

# CURRICULUM VITAE

Konrad Jan Marciniak, PhD

## Higher Education

**2014:** PhD in International Law (thesis: 'Marine genetic resources in international law');

**2006:** Master in Law (thesis: 'International responsibility of states for breaches of obligations *erga omnes*').

## Professional experience

**Since 2019: Director of the Treaty and Legal Department, Ministry of Foreign Affairs (Legal Adviser)**

**Main duties:** (a) supervising the work of the whole Department in three main areas of responsibility: (i) general international law issues, such as the use of force, international organizations law, privileges and immunities, law of the sea, environmental law etc.; (ii) treaty procedures (see below); (iii) proceedings before the European Court of Human Rights;

(b) providing legal advice to the Polish MFA on all aspects of international law;

(c) representing Poland (in addition to the formats specified below) in the EU Working Party on Public International Law (COJUR), CoE Committee of Legal Advisers (CAHDI), ICC Meetings of States Parties.

**2014-2019: Deputy Director of the Treaty and Legal Department, Ministry of Foreign Affairs (Deputy Legal Adviser)**

**Main duties:** (a) supervising Polish ratification procedures relating to international agreements, as well as giving advice on other treaty-related issues;

(b) representing Poland in the EU Working Party on the Law of the Sea (COMAR) (Head of Delegation);

(c) representing Poland (Head of Delegation) and the EU (EU negotiator on marine genetic resources) in the UN process concerning the conservation and sustainable use of biological diversity in areas beyond national jurisdiction (BBNJ);

(d) representing Poland (Head of Delegation) at the Antarctic Treaty Consultative Meetings (ATCM).

**2007-2014: senior expert on the law of the sea and environmental law, Treaty and Legal Department, Ministry of Foreign Affairs**

**Main duties:** (a) reviewing Polish draft legislation relating to the above mentioned fields;

(b) analysis of international legal developments in the above mentioned fields;

(c) representing Poland in the COMAR Working Party;

(d) representing Poland at the United Nations meetings and processes pertaining to the law of the sea (in particular: consultations on the General Assembly "Oceans and the Law of the Sea" resolution, the BBNJ process, as well as the Informal Consultative Process (ICP), States Parties Meetings (SPLOS)).

**Teaching and related academic experience**

**2006-2016: Assistant Lecturer at the Law Faculty, Cardinal Stefan Wyszyński University in Warsaw**

**Main courses taught:** The Law of Treaties, Public International Law, EU Law, EU Institutions Law, International Organizations Law;

**Since 2007:** guest lectures at: Collegium Civitas University in Warsaw, Polish National School of Public Administration, Polish Diplomatic Academy and ITLOS (Nippon programme).

**Professional functions**

Nominated **conciliator** under Article 2 of Annex V of the UN Convention on the Law of the Sea;

Nominated **arbitrator** under Article 2 of Annex VII of the UN Convention on the Law of the Sea;

Nominated **arbitrator** designated pursuant to Article 2 (4) of the Schedule to the Protocol on Environmental Protection to the Antarctic Treaty;

**Vice-President to the Bureau of the BBNJ Intergovernmental Conference** on an international legally binding instrument under the United Nations Convention on the Law of the Sea;

**Co-chair of the Antarctic Working Group** of the Polish Intergovernmental Polar Policy Committee.

**Specialized courses, scholarships and internships**

**2015:** Completed the Rhodes Academy for Oceans Law and Policy;

**2010:** Internship with the International Tribunal for the Law of the Sea, Hamburg;

**2009:** Bohdan Winiarski Scholarship at the Lauterpacht Centre for International Law, Cambridge University.

**Professional affiliations**

Attorney-at-Law, Warsaw Bar;

Member of the European Society of International Law (ESIL);

Member of the International Law Association (ILA, Polish Branch);

Member of the ILA Committee Submarine Cables and Pipelines under International Law;

Member of the Maritime Law Committee of the Polish Academy of Sciences.

**Languages**

Polish – mother tongue;

English – professional fluency;

German – intermediate proficiency;

Italian & French – elementary proficiency.

