commission in Max Planck Encyclopaedia of International Procedural Law, General Editor, Hélène Ruiz Fabri; 'Reshaping Treaties while Balancing Interests of Stability and Change: Critical Issues in Amendment/ Modification/ Revision, 20 Austrian Review of International and European Law 2015 (published 2018). 'Concept of a Treaty in Decisions of International Courts and Tribunals', International Community Law Review 20 (2018); 'Legitimacy of International Environmental Law: The Sovereign States Overwhelmed by Obligations: Responsibility to React to Problems Beyond National Jurisdiction? 77 Heidelberg Journal of International Law (2017), 339-370; 'A Human Right to a Clean Environment: A Reappraisal' The Global Community: Yearbook of International Law and Jurisprudence (Vol. 2015), pp. 219-234; (with Daniel Costelloe) 'Interpretation of Secondary Instruments in International Law, Polish Yearbook of International Law (vol. XXXV0, 2015, pp, 47-82; 'The United Nations Declaration on Rights of Indigenous Peoples', Austrian Review of International and European Law, Vol. 17 (2012) published in 2015, pp. 139-266; The International Whaling Convention for the Regulation of Whaling and International Whaling Commission-Conservation or Preservation —Can Gordian Knot Be Cut (or Untangled)?' 5 The Yearbook of Polar Law (2013); 'Some Reflections on Legal and Philosophical Foundations of International Environmental Law', Polish Yearbook of International Law', 2012, (published 2013);'Indigenous Whaling and Environmental Protection', 55 German Yearbook of International Law (2012; 'Practical Implementation of Indigenous Peoples' Land Rights; A case Study of the Russian Federation (Comparison with Certain Developments in Africa in Relation to Indigenous Peoples)', 2 Yearbook of Polar Law (2011); 'Case Note: 'The European Court of Human Rights, Dubetskaya and Others v. Ukraine, Judgment February 2011', 13 Environmental Law Review (2011); 'Responsibility for Environmental Damage', 53 GYIL (published in 2011); 'Necessity in International Environmental Law', 41 NYIL (2010), published in 2011, 159-193; 'Indigenous Whaling, Protection of the Environment, Intergenerational Rights and Environmental Ethics', in: The Yearbook of Polar Law, (2010): Global Importance of Human Rights for Environmental Protection', The Global Community. Yearbook of International Law and Jurisprudence (2010); 'Dynamic Interpretation of Treaties' part 2 21 The Hague Yearbook of International

Law (2010), 30; 'International Watercourse Protection', L'Observateur des Nations Unies 26 (2009), 'The Participation of Civil Society in Environmental Matters: The 1998 Arhus Convention', 1 Human Rights& International Legal Discourse, (2010); 'So Much Law so Little Protection! A case Study of the Protection of Narwhal', The Yearbook of Polar Law (2009); 'Dynamic Intermigration of Treaties" parts I , and II 21 The Hague Yearbook of International Law (2009); 'The Tale of Two Judges Sir Hersh Lauterpacht and Sir Gerald Fitzmaurice: Human Rights and the Interpretation of Treaties', Revue Hellenique de Droit International Public (2009); 'The New Development Regarding the Saami Peoples of the North', 16 International Journal on Minority and Group Rights (2009), The Human Right to Water', 3 Fordham Environmental Law Review (2007); 'The Dilemma of Traditional Knowledge. Indigenous Peoples and Traditional Knowledge", 10 International Community Law Review (2008); 'Compliance with International Environmental Agreements', 20 The Hague Yearbook of International Law/Annuaire de La Haye de Droit International, (2008); 'The New Development Regarding the Saami Peoples of the North', 16 International Journal on Minority and Group Rights (2009); 'Canons of Treaty Interpretation: Selected Case Studies from the World Trade Organization and the North American Free Trade Agreement', Austrian Review of International and European Law 10 (2007); 'The Human Right to a Clean Environment -Phantom or Reality? The European Court of Human Rights and English Courts Perspective on Balancing Rights in Environmental Cases' (with Jill Marshall), 76 Nordic Journal of International Law, (2007); 'Protection of Human Rights, the Rome Statute and Reservations to Multilateral Treaties', 10 Singapore Yearbook of International Law (2007); 'Environmental Human Rights before the English Courts', 1 Annuaire International des Droits de L'Homme, (2006). 'Consent to be Bound-Anything new Under the Sun' 74 Nordic Journal of International Law (2006); 'Principles Governing the Cooperation between States in Relation to Non-Navigational Uses of International Watercourses' 14 Yearbook of International Environmental Law (2005); ' The International Court of Justice and the Environment', 4 Non-State Actors and international law 2004); 'The Kyoto Protocol Compliance Regime and Treaty Law', Singapore Yearbook of International Law (2004); "The International Court of Justice and the Environment", 4 Non-State Actors and international law (2004). 'The Kyoto Protocol Compliance Regime and Treaty Law', Singapore Yearbook of International Law (2004); 'The Identification and Character of Treaties and Treaty Obligations between States in International Law', 73 British Yearbook of International Law (2003); 'Material Breach of Treaty: Some legal Issues', 6 Austrian Review of International and European Law, (2003); 'Current Legal Development OSPAR Tribunal: "Dispute Concerning Access to Information Under Article 9 of the OSPAR Convention (Ireland v. United Kingdom and Northern Ireland)', 4 (2003); pp. 541-558; 'Public Participation in the North American Agreement on Environmental Cooperation', ICLQ, 52, (2003); 36 Third Parties and the law of Treaties', Max Planck Yearbook of the United Nations Law, 6, (2002). 'Some Reflections on Public Participation in Matters as a Human Right in International Law', Non-State Actors and International Law, vol. 2, No.1 (2002), pp. 1-25; 'Non-Compliance Procedures and International Law' (with C. Redgwell), Netherlands Yearbook of International Law, 31, (2002). "The Actors and Factors in the Evolution of Treaty Norms (An Empirical Study), 4 ARIE (2000); 'International Liability for Injurious Consequences of Acts Not Prohibited by International Law (the "Liability

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Conferences, International Meetings; Visiting Professorships: 2001 The Hague Academy of International Law lecture on International Protection of the Environment; Visiting Professor to (since 2014) in University of Kobe (Japan); and lectured at various universities, such Berkeley Law School; University of Kobe; Panthéon-Sorbonne (Paris I). During 2013-2015, she was involved in a multi stakeholder project funded by the EU Commission on environmental crime. Professor Fitzmaurice has participated in over 100 international conferences (also as keynote speaker), e.g. 2020 Sustainable Governance of Oceans (Utrecht a keynote speaker); 2019 Oxford Annual Spring Conference of the British Branch ILA; organiser of British Branch of ILA Annual (Spring) Conference, Queen Mary, 2021.