

Doc. 11446 Addendum 1
11 December 2007

Election of judges to the European Court of Human Rights

(in accordance with Article 22, paragraph 1, of the European Convention on Human Rights)

List and curricula vitae of candidates nominated by the governments of Azerbaijan, Bulgaria, Latvia, Moldova, Slovenia and Turkey

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Azərbaycan Respublikasının

Avropa İnsan Haqları Məhkəməsi

Nasimi Məhkəməsi

Représentant Permanent
de la République d'Azerbaïdjan
auprès du Conseil de l'Europe

CE-11446-07
29 November 2007

Dear Mr Secretary General,

With reference to your letter dated 3 October 2007, I have the honour to transmit to you in the appendix the letter presented by Mr. Mahmud Mammad-Guliyev, Deputy Minister of Foreign Affairs of the Republic of Azerbaijan regarding the new list of candidates in respect of Azerbaijan for the post of judge at the European Court of Human Rights and the curricula vitae of the three candidates.

We would like to note that the Government of the Republic of Azerbaijan put all necessary efforts in order that the whole procedure for selection would satisfy the criteria of transparency, fairness and openness, as well as the balanced representation of women and men.

The candidates are as follows:

Mr KHANLAR HAJIYEV – Judge of the European Court of Human Rights

Mrs AYGUN ABDULLAYEVA – Judge of the Nasimi District Court of the Republic of Azerbaijan

Mr RASHAD HASANOV – Judge of the Azizbeyov District Court of the Republic of Azerbaijan

I avail myself of this opportunity to express to you the assurances of my highest consideration.

Yours sincerely,

Arif MAMMADOV

Ambassador Extraordinary and
Plenipotentiary



**AZƏRBAYCAN RESPUBLİKASI
XARİCİ İŞLƏR NAZİRİNİN MÜAVİNİ**

**REPUBLIC OF AZERBAIJAN
DEPUTY MINISTER OF FOREIGN AFFAIRS**

№ 6/33-139/02/07

" 27 " 11 2007 il

Dear Secretary General,

I am writing you with reference to your letter dated 3 October 2007, in which you had informed about the Parliamentary Assembly's decision to invite the Government of Azerbaijan to submit a new list of candidates for the post of judge at the European Court of Human Rights.

I should like to note, at the outset, that following this decision the Government of Azerbaijan has repeated the whole procedure for selection of candidates. The request for nomination of candidates was submitted to the Judicial-Legal Council of the Republic of Azerbaijan, an independent body, which *inter alia* conducts procedure of selection of candidates for the posts of judge at the domestic level, and promotion of judges.

Despite the low level of knowledge of official languages of the Council of Europe among the legal professionals in Azerbaijan, which is undoubtedly affecting the availability of competent candidates, the followed procedure fully satisfied the criteria of transparency, fairness and openness. Moreover, in drawing up the list of candidates all efforts were made to satisfy the criterion for a balanced representation of women and men, and to provide the Parliamentary Assembly with a real choice among the well-qualified candidates.

The Judicial-Legal Council, having regard to the Parliamentary Assembly Resolution 1200 (1999) and Recommendations 1429 (1999) and 1649 (2004) followed the procedure for the selection of the candidates as follows:

- the call for candidates was published anew in the specialised "Adliyye" newspaper, "Adalet" Official gazette of the Ministry of Justice, and on the web-sites of the Judicial-Legal Council, the Supreme Court and the Ministry of Justice of the Republic of Azerbaijan;
- 17 candidates have been nominated by the judge's associations, non-governmental organisations, and individually;
- upon expiration of the set deadline, candidates, who met the requirements of the high post of judge of the European Court of Human Rights, were interviewed by the Sub-committee for selection of candidates of the Judicial-Legal Council;
- the list of candidates was submitted to the plenary of the Judicial-Legal Council.

H.E. Mr. Terry Davis
Secretary General
of the Council of Europe

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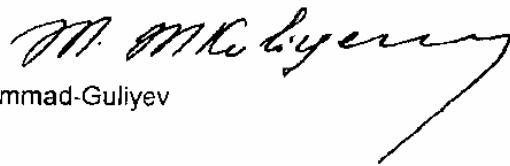
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Web Site: www.mfa.gov.az

Judicial-Legal Council, comprised of judges, lawyers, prosecutors, the Minister of Justice and other public officials, at its plenary meeting examined the applications received and took note of recommendations of the Sub-committee for selection of candidates, and decided to propose the Government to submit the following candidates:

1. Mr Khanlar Hajiyev – Judge of the European Court of Human Rights;
2. Mrs Aygun Abdullayeva – Judge at the Nasimi District Court of the Republic of Azerbaijan;
3. Mr Rashad Hasanov – Judge at the Azizbeyov District Court of the Republic of Azerbaijan.

I enclose to this letter the curricula vitae of the above candidates, and should like to express our firm belief that all of them are satisfying the criteria laid down in Article 21 paragraph 1 of the European Convention on Human Rights.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Mammad-Guliyev', with a long, sweeping underline that extends to the right.

Mahmud Mammad-Guliyev

CURRICULUM VITAE
Khanlar HA JIYEV

6 rue du Bon Pasteur, 67000 Strasbourg, France tel. : +33 3 88 45
03 26, e-mail: khanlar.hajiyev@echr.coe.int

I PERSONAL DETAILS

Khanlar HAJIYEV, m, born 9 September 1956 in Azerbaijan

Married in 1983 to Aybeniz Hajiyeva, born in Baku, PhD (Econ). One daughter, Aysel (1985).

II EDUCATION AND ACADEMIC AND OTHER QUALIFICATIONS

2001 Doctor of Law

1983 Post-graduate course at the Law Faculty of the Moscow State University

1980 Moscow Institute of State and Law at the Academy of Science.

Institute of Philosophy and Law of the Academy of Science of Azerbaijan

1978 Faculty of Law at the Baku State University

III RELEVANT PROFESSIONAL ACTIVITIES

a. Judicial activities

Since May 2003 Judge at the European Court of Human Rights elected in
respect of Azerbaijan

1998 - 2003 President of the Constitutional Court of Azerbaijan

1993 - 1998 President of the Supreme Court of Azerbaijan

1992 - 1993 Vice-President of the Supreme Court of Azerbaijan

1990 - 1992 Judge at the Supreme Court of Azerbaijan

b. Non-judicial activities

1999 - 2003 Lecturer at the Baku State University on *the Legal Aspects of the Struggle
against International Criminality*

1988 - 1990 Senior Adviser at the Supreme Court of the USSR

1985 - 1988 Editor of the Penal Law and Penal Procedure Department of the
Soviet Justice (Sovetskaya Yustitsiya) Journal

1983 - 1985 Advisor at the Supreme Court of the Russian Federation

c. Other activities

1996 Associate member of the European Commission for Democracy through
Law of the Council of Europe (Venice Commission)

2001 Full-fledged member of the European Commission for Democracy
through Law of the Council of Europe (Venice Commission)

IV ACTIVITIES AND EXPERIENCE IN THE FIELD OF HUMAN RIGHTS

September 2007	Participation in the Round-Table on Improving the Implementation of the European Convention on Human Rights in Azerbaijan by Enhancing the Co-operation between the Commissioner of Human Rights of the Republic of Azerbaijan and National Authorities, Baku
July 2007	Participation in the International Conference on the Impact of the European Convention on Human Rights to the Development of the Azerbaijani Legal System, Baku
November 2006	Participation in the Conference on the European Convention of Human Rights organised by the Supreme Court of Azerbaijan, Baku
December 2005	Participation in the VIII International Forum on Constitutional Justice "Implementation of decisions of the European Court of Human Rights into the practice of the European Constitutional Courts", Moscow
November 2005	Participation in the Conference "The role of the Constitution in formation of the State governed by the Rule of Law" held on the occasion of the 10 th Anniversary of the Constitutional Court of Azerbaijan), Baku
November 2004	Participation in the Democracy and Jurisdiction Symposium organised by the Turkish Bar Association, Ankara
September 2004	Participation in the Seminar on the role of precedents for Constitutional Courts organised by the Venice Commission, Baku
July 2003	Participation in the Conference on the role of the Constitutional Court in protection of democratic values, Baku
November 2002	Participation in the Round Table on the Protection of fundamental rights and freedoms by the Constitutional Court by means of an individual complaint, Baku
November 2002	Participation in the Conference on the Human Rights protection systems, Bishkek
September 2002	Participation in the Conference "Partners for the protection of Human Rights: Reinforcing interaction between the European Court of Human Rights and National Courts", Strasbourg
August 2002	Participation in the Seminar "Ensuring constitutional rights within the new criminal procedures in Azerbaijan Republic", Baku
May 2002	Participation in the International Judicial Conference "Courts and Terrorism", Strasbourg
June 2001	Participation in the Seminar on the "Ensuring protection of the basic rights and freedoms: theory and practice", Baku
December 2000	Participation in the Seminar "The European Convention on Human Rights as a source of constitutional rights", Baku
October 2000	Participation in the Conference on the "Freedom of religion and Belief, Baku
April 2000	Participation in the Seminar "Constitutional Court as protector of individual rights and freedoms", Baku

1999-2000 Organisation of the Legal Competition for law students "Constitution, an Individual and the Rule of Law", Baku

V POLITICAL ACTIVITIES

None

VI OTHER ACTIVITIES

VII PUBLICATIONS AND OTHER WORKS

- The role of the Judiciary in the consolidation of democracy (Ankara, 2006), Proceedings of the "Democracy and Judiciary" Symposium, pages 185-194.
- The principles of the interpretation of the European Convention of Human Rights and their influence on the development of the constitutional law (Baku, 2005), Newsletter No. 3/2005.
- The Precedent in the case-law in the European Court of Human Rights (Baku, 2004), Newsletter No. 2-3/2004.
- The role of the Constitutional Court and of the courts of general jurisdiction in the protection of human rights (Baku, 2003), Newsletter No. 1/2003.
- Interpretation of Provisions of Constitution and Law by Constitutional Courts (Baku, 2002), 174 pages, in English and Russian
- Influence of the Constitutional Court's functioning on the development of legislation of the Republic of Azerbaijan (Moscow, 2002), Proceedings of International Conference, pages 20-25, in Russian
- The role of a Constitutional Court and ordinary courts in the protection of human rights (Bishkek, 2002), Proceedings of the Conference on human rights systems, 4 pages, in English
- Resolution of conflicts between Central State and entities with legislative power by a Constitutional Court (Rome, 2002), Proceedings of the UniDem Seminar, 4 pages, in English
- Problems of Interpretation of Constitution and Laws by Constitutional Court: Comparative Research, monograph (Moscow, 2001), 14 pages, in Russian
- The Constitutional Court of the Republic of Azerbaijan : Early years and problems of perfection of constitutional review (Baku, 2001), Bulletin of the Constitutional Court of Azerbaijan, No. 3, pages 55-62, in Azeri
- Concept of Interpretation and its significance (Baku, 2001), Bulletin of the Constitutional Court of Azerbaijan, No. 1, pages 137-144, in Azeri
- Republic of Azerbaijan's Constitutional Court's activity in the field of ensuring the supremacy of the Constitution (Baku, 2001), Bulletin of the Constitutional Court of Azerbaijan, No. 31, pages 74-77, in Russian
- Some remarks concerning the nature of the constitutional justice bodies (Moscow, 2001), "Law and Life" Journal, No. 35, 7 pages, in Russian
- Legal significance of the interpretation of legal rules by a Constitutional Court (Moscow, 2001), "Law and Life" Journal, No. 12, 7 pages, in Russian
- Problems of interaction between the Constitutional Court of the Russian federation and other courts (Moscow, 2001), "Law and Life" Journal, No. 2, 6 pages, in Russian