**Publications**

See attached list of publications.

# LIST OF PUBLICATIONS

## Konrad Jan Marciniak, PhD

### Some publications available online at:

ResearchGate: [https://www.researchgate.net/profile/Konrad\\_Marciniak2](https://www.researchgate.net/profile/Konrad_Marciniak2)

### 1. Books and collected works

- 1.1. K.J. Marciniak (co-editor), *100 Years of the Polish Treaty Practice. Vol. II: Articles and Documents*, Warsaw, 2020 [in Polish];
- 1.2. K.J. Marciniak (co-editor), *100 Years of the Polish Treaty Practice. Vol. I: Overview of the Polish treaty record on the basis of concluded agreements and internal law*, Warsaw, 2020 [in Polish];
- 1.3. K.J. Marciniak (co-editor), *The Antarctic Treaty: Selected documents with introduction*, Warsaw, 2017 [in Polish];
- 1.4. K.J. Marciniak, *Marine genetic resources in international law*, Warsaw: C.H. Beck, 2016 [in Polish];
- 1.5. C. Mik, K. Marciniak (eds.), *UN Convention on the Law of the Sea of 1982. On the Fifteenth Anniversary of Its Entry into Force*, Toruń: TNOiK, 2009 [in Polish].

### 2. Studies and articles

- 2.1. K.J. Marciniak, Commentary on selected articles of the Vienna Convention on the Law of Treaties and of the Polish Act on International Agreements, in E. Cała-Wacinkiewicz, J. Menkes, C. Mik, W. Staszewski (eds.), *Public International Law. A Commentary. Vol. I: Law of Treaties*, C.H. Beck [in Polish] – *forthcoming*;
- 2.2. K.J. Marciniak, 'Settlement of disputes before the International Tribunal for the Law of the Sea', in J. Gomula, S. Wittich (eds.), *Research Handbook on International Procedural Law*, Edward Elgar – *forthcoming*;
- 2.3. K.J. Marciniak, 'Tacit acceptance procedure in conventions concluded under the auspices of the International Maritime Organization: Aspects of international and Polish law', *Gdańskie Studia Prawnicze*, No 3/55 (2022), pp. 21-48 [in Polish];

- 2.4. K.J. Marciniak, 'The development of international law on the protection of underwater cultural heritage: Remarks on the occasion of Poland's accession to the 2001 UNESCO Convention', *The Polish Yearbook of International Law*, No. XL (2021), pp. 109-127;
- 2.5. K.J. Marciniak, 'Statute on international agreements: Remarks on the occasion of its 20<sup>th</sup> anniversary of entry into force and of the 100<sup>th</sup> anniversary of the Polish treaty practice', in *100 years of the Polish Treaty Practice, Vol. II*, Warsaw, 2020, pp. 60-103 [in Polish];
- 2.6. K.J. Marciniak, 'Legal Status of Marine Genetic Resources in the Context of BBNJ Negotiations: Diverse Legal Regimes and Related Problems', in T. Heidar (ed.), *New Knowledge and Changing Circumstances in the Law of the Sea*, Brill, 2020, pp. 40-64;
- 2.7. K.J. Marciniak, 'Climate Change as a common concern of humankind. Modern international law regulations, including in particular the Paris Agreement', in E. Cała-Wacinkiewicz, J. Menkes *et al.* (eds.), *Common values of international, European and national law*, Warszawa: C.H. Beck, 2018, pp. 105-125 [in Polish];
- 2.8. K.J. Marciniak, 'Polish Maritime Territory and Polish Jurisdiction within its Maritime Zones', in C. Mik, Ł. Kułaga (eds.), *The Law of the Polish External Relations*, Toruń: TNOiK 2018, pp. 175-238 [in Polish];
- 2.9. K.J. Marciniak, 'New implementing agreement under UNCLOS: A threat or an opportunity for fisheries governance?', *Marine Policy*, Vol. 86 (2017), pp. 320-326;
- 2.10. K.J. Marciniak, 'The Antarctic Treaty System: Remarks from the International Law Perspective', in *The Antarctic Treaty. Selected documents with introduction*, Warsaw, 2017, pp. 17-61 [in Polish];
- 2.11. K.J. Marciniak, 'United Nations and international law of the sea: The past, the present, the future', in E. Cała-Wacinkiewicz, J. Menkes *et al.* (eds.), *The System of the United Nations from the Polish Perspective*, Warsaw: C.H. Beck, 2017, pp. 295-326 [in Polish];
- 2.12. K.J. Marciniak, 'Marine Genetic Resources: Do They Form Part of the Common Heritage Principle?', in L. Martin, C. Salonidis (eds.), *Natural Resources and the Law of the Sea*, Juris 2017, pp. 373-405;
- 2.13. K.J. Marciniak, 'The Polish Baselines and Contiguous Zone: Remarks from the Perspective of the United Nations Convention on the Law of the Sea', *Prawo Morskie*, Vol. XXXII (2016), pp. 49-86;