- Constitutional Court as Legal Interpreter (Baku, 2000), Bulletin of the Constitutional Court of Azerbaijan, No. 1, pages 41-46, in Russian
- Ensuring the protection of human rights within the functioning of the Constitutional Court of the Republic of Azerbaijan (Baku, 2000), Bulletin of the Constitutional Court of Azerbaijan, No. 2, pages 81-86, in Russian
- Decisions of a Constitutional Court as a Source of law (Moscow, 2000), "Law and Life" Journal, No. 26, 8 pages, in Russian
- Concept and Need for Interpretation of Law, (Moscow, 2000), "Law and Life" Journal, No. 27, 8 pages, in Russian
- Correlation between Law and Legislation (Moscow, 2000), "Law and Life" Journal, No. 30, 5 pages, in Russian
- Concept of Interpretation and its significance (Moscow, 2000), "Law and Life" Journal, No. 30, 5 pages, in Russian
- On the determination of the Subject of Interpretation (Moscow 2000), "Law and Life" Journal, No. 31, 3 pages, in Russian
- Ways of interpretation of the Constitution and Laws (Moscow 2000), "Law and Life" Journal, No. 32, 2 pages, in Russian
- Limits of Interpretation of the provisions of Constitution by a Constitutional Court (Moscow 2000), "Law and Life" Journal, No. 12, 7 pages, in Russian
- Interpretation of Law and Legislation , monograph (Moscow, 2000), 6 pages, in Russian
- Status of Judges in the countries of new democracy: Independence with respect to other branches of state power (Moscow, 1999), Proceedings of the International Judicial Conference, 5 pages, in Russian
- On the principles of a free society (Baku, 1998), "Azerbaijan on the Eve of the 21st Century" Collection, 5 pages, in Russian
- Judiciary in the Republic of Azerbaijan on the Eve of the 21st Century (Baku, 1997), "Azerbaijan on the Eve of the 21st Century" Collection, 4 pages, in Azeri
- Structure and Interrelations of Courts – Organization of Judiciary (Washington, 1996), proceedings of International Judicial Conference, pages 1-6, in Russian
- Judicial Acts and the Right to Legal Defence (Strasbourg, 1996), Proceedings of International Conference, pages 63-67, in Russian
- Legal Procedures and State Frontiers (Strasbourg, 1994), Proceedings of International Judicial Conference, pages 59-60

VIII LANGUAGES

- a. Mother tongue: Azerbaijani
- b. Official languages. English speaking *good*, reading *good*, writing *good*
 French reading *good* German
 reading *good*
- c. Other languages: Russian speaking *veg/ good*, reading *very good*,
 writing *very good*

**CURRICULUM VITAE
AYGUN ABDULLAYEVA**

25/23 street Kichik Daniz, Baku,
Azerbaijan tel.: (99412) 441 46 86

I PERSONAL DETAILS

Aygün Abdullayeva, f, born 10 December 1967 in Azerbaijan

Married in 2001 to Shafayat Hasanov, born in Azerbaijan, lawyer. Two daughters, Aydan (2004), Gunay (2005)

II EDUCATION

1997 Faculty of Law at the Baku State University

1991 Faculty of English at the Institute of Foreign Languages

III RELEVANT PROFESSIONAL ACTIVITIES

a. Judicial activities

Since July 2007 Judge at the Nasimi district Court, Baku, Azerbaijan

September 2000- July 2007 Judge at the Nizami district Court, Baku, Azerbaijan

1992- 2000 Senior legal expert of the Department of Law
Enforcement Agencies of the President's Office of Azerbaijan
Republic

b. Non-judicial activities

1985-1992 laboratory assistant at school

IV ACTIVITIES AND EXPERIENCE IN THE FIELD OF HUMAN RIGHTS

July 2007 Participation in the International Conference on the
Impact of the European Convention of Human Rights To the Development of
the Azerbaijani Legal System, Baku

April 2007 Participation in the "Training Course for judges and
prosecutors upholding state prosecution" - The European Convention on Human
Rights; general comments on Articles 5 and 6; recent caselaw, by Egbert Myjer,
Judge at the European Court on Human Rights, Baku

December 2006 Participation in the "Training Seminar on Juvenile Justice", Baku

December 2003 Participation in the Conference on "The Right to good
Administration" organized by the Council of Europe within the framework of its
Co-operation Programme to strengthen the Rule of Law, Warsaw, Poland

March 2001 Participation in the Conference on the Human Rights
protection systems, Strasbourg

September-November 1998	Participation in the "Human Rights Law and Practice Programme" United Kingdom, the University of Birmingham
July 1998	Participation in the seminar "Appeal Court of France", Fans
May 1998	Participation in the Subregional Conference "Women Rights are Human Rights; Women in Conflict" Baku
March 1998	Participation in the International Training Programme "Techniques to combat organized crime", Baku
May-June 1994	Participation at the English Language Courses at the University College, Dublin, Ireland (EU-TACIS Programme) - research work on The Development of fundamental human rights in the treaties of the European Union"

V POLITICAL ACTIVITIES

None

VI OTHER ACTIVITIES

VII PUBLICATIONS AND OTHER WORKS

VIII LANGUAGES

- a. Mother tongue: Azerbaijani
- b. Official languages: English speaking good, reading good, writing good
French reading good
- c. Other languages: Russian speaking good, reading good, writing good

CURRICULUM VITAE

Rashad HASANOV

Address: Apt.51, A.Maharramov Street 68, Baku AZ1134, Azerbaijan;

Phones: home (+994 12) 430 8444, mobile (050) 222 73 79;

Email: rmhasanov@yahoo.com

PERSONAL DETAILS

Date of birth: July 6, 1973

Sex: male

Marital status: married to Zeynab Hasanova (born in November 20, 1979)

Children: Nihat Hasanli (male, born in May 4, 2004)

EDUCATION, ACADEMIC AND OTHER QUALIFICATIONS

Research Institute of Forensic Examinations, Problems of Criminalistics and Criminology,

Baku, Azerbaijan

Post Graduate Study (Aspirantura) on Criminal Procedure and Criminology, (1997-2000)

Topic of research: Struggle Against Taking of Hostages,

Baku State University, Baku,

Azerbaijan Masters degree in Law

(1990-1995)

PROFESSIONAL ACTIVITIES

a. JUDICIAL ACTIVITIES

July 2007 - up to date

Judge at the Azizbeyov district court of Baku City.

- Handling cases on criminal, civil and administrative cases
- Implementing judicial control over the preliminary investigation and task force activity

June 2005 - July 2007

Participation at the selection process of judges of first instance courts

- Passing oral and written exams (6 in total)
- Participation at the long term training process for the candidates to vacant judge positions

b. NONJUDICIAL ACTIVITIES

May 2004 - May 2005

Legal Assistant to Resident Legal Advisor (RLA), Embassy of the USA in Baku, Azerbaijan

- Programmatic work - assisting the RLA in managing programs of legal reform and legal education, as well as a program of legislative comments and reviews, including reviewing, assessing and organizing draft legislation
- Translation / interpretation work
- Research and Analysis - keeping the Resident Legal Advisor and the Embassy informed on relevant events and trends in Azerbaijan. Monitor, analyze and report on legal

developments, focusing on legislation, debate and current events involving corruption, crime, law enforcement and criminal justice administration in Azerbaijan

- Drafting Assistance - work with, the RLA, Azerbaijani government officials and other international reform assistant providers in developing implementing legislation for the International conventions and protocols
- Scheduling and organizing meetings and appointments with government officials
- Office administration (Case management, Budget and Fiscal activity, Procurement and General Services)
- Handling all incoming and outgoing correspondence, including dip notes and letters confidently and ensuring information is cascaded to the relevant embassy officer
- Preparing presentation materials, other documents and correspondences

September 1992-April 2004

Forensic examiner - Senior Researcher, Research Institute of Forensic Examination, Problems of Criministics and Criminology, Ministry of Justice, Baku, Azerbaijan

- Research work on criminology, particularly on the topic of taking of hostages
- Publishing articles
- Supervising young forensics and researchers
- Carrying out forensic examinations
- Summarizing the results of the work done and preparing annual reports
- Preparing work plans

November 1990 - May 1992

Office Manager, "Agroseljilkomkhoz" Constructing Trust

- Managing and procuring office inventories
- Keeping records on employees' attendance
- Carrying out special tasks for the chief person

August 1989 - October 1990

HR Inspector, Siyazan Vine Plant, Davachi district, Azerbaijan

- Keeping records on the employees
- File management
- Recruiting new employees during harvest season

ACTIVITIES AND EXPERIENCE IN THE FIELD OF HUMAN RIGHTS

- August-September 2007, Training on "Some aspects of issuing judicial decisions on civil cases", organized by GTZ, Nabran, Azerbaijan
- July 2007, seminar on the "Role of the European Convention on Human Rights in the development of the Azerbaijani legal system", organized by GTZ and Legal Judicial Council of the Republic of Azerbaijan, Baku, Azerbaijan
- April 2007, Training for practicing lawyers on articles 3, 5 and 6 of the European Convention on Human Rights, Organized by the Council of Europe and USAID

- September 2007, Conference on "Enforcement of judicial decisions in Europe in the light of European Convention on Human Rights, Sofia, Bulgaria
- Certificate of completing the Human Rights Winter School, organized by the Azerbaijan Young Lawyers' Union in cooperation with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law. Long Forest Chalet Resort, Guba Region, Azerbaijan, October- November, 2003

OTHER RELEVANT EXPERIENCES

- Certificate of completing Procurement Workshop, US Embassy Regional Training, Baku, Azerbaijan, March 2005
- Certificate of Completing Voucher Examiner and Accounting Workshop. US Department of State Training, Almaty, Kazakhstan, August 9-15, 2005
- Participated at the Business Communication Workshop organized by George Mason University / IREX (International Research and Exchanges Board), Baku, Azerbaijan, June 2002.
- Participated at the Regional Environmental Conference, Istanbul, Turkey, November 2001
- Certificate of successful completion of the Environmental Journalism Academy, Washington D.C., USA, June 13-18, 2001
- Participated at the Contemporary Issues Fellowship Program, funded by the US Government and administered by IREX (International Research and Exchanges Board), and conducted research work on the activity of local self governing bodies. Washington D.C., USA, February 21, 2001 - June 21, 2001
- Participated at the Regional. Environmental Conference, Istanbul, Turkey. November, 1999. Delivered speech on the environmental legislation of the Republic of Azerbaijan.
- Certificate of successful completion of the Qualification Development Course for the practicing lawyers at the Training Center of the Ministry of Justice, Baku, February 1996

PUBLICATIONS

- The history and evaluation of taking of hostages, (Baku, 2001). Journal Rule of Law and Order.
- Taking of hostages in the national legislation of Azerbaijan and other countries (Baku 2002). Bulletin of the Institute of Forensic Examinations, Problems of Criminology and Criminalistics.
- International struggle against taking of hostages. (Baku 2002). Bulletin of the Institute of Forensic Examinations, Problems of Criminology and Criminalistics.
- Legal analysis of the crime of taking of hostages: subjective features. (Baku 2003). Conference devoted to the problems of struggling grave crimes.
- Enforcement of judicial decisions: European experience. (Baku 2006) Journal of the Ministry of Justice of the Republic of Azerbaijan (Legal Order).

LANGUAGE SKILLS

- Azerbaijani (native),
- English: speaking *good*, reading *excellent*, writing *excellent*
- Russian speaking *excellent*, reading *excellent*, writing *excellent*
- Turkish speaking *good*, reading *good*, writing *good*

Translation

Permanent Representation
of Bulgaria
to the Council of Europe

The Ambassador

28 November 2007

Dear President,

With reference to the letter from the Secretary General, Mr Terry Davis, of 3 October 2007, concerning the nomination of candidates to the duty of judge to the European Court of Human Rights in respect of Bulgaria, I am honoured to submit the list of candidates in respect of Bulgaria. In alphabetical order, the candidates are as follows:

- Mrs Pavlina Stefanova Panova;
- Mr Roumen Hristov Nenkov;
- Mrs Zdravka Vladimirova Kalaydjieva.

The curricula vitae in English of the three candidates are enclosed.