- 2.14. K. Marciniak, 'Arbitration from the Perspective of the Historical Development of International Law', in C. Mik (ed.), *Arbitration in International Law*, Warsaw: C.H. Beck, 2014, pp. 1-34 [in Polish];
- 2.15. K. Marciniak, 'Modern Challenges to the United Nations Convention on the Law of the Sea: The Legal Status of Marine Genetic Resources in Areas Beyond National Jurisdiction', in D. Pyć, J. Puzkarski (eds.), *Global Ocean Governance: From Vision to Action*, Poznań: Wyd. Ars boni et aequi, 2014, pp. 53-78;
- 2.16. K. Marciniak, 'Marine Biological Diversity in Areas Beyond National Jurisdiction: Selected Problems with the Application of Intellectual Property Regime (TRIPS)', *Prawo Morskie*, Vol. XXIX, pp. 207-241 [in Polish];
- 2.17. K. Marciniak, 'International Law on Piracy and Some Current Challenges Related to its Definition', *Polish Review of International and European Law*, Vol. 3-4/2012, pp. 97-140;
- 2.18. K. Marciniak, 'Ocean iron fertilization', *Prawo Morskie*, Vol. XXVII (2011), pp. 205-228 [in Polish];
- 2.19. K. Marciniak, 'External Aspects of the EU Maritime Transport Policy', in C. Mik, Ł. Kułaga (eds.), *External Aspects of the European Union's Economic Policy*, Toruń: TNOiK, 2010, pp. 457-520 [in Polish];
- 2.20. K. Marciniak, 'Humanitarization of Armed Conflicts at Sea', in T. Jasudowicz, M. Balcerzak, J. Kapelańska-Pręgowska (eds.), *Contemporary Problems of International Human Rights and International Humanitarian Law*, Toruń: TNOiK, 2009, pp. 329-366 [in Polish];
- 2.21. K. Marciniak, 'The Protection of Fundamental Rights in the External Relations of the EU', in C. Mik, K. Gałka (eds.), *Fundamental Rights in the Law and Practice of the European Union*, Toruń, 2009, pp. 521-588 [in Polish];
- 2.22. K. Marciniak, 'Legal Status of Marine Genetic Resources in the International Law of the Sea', in C. Mik, K. Marciniak (eds.), *UN Convention on the Law of the Sea of 1982. On the Fifteenth Anniversary of its Entry into Force*, Toruń: TNOiK, 2009, pp. 325-372 [in Polish].

### **3. Encyclopedia entries**

- 3.1. Five entries in The Great Encyclopedia of Law, Vol. IV: Public International Law, Warsaw: Wyd. Fundacja 'Ubi societas, ibi ius', 2014 [in Polish]:
  - 3.1.1. 'Marine genetic resources';
  - 3.1.2. 'Marine natural resources';
  - 3.1.3. 'Freedom of marine scientific research';
  - 3.1.4. 'Marine biological diversity';
  - 3.1.5. 'Tacit acceptance'.