[Yours sincerely,]

(signed)
Ivan PETKOV

Mr René van der Linden
President of the Parliamentary Assembly of the Council of Europe

Cc: Mr Matéo Sorinas
Secretary General of the Parliamentary Assembly

Cc: Mr Philippe Boillat
Director General of Human Rights and Legal Affairs
Council of Europe
Strasbourg

CURRICULUM VITAE
Pavlina STEFANOVA PANOVA

I. Personal details

Name, forename : Pavlina Stefanova Panova

Sex: female

Date and place of birth: 12.02.1967 - Gramada, district of Vidin

Nationality/ies: Bulgarian

II. Education and academic and other qualifications

1986 – graduate from English language school – town of Vidin

1986 – 1991 – student in law – Faculty of law, Sofia's University „St. Kliment Ohridski”

1992 – graduate in law, diploma of law

1998 – specialized course of education “Law of EU” – Triere, Germany

2000 - Training course on EU–legislation and practice - T.M.C. Asser Institute, Hague, Netherlands

2002 - Training course on police and judicial cooperation in criminal and civil matters in EU - T.M.C. Asser Institute, Hague - Netherlands

2005 – specialized course “The last tendency in the practice of the Court in Luxembourg” – European Institute of public administration- Luxembourg

2006 -2007 – international master program in “EU law” of Sofia's University “St. Kl. Ohridski” and European university center of Nancy, France

III. Relevant professional activities

a. Judicial activities

1992 -1994 – Prosecutor, Sofia's Regional Prosecutor's office, trying criminal cases

1994 -1998 - Judge, Sofia Regional Court, trying first instance criminal cases as a single judge

1998 -2001 - Judge, Sofia City Court, trying first and second instance criminal cases as senior judge

2001 -2007 – Judge, Sofia's Court of Appeal, trying second instance criminal cases

Since march 2007 – Judge, Supreme Court of Cassation, trying third instance criminal cases and reopening of criminal cases

b. Non-judicial legal activities

1999 – 2006 - Part-time lecturer in criminal procedure law in the Department “Criminal law sciences” in the Faculty of Law of Sofia's University

Since 2000 - Lecturer of the National Institute of Justice on the programmes of basis of european law, international cooperation in criminal matters, human rights

2004 - Doctor of law. Doctorate thesis: " The European standards for due criminal procedure under art.6 ECHR".

Since 2005 – correspondent for the Republic of Bulgaria in a project of the EU Comission for the application of the European Arrest Warrant /JAI/2004/AGIS/043/

Since june 2007 – elected by the Supreme Judicial Council to be the Bulgarian judge in the Common Supervisory Body of Eurojust

2006 – co - author of lectures on human rights, published on a CD for the needs of the National Institute of Justice

2007 – co - author of materials, published in a manual "Judicial defence of human rights" for the needs of the National Institute of Justice

c. Non-legal professional activities

IV. Activities and experience in the field of human rights

2004 - Doctorate thesis: " The European standards for due criminal procedure under art.6 ECHR"

2005 -2006 – participation as a trainer of magistrates on human rights in ECHR in cooperation with Dutch lecturers of MATRA's project

2006 – co-author of lectures on human rights, published on a CD for the needs of the National Institute of Justice

2007 – co-author of materials, published in a manual "Judicial defence of human rights" for the needs of the National Institute of Justice

V. Public activities

VI. Other activities

VII. Publications and other works

Doctorate thesis: "The European Standards for Due Criminal Procedure under art.6 ECHR"

Articles on human rights: "Provisions of art.6, par.3, "d" of the ECHR and the Guarantees of the Penal Procedure Code" – magazine "Contemporary law", 2003, №5

"The European Standards for Fair CriminalProceedings According to art.6 of the ECHR and the Bulgarian Legislation and Practice" - magazine "Contemporary law", 2004, №6

"Procedural Guarantees Concerning the Expulsion of Foreigners. Standards of art.1 of Protocol №7 of the ECHR" - magazine "Contemporary law", 2005, №1

"Amendments to the Criminal Procedure Code in Connection with International Instruments of the Council of Europe in the Field of Legal Cooperation in Criminal Matters" – magazine "The human rights" – 2004, № 4

Case reports "Corruption Crimes", co-author, "Sibi", 2006

VIII. Languages

Language	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language									
english	X	"	"	X	"	"	"	X	"
<i>(Veuillez préciser)</i>									
b. Official languages:									
- English	X	"	"	X	"	"	"	X	"
- French	"	"	"	"	"	"	"	"	"
c. Other languages:									
russian	"	X	"	"	X	"	"	"	X
.....	"	"	"	"	"	"	"	"	"
.....	"	"	"	"	"	"	"	"	"

IX. Other relevant information

X. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

I confirm that I'll take up permanent residence in Strasbourg if elected a judge on the Court.

CURRICULUM VITAE
Roumen Hristov NENKOV

I. Personal details

Name, forenames: Nenkov, Roumen Hristov

Sex: Male

Date and place of birth: 5 August 1953, Sofia, Bulgaria

Nationality: Bulgarian

II. Education and academic and other qualifications

1. English Language High School, 1967-1972

2. University of Sofia, Faculty of Law, 1974-1979, Bachelor's Degree, Diploma of Law

3. South Illinois University, Study Programme on Judicial Restructuring, May 1992-June 1992, Certificate of Participation

4. Salzburg Seminar on "International Aspects of the Protection of Human Rights and Freedoms", July 1992, certificate of participation

5. Cardiff University, UK, Research Study on "Criminal Law reform, Procedural issues, Economic crime, Money-laundering etc.", October 1994-December 1994, British Council Diploma

6. Institute of European Law, Bonn, Germany, Study Visit on German Criminal Law, December 2000, certificate of participation

III. Relevant professional activities

a. Judicial activities

1. Junior Judge at Sofia Regional Court, 1980-1983

2. Bailiff at Sofia Regional Court, 1983-1984

3. Judge at Sofia Regional Court, 1984-1990 (Chairman of the Court, 1986-1990)

4. Judge at Sofia District Court of Appeals and its Deputy Chairman, 1991-1992

5. Judge at the Supreme Court (Supreme Court of Cassation), Criminal Chamber, since May, 1992 – present (Chairman of Criminal Division, October 1997-February 2002, Deputy Chairman of the Supreme Court of Cassation and Head of its Criminal Chamber, February 2002 – present)

b. Non-judicial legal activities

1. Secretary General of Ministry of Justice, 1990-1991

IV. Activities and experience in the field of human rights

1. Participated in a number of conferences and workshops on the new Bulgarian Constitution and the standards of the European Convention on Human Rights and Fundamental Freedoms, courses on Criminal Law with students of the University of Sofia.
2. Expert for the Government and the Parliament in drafting the amendments of the Criminal Procedure Code of 1999 and the new Criminal Procedure Code of 2006 which reconcile the domestic law with the requirements of Articles 5, 6 and 8 of the Convention and Expert for the new Law on Judiciary, 2006-2007
3. Head of the Experts' Group for Module 1 "Independent Judiciary" of CARDS Regional Project 2003 for Western Balkans (in partnership with the Council of Europe), 2003-2007

V. Public activities

a. Public office:

1. Member of the Central Electoral Commission for the Parliamentary, Presidential and Local Elections, 1991-2002 (Deputy Chairperson – 1997, Chairperson – 2002)
2. Member of the Programme Council of the Magistrates' Training Centre, 2001-2002

b. Elected posts:

1. Member of the Supreme Judicial Council, 1997-1998, 2003-2007 (in both cases elected by judges)

VI. Other activities (field, duration, functions):

1. International Criminal Law, Head of the Bulgarian Delegation for the 46-th Plenary Session of European Committee on Crime Problems (CDPC), Strasbourg, June 1997
2. Member of the Association of the Scientists since 2002

VII. Publications and other works:

Approximately 20 research studies and articles. Several are written on human rights issues including:

- "Anonymous Witness according to the Criminal Code of Procedure and the European Standards" 1997;
- "Detention in Custody in the Light of the International Standards" 1997;
- "More about the Arrest and Detention in Custody after the Amendments of the Code of Criminal Procedure" 1998;
- "Legal Aid for Indigent Defendants" 1998;
- "Brief Review of the Practice of the Supreme Court of Cassation on the European Convention of Human Rights" 2002;
- "Supreme Court's Proposals for Speedy Criminal Trial" 2003;
- "Application of Special Means of Investigation" 2003;
- "Trial Stage according to the new Criminal Code of Procedure" 2006 etc.

VIII. Languages

Language	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language									
Bulgarian	X	"	"	X	"	"	X	"	"
b. Official languages:									
- English	X	"	"	X	"	"	X	"	"
- French	"	"	"	"	"	"	"	"	"
c. Other languages:									
Russian	"	X	"	"	X	"	"	X	"
.....	"	"	"	"	"	"	"	"	"
.....	"	"	"	"	"	"	"	"	"

IX. Other relevant information: As a judge at the first instance court I successfully completed French language course for beginners. Although disuse has impaired my command of French, I believe that a few months' active study will improve my fluency.

X. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court: Yes

**CURRICULUM VITAE
Zdravka KALAYDJIEVA**

I. Personal details

Name, forename Kalaydjieva, Zdravka

Sex - female

Date and place of birth 29 September 1951, Sofia, Bulgaria

Nationality/ies – Bulgaria

II. Education and academic and other qualifications

Secondary

1965-1970 - English Language School, Sofia

Tertiary: Faculty of Law, "St.Climent Ohridsky" University of Sofia

1970-1975, degree ***Master in Law, qualification - jurist***

Postgraduate:

- Institute of Sociology, Bulgarian Academy of Science, 1976-1979 – Post-doctoral studies in Sociology of Law

Courses in International Human Rights Law

- International Academy of Law – The Hague, Netherlands
1992 - ***International Human Rights Legal Protection*** - non-diploma course, organized by the Netherlands Institute of Human Rights (SIM), Utrecht University and the Netherlands Helsinki Committee in cooperation with the Council of Europe (CoE)

- Birmingham University, UK, Institute of European Studies

1994 - ***Theory and Practice in International Protection of Human Rights*** - non-diploma course organized in co-operation with the CoE

III. Relevant professional activities

a. Judicial activities

Junior judge, Sofia City Court (mandatory one-year practice) 1975-1976

b. Non-judicial legal activities

- **Practicing lawyer**, Member of the Sofia Bar Association, 1980-present
- **Founder, Board Member and Project Coordinator – Bulgarian Lawyers for Human Rights** (BLHR, legal NGO), 1993-present
- **International Legal Officer (P-4), UN Mission in Bosnia and Herzegovina – Judicial System Assessment Programme** - Coordinator for the Banja Luka region, 1999-2000
- **Researcher, teacher and advocate of the legal protection of human rights** (please refer to section IV for details)

- ***Ad hoc advisor, Minister of European Affairs – Judicial Reform in the EU post-accession Programme for Co-operation and Verification of Bulgaria's integration, 2007***

- ***Member of the ad hoc Advisory Committee of the Minister of Justice – Judicial Reform Action Plan, 2007***

c. Non-legal professional activities

Free-lance interpreter and translator (English-Bulgarian and Bulgarian-English), 1973-present

IV. Activities and experience in the field of human rights

a. Research

My research has focused mainly on the compliance of Bulgarian law and practice with international standards in the field of human rights protection. Resulting reports, *inter alia*:

- ***“Legal and Institutional Guarantees for Human Rights in Bulgaria”***
Report commissioned by the United Nations Development Program (UNDP), 1997
- ***“Serving the Public: The Delivery of Justice in Bosnia and Herzegovina” –contribution, Thematic*** Report of Judicial System Assessment Programme, November 2000
- ***“The Independent Judiciary in the Context of EU Accession”*** - report prepared for the Conference “Civil Society Perspective on Bulgaria's Accession to EU”, published by the European Institute, Sofia, 2001
- ***Ten extensive reports on the effective exercise and on Bulgarian domestic remedies for human rights in comparison to the European standards*** set by Articles 2,3,5,6,8,9,10,11 and 13 of the European Convention for Human Rights (ECHR) The reports were prepared and published as part of the BLHR Project “Civil Society in Support of Bulgaria's Sustainable Policy in Human Rights”, 2003-2006 , published by BLHR, ISBN 978-954-8094-16-0. The project involved the participation of Bulgarian practitioners and foreign experts (Prof. Fried van Hoof, Prof.Leo Zwaak, Prof.Pieter van Dijk, Prof. Jeremy McBride and others). I am the initiator and key contributor to this project.

b. Promotion of international (ECHR, UN) human rights legal standards:

Teaching and training, invited presentations and participations

National:

- ***“Police Brutality and Ethnic Minorities”***
Invited speaker:, Conference Sofia, 1993
- ***“Introduction to the ECHR”***
Organizer: Seminar for the Bulgarian legal community, organized by BLHR jointly with the Netherlands Helsinki Committee, Sofia, 1994
- ***“Freedom of Thought, Conscience and Religion”***
Invited participation, Conference., Sofia, 1995
- ***“Introduction to the ECtHR”***
Organizer: Seminar for the Bulgarian legal community, organized by the Bulgarian Centre for Human Rights jointly with the Netherlands Helsinki Committee, the Hague, 1997

- ***“The judgment of the ECtHR in the case of Assenov and Others v. Bulgaria”***

Invited speaker: Faculty of Law, Plovdiv University, Plovdiv 1999

- ***“Media Coverage of Police Brutality”***

Invited participation: Round Table Discussion, Sofia, 2002

- ***“Execution of Judgments of the European Court of Human Rights”***

Invited speaker: Conference organized by the Centre for Training of Magistrates, CoE Directorate of Human Rights, Sofia, 2003

- ***“The European Convention and the case-law of the European Court of Human Rights in Bulgarian cases”***

Lecturer: **over 20 lectures** given at training courses for Bulgarian magistrates, 1999-2007, on:

- Articles 5 and 6 of the Convention, held with the participation of eminent experts and ECtHR judges (Mr. Dimitar Gotchev, Mme Fr. Tulkens, Mr. Egbert Mijer), the National Institute of Justice (former Magistrates Training Centre), the CoE Directorate of Human Rights and the European Union
- The compatibility of Bulgarian law and practice with ECHR requirements - Articles 3, 5, 8, 9, 10, 11 and 14 (with the participation of Prof.F.van Hoof, Prof.Leo Zwaak)

- ***“The European Court of Human Rights”***

Lecturer and course coordinator: Lecture course for students in European Studies, Faculty of Philosophy, “St. Climent Ohridsky” Sofia University, 2004-2005

- ***“Public Interest Litigation - the Role of the Judiciary and the Practicing Lawyers in a Democratic Society”***

“The Convention Mechanism and Protocol no.14”

Lecturer: BLHR Seminar Series for practicing lawyers and human rights activists, held in 2005-2006 at different locations in Bulgaria (Veliko Tarnovo, Stara Zagora, Pazardjik, Varna, Blagoevgrad, Triavna)

- ***“Introduction to ECtHR Proceedings and the Meaning of the Findings of the ECHR in Domestic Proceedings”***

Lecturer: Training course organized by BLHR for members of the Sofia Bar Association, Hisaria, 2007

- ***“The Right to a Fair Trial in the Case-law of the ECHR in Bulgarian Cases”***

Lecturer: Training course organized by BLHR for practicing lawyers, Albena, 2007

International:

- ***“Fair Trial and the Rights of Minors”***

Invited participation: UN Jurist Commission, Madrid, 1995

- ***“The Rule of Law”***

Invited participation: Conference of the European Union and the Council of Europe, Nordwijk, 1996

- ***“The Role of Legal NGOs in the Process of Democratization of Former Socialist Countries”***

Invited speaker: Committee on Human Rights (CHR) - National Academies of Sciences, Rome, 1997

- ***“The Role of NGOs in the Promotion of Human Rights as a Basic Value in Democratic Societies”***

Invited speaker, Law Faculty, “Taras Shevchenko” State University, Kiev, 1997

- ***“The Case of Assenov and Others v. Bulgaria – Issues before the Court in Strasbourg”***

- Invited speaker: Faculty of Law, ‘Fordham’ University, New York, 1998

- ***“The Landmark Case of Assenov and Others v. Bulgaria - importance of the judgment for the Bulgarian law on detention and for the Strasbourg case-law on procedural guarantees against torture and inhuman and degrading treatment”***

Invited speaker: European Roma Rights Centre, Budapest, 1999

- ***“UN Protection of Human Rights - Prohibition of Torture”***

Lecturer: Training course for practicing lawyers from the Former Soviet Republics of Central Asia, organized by the Open Society Institute, Bishkek, Kirgizstan, 1999

- ***“Legal Reform World Summit”***

Invited participation, organized by the World Bank, Petersburg, 2003

- ***“Protection of the Right to Personal Freedom and Security under Article 5, ECHR”***

Lecturer: Training course for practicing lawyers and activists, organized by the Directorate of Human Rights, CoE, Skopje, Former Yugoslav Republic of Macedonia, 2003

- ***“Individual Complaints before the ECtHR - Admissibility Requirements and Convention Proceedings”***

Invited Lecturer: Training course for activists and practicing lawyers, organized by the Macedonian Helsinki Committee, Skopje, Former Yugoslav Republic of Macedonia, 2005

- ***“Detention and Disappearances (Article 3 and 5, ECHR)”***

Invited presentation: Workshop for legal practitioners from the Former Soviet Republics, organized by INTERIGHTS, London, 2007

- ***NGO conferences and summits, organized by the Directorate of Human Rights Council of Europe:***

- Budapest, Hungary, 1994
- Ljubljana, Slovenia, 1995;
- Krakow, Poland, 1996 (Speaker)
- Oxford, UK, 1996

c. Personal contribution to the harmonization of the Bulgarian law and practice with the ECHR

Impact cases before the European Court of Human Rights

- ***Legislative changes of the power of the prosecutor to order detention; duty to investigate ill-treatment; improper pressure on applicants, representative of the applicants in:*** “Assenov and Others v. Bulgaria”, ECtHR Judgment of 28 October 1998

- ***Improvements in the exercise of the right to freedom of conscience (non-discrimination in custody of divorced believers) – representative of the applicant in*** “M.M. v. Bulgaria”, Decision of 10 September 1996

- ***Decriminalization of conscientious objection and the adoption of the Act on Alternative Service and Act for Amnesty***, representative of the applicant in “I.S. v. Bulgaria”, Decision of 06 April 2000 (protection of conscientious objectors under Article 9)

- ***Registration and improved exercise of the right to freedom of conscience, national legal council for the applicants in*** “Khristiansko Sdruzhenie “Svideteli na Iehova” (Christian Association Jehovah’s Witnesses), Decision of 03 July 1997

- ***Abolition of the death penalty; improvement of living conditions and regime of life-time prisoners - representative of the applicant in*** “Iorgov v. Bulgaria”, Judgment of 11 March 2004

- **Improvements in the practice of compensation for expropriated property- representative of the applicants in “Kirilova and others v. Bulgaria”, Judgment of 09 June 2005**
- **Legislative amendments concerning the effectiveness and proportionality of compensation in the process of property restitution – representative of applicants in “Velikovi and Others v. Bulgaria”, Judgment of 15 March 2007**

Invited amicus curiae briefs on ECHR compatibility for the Bulgarian Constitutional Court concerning:

- **effective domestic remedies required by Article 13 ECHR in cases of expulsion** - Constitutional Case 15/2000 (Decision № 4 of 23 February 2001, promulgated SG issue 19 of 02.03.2001 - Article 47-a of the Foreigners Act
- **the right to vote and immunity of candidates from arrest and detention during election campaigns** - Constitutional Case 12/2001 (Decision № 12 of 22 May 2001, promulgated SG issue 50 of 01.06.2001 - Article 53 of the Act on Elections of Members of Parliament
- **independence of the judiciary, legal stability and execution of judgments as part of the right to a fair trial** - Constitutional Case 2/2001 (Decision № 13 of 29 May 2001, promulgated SG issue 51 of 05.06.2001 - Act on Interpretation of Article 47 of the Foreigners Act
- **non-interference with prisoners’ correspondence - Article 8.2 ECHR requirements** - Constitutional Case 11/2005 (Decision № 4 of 18 April 2006, promulgated SG issue 36 of 02.05.2006) - Article 132-g of the Act on Execution of Punishments

d. Domestic application of ECHR standards in the practice of the national courts

As a practicing lawyer I represent victims of alleged violations before the Bulgarian courts. In these proceedings I invoke the provisions of ECHR and rely on ECtHR case-law in view of enhancing their direct application in the domestic judicial practice. I also provide non-formal collegial information on the request of practicing lawyers and judges concerning the ECtHR case-law applicable to relevant domestic cases.

e. Preparation, publishing and dissemination of reading materials on ECHR

I have contributed to the professional qualification of the national legal professionals in ECHR through initiation, selection, editorial work and management of the following materials:

- **Current publication of standard-setting judgments of international tribunals (summaries) and of the ECtHR (full text) in cases v. Bulgaria**, published by BLHR in the Bulletin of the Supreme Court of Bulgaria, subsequently – in the Human Rights Quarterly Magazine and in the APIS electronic programme for Bulgarian legal practitioners, 1998-present
- **“Theory and Practice of the European Convention on Human Rights”, Third Edition, P.v.Dijk and G.J.H. van Hoof** - Bulgarian translation, the single textbook in ECHR in Bulgaria, published and distributed among the Bulgarian legal community by BLHR, ISBN 954-90548-1-0, 2000
- **“The European Court of Human Rights – Selected Judgments”** translated into Bulgarian, published by the Council of Europe Information Centre in Sofia, with the support of the CoE, ISBN 954-477-092-5, 2001
- **“Human Rights Quarterly”** – a BLHR publication, ISSN 1311-9516, 2002 - to present, the single professional human rights legal magazine in Bulgaria
- **“International and European Human Rights Protection ” (electronic – CD edition)**, National Institute of Justice and BLHR, 2006

f. As a Judicial Officer and Regional Coordinator of the Judicial System Assessment Programme – UN Mission in BiH

I introduced ECHR standards as criteria for the assessment of the state of the judicial system of BiH; analyzed reasons and prepared reports on delays in proceedings under Article 6 and on length of detention under Article 5 ECHR; analyzed legal and institutional guarantees for the independence of the local judiciary, which constituted the main contribution for the Thematic JSAP Report ***Serving the Public: The Delivery of Justice in Bosnia and Herzegovina, November 2000***; monitored prison and detention facilities and proceedings in key cases; initiated and facilitated judicial co-operation between the authorities of Republika Srpska and the BiH Federation in post-war trans-border cases; contributed to UN draft proposals for appropriate legislative changes, which later on served as a starting point for the judicial reform imposed by the High Representative under the Dayton Agreement.

g. Other relevant activities

Invited as expert NGO representative in:

- *Drafting of the Rules of the Court following Protocol no.11 (CoE), Strasbourg Meeting 1997*
- *Drafting of Protocol no.14 to the Convention and other measures for the preservation of the Convention mechanism (CoE), Series of Strasbourg Meetings 2002-2004*

Resource and reference person for:

- *CoE (Committee of Ministers) in the process of reporting on the implementation of national measures for university education, distribution of information, domestic remedies and other general measures to preserve the effectiveness of the Convention mechanism following the decisions of the Warsaw Summit 2005*
- *Monitoring missions:*
 - *CoE Fact-finding missions – 1998-1999*
 - *Committee for the Prevention of Torture (CoE) visits – 1992, 1994*
 - *Amnesty International – 1993-2006*
 - *EU Commission on Legal Reform – 2000-2007*

V. Public activities

a. Public office – none

b. Elected posts

- *Board Chair, Board Member - Bulgarian Lawyers for Human Rights*
- *Board Chair - Bulgarian Human Rights Centre*
- *Member Bulgarian Helsinki Committee*
- *Member Legal Advisory Board of the European Roma Rights Centre*
- *Member and Legal Advisor – Ecoglasnost*
- *Nomination for judge on the Constitutional Court of Bulgaria – put forward by representatives of the Bulgarian civil society to the President of Bulgaria*

c. Posts held in a political party or movement – none

VI. Other activities

a. field – non-governmental organizations

Initiation, co-ordination and overall management of activities, determination of priorities and leadership of national and international legal teams in over 10 major projects of BLHR: “Strategic Litigation in Impact Human Rights Cases”; “Raising Awareness on Human Rights Legal Instruments”; “Journalists on Shoot”; “Police in Public Service”, “Human Rights in Prisons”; “Direct Application of ECHR in Domestic Proceedings”; “Strategic Litigation and Litigation in the Public Interest”; “Civil Society in Support of Bulgaria’s Stable Policy in Human Rights”; “Justice Is a Human Right” “Execution of Strasbourg Judgments – Required General Measures” etc. These projects were supported by the USGerman Marshal Fund, the Open Society Institute, NY and Sofia, the Democracy Commission, the British Council, the Embassy of Canada; Mensen in Nood, Cordaid and the MATRA Programme of the Netherlands Ministry of Foreign Affairs

b. duration 1993 – present

c. functions – NGO manager, project coordinator

VII. Publications and other works

a. Professional

- **“The Postcommunist Procuracy – Bulgaria”** - Article, “*East European Constitutional Review*”, published by the New York University School of Law and Central European University, Volume 8, Numbers ½ Winter/Spring 1999, ISSN 1075-8402
- **“Strategic Litigation”** - Chapter in Collection **“Pursuing the Public Interest”** 2001, Columbia University, PILI, NY, USA, ISBN 0-9662725-3-6
- **“Personal Liberty and the Aims of its Limitation in a Democratic Society - the Notions of Bulgarian Law and of the European Convention (Bulgarian cases)”**- Article, “*Human Rights Quarterly*”, 1/2002, BLHR ISSN 1311-9516
- **“Protection of the Right to Life and Guarantees against Torture and Inhuman and Degrading Treatment - the Bulgarian Law and the Requirements of the European Convention on Human Rights”**, Article, “*Human Rights Quarterly*”, 3/2002, BLHR, ISSN 1311-9516
- **“Decisions of the European Court of Human Rights on the Admissibility of Complaints against Bulgaria in regard of the Protection of the Right to Peaceful Enjoyment of Possessions”**, Article, “*Human Rights Quarterly*”, 2/2004, BLHR, ISSN 1311-9516
- **“The Reasons to Adopt Protocol No. 14 and How It Will Affect the Control Mechanism of the ECHR”**- Article, “*Human Rights Quarterly*”, 3/2004, ISSN 1311-9516
- **“Litigation in the Public Interest”**, Article, Collection **“Strategic Litigation and Litigation in the Public Interest”**, 2005 BLHR, ISBN 954-8094-11-8
- **“The Failure of State-members of CoE to Meet Their Political Commitments – Reflection on the Convention Mechanism and Its Use as a Strategic Instrument for Changes”** – Article, “*Human Rights Quarterly*”, 1/2006, ISSN 1311-9516
- **“The Judgments of the European Court in Strasbourg as Guidelines for the Necessary Legal Reform”** – Article, “*Society and Law*” – magazine of the Bulgarian Union of Jurists, issue 3/2007, ISSN 0204-85-23

b. Education of the public

Over 20 articles and interviews in the national mass media on the rule of law, the requirements of the European Convention, ECtHR decisions v. Bulgaria, legal reform, principles of the independence of the judiciary etc.

VIII. Languages

Language	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language									
Bulgarian	X	"	"	X	"	"	x	"	"
(Veuillez préciser)									
b. Official languages:									
- English	X	"	"	X	"	"	X	"	"
- French	"	x		"	"	"	"	"	-
c. Other languages:									
Russian	X"	"	"	"	"	x	"	x	-
Serbian and Croatian	"		x	"	"	"	"	"	"
Macedonian	"	X	-	"	"	"	"	X"	-"

IX. Other relevant information

X. *Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.*

I hereby confirm that if elected a judge on the Court, I will take permanent residence in Strasbourg.

Ministers' Deputies

CM Documents

CM(2007)167 26 October 2007¹

1010 Meeting, 7 November 2007

4 Human Rights

4.3 European Court of Human Rights –

Election of judges –

List of candidatures in respect of Latvia

¹ This document was classified restricted at the date of issue. It was declassified at the 1010th meeting of the Ministers' Deputies (7 November 2007) (see CM/Del/Dec(2007)1010/4.3).

Latvijas Republikas
Pastāvīgā Pārstāvniecība
Eiropas Padomē



Représentation Permanente
de la République de Lettonie
auprès du Conseil de l'Europe

Strasbourg, 17 October 2007

Mr Philippe BOILLAT

Director General

Directorate General of Human Rights and Legal Affairs

Council of Europe

Nr. 2.3.8. - 191

Dear Mr BOILLAT,

With reference to the letter of the Secretary General of 21 December 2006, I have the honour to transmit to you the list of candidates for the election of a judge with respect to Latvia to the European Court of Human Rights.

The names of candidates appear in alphabetical order:

- Ms. Jautrīte BRIEDE;
- Mr. Artūrs KUČS;
- Ms. Ineta ZIEMELE.

Please find enclosed the *curricula vitae* of the candidates.

Yours sincerely,

Inese Freimane-Deksne

Chargé d'Affaires a.i.

Deputy Permanent Representative of the Republic of Latvia

CURRICULUM VITAE**I. Personal details**Family name: **Briede**First name: **Jautrite**

Sex: female

Date and place of birth: 17, September, 1961, Nereta, Latvia

Nationality: Latvian

II. Education and academic and other qualifications:

<i>Institution</i>	University of Latvia, Department of Doctoral Studies, Section of Law
<i>Date:</i>	March, 2006
<i>Diploma obtained:</i>	Dr.iur.
<i>Institution</i>	University of Latvia, Faculty of Law
<i>Date:</i>	August, 1982 – June, 1987
<i>Diploma obtained:</i>	Lawyer
<i>Institution</i>	The University of Birmingham, The Institute of European Law
<i>Date:</i>	11 September – 17 November, 1995
<i>Programme:</i>	Human Rights Law and Practice Programme
<i>Institution</i>	University of Oxford, Department for Continuing Education, The George Washington University
<i>Date:</i>	30 June – 27 July, 1996
<i>Programme:</i>	International Human Rights Summer Programme 1996

III. Professional activities:**a. Details of judicial activities**

<i>Date:</i>	February, 2004 – to date
<i>Office</i>	Department of Administrative cases of the Supreme Court
<i>Position</i>	Judge

b. Details of non-judicial legal activities

<i>Date:</i>	1995- to date
<i>Office</i>	Faculty of Law, University of Latvia
<i>Position</i>	Lecturer in Administrative Law and procedure
<i>Date:</i>	1997-1998
<i>Office</i>	Office of Public Administration Reform
<i>Position</i>	Head of Legal Department
<i>Date:</i>	1995 - 1997

Office	Latvian Human Rights Office
Position	Lawyer, subsequently the Head of the Analysis Department
Date:	1993 - 1995
Office	Ministry of State Reform
Position	Lawyer
Date:	1988 - 1993
Company	Institute of Science of Veterinary
Position	Lawyer
Date:	1987 - 1988
Company	Wood-working enterprise "Agrokoks"
Position	Lawyer

IV. Activities and experience in the field of human rights

1. *Ad hoc* judge in several cases in European Court of Human Rights
2. Position of Head of Legal Department in the Latvian Human Rights Office
3. Lecturing different human rights courses for Latvian Judicial Training Centre and Institute of Human Rights, University of Latvia
4. Research and papers in the field of human rights (see below)
5. Study of practice of ECHR, particularly in area of Freedom of Expression, the Right to fair Hearing and matters of Administrative law (tax, building, licensing – Art.6, Art.1 Protocol 1).
6. Consulting VAK (Organisation of environment protection) in the trial *Vides aizsardzības klubs v. Latvia* (57829/00) in ECHR.

V. Political activities

Non

VI. Other activities

1. Government's Expert in Project group on Administrative Law of Council of Europe (CJ-DA) from 1996.
2. Short-term legal expert in the PHARE Anti Corruption training, legislation & information programme
3. IRIS (*Institutional Reform and the Informal Sector*) short-term expert in Sarajevo (Bosnia and Herzegovina) April, 2003.
4. Lecturer in the Latvian Judicial Training Center.
5. Participation in several drafting committees of laws.

VII. Publications and other works

Total: author of one monograph, co-author of three books, author of apr. 50 articles.

1. A monograph: Administrative Act (Administratīvais akts. Rīga: *Latvijas Vēstnesis*, 2003. – 176. lpp)

2. Section in the book: Information Rights and Human Rights. (Informācijas tiesības un cilvēktiesības. In: Informācijas un komunikāciju tiesības. I.sējums. Rīga, Turība, 2002. 137-153.lpp.)
3. Section in the book: Latvian Human Rights Laws in the Context of the European Human Rights Convention. In: The Baltic States at Historical Crossroads. Riga, 1998, p. 282.-293.
4. Protection of Legitimate Trust - One of the Principles of Administrative Procedure. *Latvian Human Rights Quarterly* No2 1997. p.35-42.
5. Administrative Procedure and Human Rights. (Administratīvais process un cilvēktiesības. *Cilvēktiesību īstenošana Latvijā: tiesa un administratīvais process*. Rīga, 1998, 110.-119.lpp.)
6. Parliamentary Democracy in the Republic of Latvia. *European Review of Public Law*, Vol. 9 - No 4, London, winter/hive 1997, p.1175.-1186.
7. Basic Principles of Administrative Procedure (Administratīvā procesa pamatprincipi. *Latvijas Vēstnesis*, 1998.19.marts)
8. Latvian Administrative legislation in the context with the documents of the Council of Europe (Latvijas administratīvi procesuālās normas Eiropas Padomes dokumentu kontekstā. *Latvijas universitātes zinātniskie raksti*, 617.nr., Rīga 1998., 20-61.lpp.)
9. On application of the European Convention on Human Rights. (Kļūdains viedoklis, ka *Eiropas Cilvēktiesību konvencija* nav piemērojama. *Likums un Tiesības*, 2.sējums, nr.2(6), 56.lpp.)
10. On sitting in a judgement on administrative case (Par administratīvās lietas izskatīšanu. *Latvijas Vēstnesis*, 2000.16.marts)
11. On proportionality in administrative procedure (Par samērīgumu administratīvajā procesā. *Latvijas Vēstnesis*, 2000. 20.aprīlis.)
12. On protection of legitimate trust in administrative procedure. (Par tiesisko paļāvību administratīvajā procesā. *Latvijas Vēstnesis*, 2000.11.maijs)
13. On equality in administrative procedure (Par vienlīdzību administratīvajā procesā. *Latvijas Vēstnesis*, 2000. 22.jūnijs)
14. Great Expectations - A Latvian View on the European Constitution. *European Public Law Series*. Vol.XVI. London: Esperia Publications Ltd. Sept.2001, pp.53-56.
15. Administrative Detention (Aizturēšana administratīvā kārtā). *Mans Īpašums*. 2001, nr.8
16. On revocation of favourable and illegal administrative act. (Par labvēlīga un prettiesiska akta atcelšanu. *Likums un Tiesības*, 4. sējums, nr.5 (33), 153-154.lpp)
17. On judgement *Lavents v. Latvia* (Kāds ir spriedums lietā „Lavents pret Latvijas valsti”. *Jurista Vārds*, Nr.24. 3.12.2002. 5.lpp.)
18. On conflict between reputation and freedom of expression. (Vai personas cieņa konfliktē ar vārda brīvību. *Jurista Vārds*, Nr.4 (262), 2003. 28. janvārī, 1., 5-7. lpp.)
19. Judgments of Latvian courts under lens. Review of the research „The quality problems of judgments of Latvian courts” (Latvijas tiesu spriedumi zem lupas. Recenzija par pētījumu „Latvijas tiesu spriedumu kvalitātes problēmas”). <http://www.politika.lv/> 27.06.2003.
20. Evidence in cases of administrative offence. (Pierādījumi administratīvo pārkāpumu lietās. *Administratīvā un Kriminālā Justīcija*, Oktobris, novembris, decembris 2002, 51-54. lpp.)

VIII. Language skills: (Mark 1 to 5 for competence)

<i>Language</i>	<i>Reading</i>	<i>Speaking</i>	<i>Writing</i>
Latvian (mother tongue)	5	5	5
English	5	5	4
French	2	-	-
Russian	5	4	3
German	4	2	2

IX. Other relevant information

I hereby confirm that, if elected as a judge at the European Court of Human Rights, I will take up permanent residence in Strasbourg.

A handwritten signature in black ink, appearing to be 'Z. Mij', is written in a cursive style.

Curriculum Vitae

I. Personal Data

Name, forename	Artūrs Kučs
Sex	Male
Date of birth:	9 December 1975
Place of birth:	Latvia, Riga
Nationality:	Latvian

II. Education and academic and other qualifications

Institution:	University of Latvia
Date:	4/2007
Diploma obtained:	Doctor of Law (Dr.iur)

Institution:	University of Padova
Date:	9/2001 – 9/2002
Diploma obtained:	European Master's Degree in Human Rights and Democratisation

Institution:	University of Latvia, Faculty of Law
Date:	9/1996 – 6/2001
Diploma obtained:	Bachelor of Law (LLB)

Institution:	University of Latvia, Faculty of History and Philosophy
Date:	9/1995 – 6/1999
Diploma obtained:	Political science – international relations Bachelor of Political Science

III. Professional activities

a. Details of judicial activities

Non

b. Details of non-judicial legal activities

Date:	01/2005
Office:	Faculty of Law, University of Latvia
Position:	Lecturer, the Department of International and European Law

Date:	9/2002 – 08/2004
Office:	Human Rights Institute of the University of Latvia
Position:	Research assistant

Date:	8/2002 – 01/2004
Office:	Institute of "Rimpak Livonija"
Position:	Lecturer (Courses: "Human Rights Law" and "International Public Law")
	9/1998 – 6/1999

Date:	9/1998 – 6/1999
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Office: Legal Clinic of the University of Latvia
Position: Legal Assistant

c. Details of all non-legal professional activities

Date: 10/2006
Office: Faculty of Law, University of Latvia
Position: Head of the Department of International and European Law
(Courses: "International Human Rights Law", "Comparative International Human Rights Law in the Baltic States" and "International Public Law")

Date: 08/2004 – 10/2006
Office: Human Rights Institute of the University of Latvia
Position: Acting Director

IV. Activities and experience in the field of human rights

1. Research assistant and Acting Director of the Human Rights Institute of the University of Latvia
2. Lecturing different human rights courses at the University of Latvia and presenting lectures at the summer schools of the Human Rights Institute of the University of Latvia and the Latvian Judicial Training Centre
3. Writing an expert opinions and consulting Public prosecutor's office on hate speech cases
4. Writing an expert opinions on the cases concerning minority rights and the right to the freedom of expression considered by the Latvian Constitutional Court
5. Research and papers in the field of human rights, particularly in the area of freedom of expression, right to private life, prohibition of torture and minority rights
6. Consulting and assisting individuals as regards the complaints procedure to the European Court of Human Rights

V. Political activities

Non

VI. Other activities

1. National co-ordinator of the European Master's Degree programme in Human Rights and Democratisation
2. Member of the Studies Council of the Faculty of Law, University of Latvia
3. Participation in several drafting comities of laws

VII. Publications and other works

- *Prohibition of Hate Speech and the Right to the Freedom of Expression: Limits and Possibilities for Legal Solutions at National Level* [„Neiecietības kurināšanas aizliegums un tiesības uz vārda brīvību: tiesisko risinājumu iespējas un ierobežojumi Latvijā], Collection of Articles on Radicalization of Society, Strategic Analysis Commission, Riga, 2007.

- *How Democratic is Latvia, Assessment of Democracy, (Chapter on Rule of Law)*, ["Cik demokrātiska ir Latvija, Demokrātijas audits"], University of Latvia, 2007. University of Latvia, 2007.
- *Framework Convention for the Protection of National Minorities – European Experience for Latvia, (Chapters 2, 4, 5 and 6.3.)* ["Nacionālo minoritāšu konvencija – Eiropas pieredze Latvijai"], Information Centre of the Council of Europe, 2006.
- *International Obligations and National Debates: Minorities around the Baltic Sea, (Chapter on Latvia)*, Åland Islands Peace Institute, 2005.
- *Freedom of Expression and Defamation, Hate Speech* ["Vārda brīvība: goda un cieņas aizskaršana, naida kurināšana."], Providus, 2004.
- *Human Rights Handbook for Judges, (Chapters 3, 6 and 7)*, ["Cilvēktiesību rokasgrāmata tiesnešiem"], Human Rights Institute, University of Latvia, 2004.
- *Implementation of Criminal Law and the Freedom of Expression*, ["Par Krimināllikuma piemērošanu un vārda brīvību."], Latvijas Vēstnesis, Jurista vārds 30.09.2003
- *Protection of Honour of Public Officials in Criminal Law and the Freedom of Expression* ["Valsts amatpersonu goda un cieņas krimināltiesiskais regulējums un vārda brīvība"], Latvijas Vēstnesis, Jurista vārds 08.07.2003, No.25 (283).
- *Framework Convention for the Protection of National Minorities - Reservations should be Carefully Considered* ["Minoritāšu konvencija: atrunas rūpīgi jāapsver."], 25.03.2003, Public policy forum: <http://www.politika.lv>
- *Minorities – the Practice is More Important than the Definition* ["Minoritātes: prakse svarīgāka par definīciju."], 17.09.2002, Public policy forum: <http://www.politika.lv>

VIII. Languages

Language	Reading	Speaking	Writing
Latvian (mother tongue)			
English	5	5	5
French	1	0	0
Russian	5	5	4

IX. Other relevant information

Participation in Conferences and Courses

- "The role of the Latvian Mass Media in the Democratic Society", conference organized by the University of Latvia, presentation: "Freedom of expression and its limitations in media – striking a reasonable balance", Riga, 7th September, 2007.
- "The latest judgements of the European Human Rights Court and Actual Issues in Latvia", seminar organized by the Information Centre of the Council of Europe and Riga Graduate School of Law, presentation: "Experience of Latvia in the Implementation of the UN Convention on the Elimination of All Forms of Racial Discrimination", Riga, 24th August, 2007.
- "Harmonization of Law in the Baltic Sea Region after Enlargement of the European Union", International conference organized by the University of Latvia, presentation: "Effect of International Law on the Implementation of Human Rights Norms in the Latvian Legal System", 25th – 27th January, 2007.
- "The Latest Judgements of the European Human Rights Court and Actual Issues in Latvia", seminar organized by the Information Centre of the Council of Europe and Riga Graduate School of Law, presentation: "Holocaust denial and the right to the freedom of

expression in the case-law of the European Court of Human Rights", Riga, 23rd August, 2006.

- *"The Effectiveness of the UN Human Rights Mechanisms"*, seminar organized by the European Inter-University Centre on Human Rights and Democratization, presentation: *"Freedom of expression and prohibition of hate speech: jurisprudence of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination"*, Venice-Lido, 21st -23rd June, 2006.
- *"Constitution of Latvia and International Law"*, Academic conference organized by the University of Latvia, Faculty of Law, presentation *"Freedom of expression and its limitations in the Constitution of the Republic of Latvia and in international human rights treaties"*, Riga, 4th February, 2006.
- Seminar on intolerance organized by the Latvian society of anthropologists, presentation *"Legal framework for limitations on hate speech in Latvia"*, Riga, 16th November, 2005.
- *"The Foundation of the European Human Rights Agency"*, international conference organized by the European Inter-University Centre on Human Rights and Democratization, Venice-Lido, 21st -23rd June, 2005.
- International seminar for the doctoral students organized by the University of Odense, presentation *"The case-law of the European Court of Human Rights as regards the limitations on the freedom of expression"*, Odense, April 8th – 9th, 2005.
- *"Advanced Course on the International Protection of Human Rights,"* Åbo Academy University, Institute for Human Rights, 17th August – 2nd September, 2004.
- Training seminar for judges on the case-law of the European Court of Human Rights organised by the Human Rights Institute of the University of Latvia, Riga, 6th-7th February, 2003.

X. I hereby confirm that if elected as a judge at the European Court of Human Rights, I will take up permanent residence in Strasbourg.

Riga, 28th September 2007

 (A. Kušs)

CURRICULUM VITAE

I. Personal details

Name: ZIEMELE

Forename: Ineta

Sex: Female

Nationality: Latvian

Date and place of birth: 12 February 1970, Latvia

II. Education and academic and other qualifications

Education and academic qualifications:	October 1995 - January 1999	Ph.D. in Law , Faculty of Law, <u>University of Cambridge</u> , United Kingdom <i>Dissertation: State Continuity and Nationality in the Baltic States: International and Constitutional Law Issues</i>
	June-July 1996	<i>International Law Seminar</i> held in connection with the regular session of the International Law Commission, <u>United Nations Office in Geneva</u> , Switzerland
	July-August 1995	<i>Public International Law Seminar</i> , The <u>Hague Academy of International Law</u> , The Netherlands
	September 1993 - December 1994	Master of International Law (M.I.L.) , the Raoul Wallenberg Institute and the Faculty of Law, <u>University of Lund</u> , Sweden <i>Thesis: International Legal Status of the Republic of Latvia</i>
	12 - 23 September 1994	<i>Advanced Course on the International Protection of Human Rights</i> , <u>Abo Akademi University Human Rights Institute</u> , Finland (Diploma with distinction)
	January - December 1993	Post-graduate studies in political science, the law and politics of the European Communities, the US legal system, <u>Aarhus University</u> , Denmark
	1988-1993	Law degree , Faculty of Law, <u>University of Latvia</u>
Research:	January - December 2004	<u>Soderberg Foundations' Research Grant</u> at the Raoul Wallenberg Institute, Faculty of Law, Lund University, Sweden (writing a <i>Textbook on Introduction to Theory and History of International</i>

Law in Latvian)

August – November 1998	<u>The Nordic Council of Ministers' Scholar</u> , Raoul Wallenberg Institute, Faculty of Law, Lund University, Sweden
January – June 1998	<u>Fulbright Visiting Scholar</u> , University of Connecticut Law School and New York University School of Law Global Law School Programme, USA
January – September 1997	<u>Visiting Scholar</u> , <u>Max Planck Institut</u> für ausländisches öffentliches Recht und Völkerrecht, Germany
October 1995 – October 1996	UK Foreign and Commonwealth Office <u>Chewening Scholar</u> , University of Cambridge, United Kingdom

III. Professional activities

a. Details of judicial activities	27.4.2005	Elected Judge of the European Court of Human Rights with respect to Latvia
	2004	Ad hoc judge at the European Court of Human Rights in three cases brought against Latvia
	2002 - 2004	Practicing and advising attorneys on human rights cases in Latvian courts and the European Court of Human Rights
		Expert in cases brought to international mixed arbitration proceedings under UNCITRAL and ICC rules [For the work on training judges, prosecutors and attorneys in human rights, see below under IV.]
b. Details of non-judicial legal activities:	March 2007	Member of the PhD defence committee at the Faculty of Law, University of Latvia
	Since 2006	Visiting Professor at the Riga Graduate School of Law, Latvia
	Since 2006	Member of the Board of Editors of the <i>Baltic Yearbook of International Law</i> published in the Netherlands with Editorial Office in Sweden
	Since 2006	Member of the Academic Board of the <i>Noua Revista de Drepturile Omului</i> (Romanian Law Journal)
	Since 2004	Member of the Executive Committee of the European Society of International Law incorporated in the Netherlands

Since 2000	Member of the Board of Editors of the <i>International Journal on Minority and Group Rights</i>
Since 1999	Adviser to the Institute on Human Rights, University of Latvia Law Faculty
Since 1996	Member of the British Institute of International and Comparative Law and the British Branch of the International Law Association
01.10.2001. – 4.9.2005.	Söderberg Professor of International Law and Human Rights at the Riga Graduate School of Law, <u>Latvia</u> , and Visiting Professor at the Raoul Wallenberg Institute, Faculty of Law, Lund University, <u>Sweden</u>
2004 – 4.9.2005.	Member of the Committee for Strategic Analysis (National think-tank of 6 persons) established by the President of Latvia
2002 – 4.9.2005.	Expert in relation to Latvia on the EU Network of Independent Experts on Fundamental Rights set up by the European Commission
2001 – 4.9.2005.	Editor-in-Chief and a founder of the <i>Baltic Yearbook of International Law</i> , published by Martinus Nijhoff Publishers in the Netherlands
05.07.1999 – 30.09.2001	Programme Adviser, Human Rights Co-operation and Awareness Division, Directorate General of Human Rights, Council of Europe, <u>France</u>
1995 – 1999	Lecturer in International and European Law, Department on International Law and the Law of the Sea, Faculty of Law, <u>University of Latvia</u>
1995 - 1999	Founding Director, Institute on Human Rights, Faculty of Law, <u>University of Latvia</u>

1996 – 1997	Adviser (<i>ad hoc</i>) to the Cabinet of Ministers on Public International Law and European Law, Latvia
February - December 1995	Adviser to the Prime Minister of Latvia Māris Gailis (international and European law issues)
Since 1995	Member of the Editorial Board of the <i>Latvian Human Rights Quarterly</i>
Since 1995	Founder and a member of the Latvian Section of the International Commission of Jurists
1992 - 1995	Consultant, Foreign Affairs Committee, the Parliament of the Republic of Latvia
1994 - 1995	Assistant, Department on International Law and the Law of the Sea, Faculty of Law, University of Latvia
1993 - 1995	Assistant, Department on Legal Theory and Political Science, Faculty of Law, University of Latvia
1990 - 1992	Assistant to an MP, Jānis Krūmiņš, the Parliament of the Republic of Latvia
Since 1989	Member of the Latvian Lawyers' Association

IV. Activities and experience in the field of human rights

(See also above under III)

a. Teacher in the Raoul Wallenberg Institute, Lund University, Sweden, professional training programmes on the *International Covenant on Civil and Political Rights* and the *European Convention on Human Rights* provided to judges, prosecutors, police commanders, prison administrators, officials of government ministries and national human rights institutions and other target audiences from **more than over 60 countries** in all the regions of the world.

b. 18 – 29 June 2007, Teaching a course 'A Remedy for the Growing Case Load of the European Court of Human Rights: Protocol 14 or a Change of Vision?' during Session on the Human Rights Law at the European University Institute, Florence, Italy.

c. 2006 – 2007, Intense seminars on the Latvian Constitution and its relationship with the EC legal system after Latvia's entry into the EU in the framework of the Continuing Education Programmes of the RGSL, Latvia.

d. 2004, Guest lectures on the 'European Convention on Human Rights and the European Union' delivered to the students at the Danish Center for Human Rights and Faculty of International Relations, L'viv University, Ukraine. Guest lecture on the Dissolution of Yugoslavia at the Icelandic Center for Human Rights, Iceland.

e. 2003 – 2004, Guest lectures to judges of the Supreme Court and Constitutional Court, prosecutors and Members of the Parliament on 'International Law, Human Rights and the

European Union' within the framework of continuing legal education programmes of the Riga Graduate School of Law, Latvia.

f. 1999 – 2004, Trainer and expert for the Council of Europe on the *European Convention on Human Rights* provided to judges, prosecutors, attorneys, and staff of ombudsman offices in the following countries: Armenia, Azerbaijan, Georgia, Latvia, Lithuania and Ukraine.

g. September 1999 and 2000: Teaching the European human rights system at the Summer Courses on International Protection of Human Rights organised by the Poznan Human Rights Centre, Poland. August 2000, 2001, 2002, 2003: Teaching the European human rights system at the Russian-speaking Summer School "Human Rights and their Implementation: European and Baltic Experiences" organised by the Institute on Human Rights of the Faculty of Law at the University of Latvia.

h. 1997 - 2001, guest lectures in the Master Programmes at the Raoul Wallenberg Institute for Human Rights and the Faculty of Law, Lund University. 2002, guest lectures in international law and the European organisations and the Convention system at the University of Örebro and Malmö Högskola, Sweden.

i. 1997 - 1998, Guest lectures on the Baltic States and their citizenship laws in the Jesus College, Oxford, United Kingdom, and the University of Connecticut Law School, United States.

j. Since 1995, author of more than 40 reports on various issues in public international law, human rights, citizenship, minority rights, European law, and Latvia's social and foreign policy at conferences and seminars organised by agencies of the Latvian Government, the Council of Europe, the OSCE Office for Democratic Institutions and Human Rights, the European Commission, Latvian and other academic institutions, national NGOs and the International Commission of Jurists in the following countries: Armenia, Azerbaijan, Belgium, Croatia, Estonia, France, Germany, Latvia, Moldova, Northern Ireland, Norway, Poland, the Russian Federation, Slovenia, Sweden, and Uzbekistan.

k. Author of the following expert opinions and reports:

1. January 2005: report on the Situation of Fundamental Rights in Latvia: 2004 for the E.U. Network of Independent Experts on Fundamental Rights, European Commission, Belgium.
2. January 2004: *Report on the Situation of Fundamental Rights in Latvia: 2003* for the E.U. Network of Independent Experts on Fundamental Rights, European Commission, Belgium.
3. September 2002: Expert Opinion on the *Draft Law on Political Parties and Socio-Political Organisations of the Republic of Moldova* upon the request of the Council of Europe, Strasbourg, France.
4. June 2002: Legal Opinion on the *Kyrgyz Draft Law on the Organisation and Carrying out of Demonstrations* upon the request of the OSCE Office for Democratic Institutions and Human Rights, Warsaw, Poland.
5. October 2001 – April 2002: a member of the Council of Europe expert group concerning the *Compatibility Study of laws and practice of Azerbaijan with the European Convention on Human Rights and its Protocols*.
6. 12 April 1999: Analysis of the *Law on the Protection of the Rights the Child* upon the request of the Saeima Sub-Commission on the Rights of the Child, Latvia.
7. 10 March 1999: Analysis of the *Draft Amendments to the Law on Associations* upon the request of the Saeima Commission on State administration and municipalities, Latvia.

8. September 1997, Evaluation and Commentary of the *Draft Amendments to the Satversme* (Constitution) concerning the Bill of Rights, submitted upon the invitation of the Legal Committee of the Saeima, Latvia.
9. 3 August 1997: Opinion on the *Draft of the State Language Law*, submitted upon the invitation of the Latvian State Language Centre.
10. 16 March 1997: Examination of the *Law on the Registration of Acts Concerning the Civil Status* where it refers to foreigners and stateless persons, submitted in the context of the co-operation agreement between the Institute on Human Rights and the State Human Rights Office of Latvia.

V. Political activities

N/A

VI. Other activities

Publishing commentaries in the newspaper 'Diena' on topical legal and socio-political issues with a purpose of providing the society with a scholarly opinion (see Annex).

VII. Publications and other work

Author of 2 books and a monograph. Editor and co-author of 7 books. Author of about 67 articles. For a complete list of publications, see Annex. Some of the more important publications are:

Books:

1. *State Continuity and Nationality in International Law: the Baltic States and Russia. Past, Present and Future as Defined by International Law*, Leiden, Boston: Martinus Nijhoff Publishers, 2005, pp. 424, ISBN 90 04 14295 9 (Reviewed by Dr. Yaël Ronen at European Law Books <http://www.europeanlawbooks.org/reviews/detail.asp?id=304>)
2. *Starptautiskās tiesības un cilvēktiesības Latvijā: abstrakcija vai realitāte*, Rakstu krājums, [International Law and Human Rights in Latvia: Imagination or Reality. Collection of Essays] Rīga: Tiesu Namu agentūra, 2005, pp 478.
3. *Eiropas Padome – Latvijas partneris Eiropas norisēs* [The Council of Europe – Latvia's Partner in European Affairs], Rīga: Institute for Foreign Affairs of Latvia, 1996, pp. 85, ISBN 9984-583-00-7

Edited books:

4. *Reservations to Human Rights Treaties and the Vienna Convention Regime. Conflict, Harmony or Reconciliation*, I. Ziemele (ed.), Leiden, Boston: Martinus Nijhoff Publishers, 2004, pp. 319. (Reviewed by Roberto Baratta in the *European Journal of International Law*, vol. 17, 2006).
5. *Expanding the Horizons of Human Rights Law: New Authors, New Themes*, I. Ziemele (ed.), Leiden, Boston: Martinus Nijhoff Publishers, 2004, pp. 289.
6. *Cilvēktiesības pasaulē un Latvijā* [Human Rights in the World and in Latvia. A Textbook], SIA "Izglītības soli": Rīga, 2000, 409 p. (Editor and Author of Chapters 1.5, 1.6, 4, 5.1, 5.2, 5.4, 5.5, 5.7 and a Glossary) ISBN 9984-9436-0-7.

Annex to L. Ziemele's CV

PUBLICATIONS

Books:

1. *State Continuity and Nationality in International Law: the Baltic States and Russia. Past, Present and Future as Defined by International Law*, Leiden, Boston: Martinus Nijhoff Publishers, 2005, pp. 424, ISBN 90 04 14295 9 (Reviewed by Dr. Yaël Ronen at European Law Books <http://www.europeanlawbooks.org/reviews/detail.asp?id=304>)

2. *Starptautiskās tiesības un cilvēktiesības Latvijā: abstrakcija vai realitāte*, Rakstu krājums, [International Law and Human Rights in Latvia: Imagination or Reality. Collection of Essays] Rīga: Tiesu Namu aģentūra, 2005, pp 478.

Monographs:

3. *Eiropas Padome – Latvijas partneris Eiropas norisēs* [The Council of Europe – Latvia's Partner in European Affairs], published by the Institute for Foreign Affairs of Latvia, 1996, 85 p., ISBN 9984-583-00-7

Edited books with contributed articles:

4. *Reservations to Human Rights Treaties and the Vienna Convention Regime. Conflict, Harmony or Reconciliation*, I. Ziemele (ed.), Leiden, Boston: Martinus Nijhoff Publishers, 2004, pp. 319. (Reviewed by Roberto Baratta in the *European Journal of International Law*, vol. 17, 2006).

5. *Expanding the Horizons of Human Rights Law: New Authors, New Themes*, I. Ziemele (ed.), Leiden, Boston: Martinus Nijhoff Publishers, 2004, pp. 289.

6. *Mazākumgrupu (minoritāšu) integrācijas aspekti Latvijā* [Aspects of integration of minorities in Latvia], LU Cilvēktiesību institūts: Rīga, 2001, pp. 101. (editor and co-author) ISBN 9984-9493-0-3.

7. *Kas jāzina valsts pārvaldes darbiniekiem tiesiskā valstī* [Handbook for civil servants in a rule of law state], SIA "N.I.M.S.": Rīga, 2000, pp. 119. (author of I, II, and III. 2 Parts, 45 p.) ISBN 9984-679-72-1.

8. *Cilvēktiesības pasaulē un Latvijā* [Human Rights in the World and in Latvia. A Textbook], SIA "Izglītības solī": Rīga, 2000, pp. 409. (editor and author of Chapters 1.5, 1.6, 4, 5.1, 5.2, 5.4, 5.5, 5.7 and a Glossary) ISBN 9984-9436-0-7.

9. *Cilvēktiesību īstenošana Latvijā: tiesa un administratīvais process* [Implementation of Human Rights in Latvia: The Judiciary and Administrative Process], LU Cilvēktiesību institūts: Rīga, 1998, pp. 138., ISBN 9984-19-023-4

10. "Latvijas Republikas starptautiski tiesiskais statuss." [International Legal Status of the Republic of Latvia], grām. *Latvija. Starptautiskās organizācijas. Starptautiskie līgumi*. [Latvia. International Organisations. International Treaties], 5. Saeimas Ārlietu komisija un Kanceleja, Rīga, 1995, ISBN 9984-528-38-3

Articles or Chapters in books published in Latvia (listed chronologically):

11. "Cilvēktiesību rangs Latvijas tiesību normu hierarhijā." [Rank of Human Rights in the Hierarchy of Legal Norms in Latvia], grām. *Satversmes reforma Latvijā: par un pret*. [Reform of the Constitution in Latvia: Pros and Contrasts], Sociāli ekonomisko pētījumu institūts Latvija, Rīga, 1995, pp. 60 - 69.
12. "The Role of State Continuity and Human Rights in Nationality Matters of the Baltic States", in: *The Baltic States at Historical Crossroads: Problems of Political, Economical, and Legal International Co-operation in Awaiting the 21st Century* (T.Jundzis ed., 1998) pp. 248 - 271, ISBN 9984-9085-8-5 (also available in Latvian).
13. 2. & 3. Chapters (co-authored) in *Dokumenti par Latvijas valsts starptautisko atzīšanu, neatkarības atjaunošanu un diplomātiskajiem sakariem*. [Documents on the International Recognition of Latvia, Restoration of Independence and Diplomatic Relations] Latvijas arhīvistu biedrība, Latvijas Ārlietu ministrija, Latvijas Valsts vēstures arhīvs: Rīga, 1999, pp. 127 - 174, 187 - 210, ISBN 9984-510-64-6.
14. "Latvijas prasība par valstiskuma turpināšanās atzīšanu 4. maija Deklarācijā un tās starptautiski tiesiskās sekas" [Latvia's Claim for State Continuity in the 4 May Declaration and its International Legal Consequences], in: *4. Maijs. Rakstu, atmiņu un dokumentu krājums par Neatkarības deklarāciju* [4 May: Articles, Memories and Documents concerning the Independence Declaration], T. Jundzis ed., LU žurnāla "Latvijas Vēsture" fonds: Rīga, 2000, pp. 80 - 90.
15. "State Continuity, Human Rights and Nationality in the Baltic States", in: *The Baltic States at Historical Crossroads*, T. Jundzis ed., 2nd ed., 2001) pp. 224 - 248.
16. "Latvijas loma drošības un miera tiesiskā nostiprināšanā. Vai starptautiskām tiesībām un organizācijām ir nozīme?", in: *Latvija Eiropā: nākotnes vīzijas* [Latvia in Europe: future visions] T. Jundzis ed., Latvijas Zinātņu akadēmijas Baltijas stratēģisko pētījumu centrs: Rīga, 2004, in Latvian and in English, pp. 31 - 55.

Articles in international publications:

17. "Incorporation and Implementation of Human Rights in Latvia", in: *International Human Rights Norms in the Nordic and Baltic Countries* (M. Scheinin ed., 1996) pp. 73 - 111, ISBN 90-411-0189-6.
18. "The Application of International Law in the Baltic States" (1997) 40 *German Yearbook of International Law* pp. 243 - 279.
19. "The Citizenship Issue in the Republic of Latvia", in: *Citizenship and Nationality Status in the New Europe* (S. O'Leary & T. Tiilikainen eds., 1998) pp. 187 - 204, ISBN 0-421-62530-9.
20. "Article 15" (co-authored with Gunnar Schram), in: *Universal Declaration of Human Rights: A Common standard of achievement* (G. Alfredsson and A. Eide eds., 1999) pp. 297 - 324, ISBN 90-411-1168 (HB) ISBN 90-411-1201-4 (PB) (also published in Chinese).

21. Review of Talmon's book on *Recognition of Governments in International Law: With Particular Reference to Governments in Exile* (1999) 10 *European Journal of International Law* pp. 640 – 643.
22. "The Right to Freedom of Expression under Article 10 of the European Convention on Human Rights", in: *The European Convention on Human Rights: A Way and a Method of New Democratic Thinking*, Baku: Institute on Human Rights of the Academy of Sciences, 2000, pp. 6 – 18 (in Azeri).
23. "The European Convention on Human Rights and the Central and Eastern European Member States of the Council of Europe: an Overview" (co-authored with Jeroen Schokkenbroek) (2000) 39 *Nederlands Juristenblad* [Netherlands Legal Journal] pp. 1914 – 1920.
24. "The Role of International Organisations in Strengthening Human Rights Performances in the Baltic Sea region" (2000) 43 *German Yearbook of International Law* pp. 9 - 37.
25. "Is the distinction between State continuity and State succession reality or fiction? The Russian Federation, the Federal Republic of Yugoslavia and Germany", *Baltic Yearbook of International Law*, vol. 1, 2001, pp. 191 – 222.
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44. "Eiropas Savienība – pozitīvs izaicinājums Satversmei." [European Union: A Positive Challenge to the Constitution], *Likums un Tiesības* [Law and Rights], March 2001, 3rd volume, # 3 (19), pp. 70 - 77.
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52. "Par Latvijas Republikas un Krievijas Federācijas līgumiem un ne tikai." [On Treaties between the Republic of Latvia and the Russian Federation and beyond], *Labrīt* [Good Morning] 11.08.1994.

53. "Pašnoteikšanās starptautiskajās tiesībās." [Self-Determination in International Law], *Diena* [The Day] 21. 01. 1995.

54. "Kas ir bērna tiesības, un ko tas nozīmē." [Rights of the Child: Scope and Meaning], *Diena* [The Day] 12. 01. 1996.

55. "Pilsonība, cilvēktiesības un Latvijas sabiedrības modelis" [Citizenship, Human Rights, and a Model of the Latvian Society] *Diena* [The Day] 21 May 1997. Reprinted in *Latvian Human Rights Quarterly* No. 3/4, 1998, pp. 27-30.

56. "Latvijas valsts nepārtrauktība un mūsdienu politiskā realitāte." [Continuity of the State of Latvia and Current Political Realities], *Diena* [The Day] 24. 09. 1997.

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58. "Spēles noteikumi Valsts nākotnes vārdā." [Rules of the Game for the Future of Latvia], *Diena* [The Day] 22. 04. 1998.

59. "Vai starptautiskās tiesības šodien pieprasa diktatoru sodīšanu?" [Does International Law Require the Prosecution of Dictators?], *Diena* [The Day] 30. 11. 1998.

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62. "Budem multikulturni!", [Let's be multicultural!] *Respublika* 04. 02. 1999 (in Russian).
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64. "Pilsoniskā līdzdalība - Latvijas demokratizācijas pamatelements. Kam domāta demokrātija?" [Political Participation: A Basic Element for the Democratisation of Latvia. For Whom Democracy is Meant?] *Diena* [The Day] 03. 04. 1999.
65. "Latvija un starptautiskā sabiedrība. Vai divvirziena satiksme?" [Latvia and the International Community. A Two-Way Street?] *Diena* [The Day] 30. 07. 1999.
66. "Politika un modernas sociālās zinātnes" [Politics and Modern Social Sciences] *Diena* [The Day] 23. 01. 2000.
67. "Neatkarības 10 gadi" [10 Years of Independence] *Diena* [The Day] 09. 05. 2000.
68. "Tiesības uz kultūru, un Eiropas Padomes standarti" [The Right to Culture and the Standards of the Council of Europe] *Latvijas Vēstnesis* [Official Gazette] 01. 06. 2000.
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71. "Pagātnes gūstā ar skatu uz nākotni" [In the captivity of the past with the view to the future] *Diena* [The Day] 18.05.2002.
72. "Kompensāciju izmaksas par spaidu darbiem ar Maskavas fonda starpniecību?" [Payment of compensations for forced labour through the Moscow based foundation?] *Diena* [The Day] 10.07.2002.
73. "Cilvēks, vēlēšanas un atbildība" [Individual, elections and responsibility] *Diena* [The Day] 10.10.2002.
74. "Terorisms, Čečenija – kas ir kas starptautiskajās tiesībās?" [Terrorism, Chechnya – who is who in international law?] *Diena* [The Day] 08.11.2002.
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77. "Piezīmes pie sagatavotā lēmuma projekta" [Points on the margins of the draft decision] *Latvijas Vēstnesis* [Official Gazette], 30.01.2007. Jurista Vārds 5 (458)

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***Permanent Delegation of the Republic of Moldova
to the Council of Europe***

1/1 CE – 109 / 2007

Strasbourg, 30 November 2007

Dear Mr Boillat,

As requested by the Secretary General of the Council of Europe, I am sending you the new list of three candidates for the post of judge at the European Court of Human Rights, selected by the Government of the Republic of Moldova.

The list was drawn up by the National Commission for the selection of candidates for the post of judge at the European Court of Human Rights, set up by government decree of 17 October 2007 and comprising senior representatives of the public authorities, the legal professions, civil society and the universities. This commission organised and held the public competition to fill the post of national judge at the Court, in compliance with Recommendation 1429 (1999) of the Parliamentary Assembly of the Council of Europe.

The public announcement concerning the national selection of candidates for the post of judge at the European Court of Human Rights was published in the specialised and national press (*Monitorul Oficial* - the Official Journal of the Republic of Moldova, *Dreptul* – The Law, *Moldova Suverană*, *Nezavisimaia Moldova* - Sovereign Moldova), and on the Internet (www.justice.gov.md [website of the Ministry of Justice], www.azi.md, www.infotag.md, www.info-prim.md, www.deca-press.net, www.europalibera.org, www.rgnpress.ro, www.tv7.md, www.news.yam.ro, www.dejure.md, www.allmoldova.com, www.unghiul.com, www.basarabeni.ro, www.lhr.md, etc.), and was also broadcast on radio and television. Nineteen persons applied to sit the competition.

Mr Philippe BOILLAT
Director General
Directorate General of Legal Affairs and Human Rights
Council of Europe

Following the competition, the commission met on 16 and 19 November last and interviewed the candidates to assess their knowledge and experience in the human rights field and their language skills. It chose three candidates and proposed their names to the government. By decree No 1312 of 29 November 2007, the Government of the Republic of Moldova approved the list of three candidates, which is submitted to the Council of Europe in alphabetical order, as follows:

- 1. Mihail POALELUNGI**
- 2. Maria POSTOICO**
- 3. Veaceslav ZAPOROJAN.**

The candidates' CVs are attached herewith.

Yours sincerely,

Andrei NEGUTA
Permanent Representative

CURRICULUM VITAE

Mr Mihail POALELUNGI

I. Civil status

Name	Poalelungi
First name	Mihail
Date and place of birth	13 September 1962, Corjova, Criuleni region, Republic of Moldova
Nationality	Moldovan
Family status	Married, 2 children

II. Training/Diplomas

1983 – 1988	Bachelor's degree in Law, Faculty of Law, State University, Chişinău, Moldova
2006	Doctorate in law, Faculty of Law, State University, Chişinău, Moldova Thesis: "Lawful conduct and justice"

III. Relevant professional activity

a. Legal activity

1988 - 1989	trainee judge, Râşcani Court, Chişinău
1989 – 1995	judge and vice-president, Buiucani Court, Chişinău
1995 – 1996	judge and president, Centru Court, Chişinău
1996 – 2003	judge and vice-president, Court of Appeal of the Republic of Moldova
From 2003	judge and (from 2005) vice-president of the Supreme Court of Justice of the Republic of Moldova, president of the Civil and Administrative Disputes Bench
From 2004	arbitrator at the OSCE International Court of Conciliation and Arbitration, representative of the Republic of Moldova
From 1999	status of judge, senior category

b. Non-judicial legal activity

- 1998 – 2005 member and president of the board responsible for approving judicial appointments, Judicial Service Commission
- From 2005 member of the Judicial Service Commission
- From 2000 member of the Consultative Council of European Judges of the Council of Europe
- From 2002 vice-president and president of the Association of Judges of the Republic of Moldova
- From 1989 lecturer in the Faculty of Law, State University of Moldova : practical courses on civil law
- 1998 – 2006 lecturer on civil and human rights law in the Ministry of Justice Training Centre
- 1998 – 2002 lecturer on civil and human rights law in the law centre for barristers
- 1998 – 2002 expert attached to the United Nations Development Programme (UNDP)
- 2001 – 2003 member of the jury of the "Soros-Moldova" Foundation, "Public Administration and Law" Directorate
- From 2001 member of the editorial board of the specialised monthly journal, "Private Law Review"
- From 2007 member of the Scientific Council of the Constitutional Court of the Republic of Moldova

IV. Activities and experience in the human rights field

- March–April 2000 trainee at the European Court of Human rights
- 1995 studies in the human rights field, Legal Service Training College, Paris, France
- 2000 studies in the human rights field, Legal Service Training College, Paris, France
- 2003 studies in the field of refugees' rights, European Law Academy, Trier, Germany
- 2003 study visit in the field of civil law and human rights, German Judicial Service Training College, Trier, Germany
- 2004 study visit in the field of electoral law, Dallas, Texas, Washington D.C., USA

- 2005 study visit in the field of friendly settlement of disputes, Montreal Appeal Court, Canada
- 1997-2007 moderator and rapporteur at conferences on: "Freedom of expression and respect for privacy", "Respect for property rights under Article 1 of the Protocol to the European Convention on Human rights", "Judicial precedent and the importance of the case-law of the European Court of Human Rights for national courts"
- 2007 translation (from French) of opinions of the Consultative Council of European Judges, and Council of Europe resolutions and recommendations on civil cases, and publications in this area, including the case-law of the Civil and Administrative Disputes Bench of the Supreme Court, for judges, prosecutors, barristers and lawyers

V. Public activities

a. Public functions – none

b. Elected office

2003 – 2005 member of the Central Electoral Commission (for the judiciary)

c. Membership of political parties or movements, political functions - none

VI. Other activities

Member of various committees for the drafting of laws and other texts, including: the Code of civil procedure, the Law on the status of judges, the Law on the board responsible for approving judicial appointments, the Law on the disciplinary liability of judges, the Law on the Judicial Service Commission, the Code of Conduct for Judges, the Statute of the Association of Judges, etc.

2002 studies at the World Intellectual Property Organisation (Geneva, Switzerland) and the National Intellectual Property Institute (Paris, France)

VII. Publications

Various books and articles, as author or co-author, plus expert reports :

Books and monographs

Annual summaries of cases (1999 – 2002) heard by the Civil Bench of the Court of Appeal of the Republic of Moldova, Cartier, Chişinău (with commentary)

Standard judicial texts (civil proceedings), author, Cartier, Chişinău, 2002

Standard judicial texts (civil proceedings, 2nd edition, written and annotated with reference to the case-law of the ECHR), author, Cartdidact, Chişinău, 2005

Preparing Civil Hearings, co-ordinator and co-author,
Arc, Chişinău, 2006

Handbook for Judges hearing Civil Cases, co-ordinator and co-author, Cartier, Chişinău, 2006

Legal Conduct and Justice, author, Cartdidact, Chişinău, 2007

Summary of the Judicial Practice of the Civil and Administrative Disputes Bench of the Supreme Court, 2005-2006 (with commentary)

Texts on Human Rights and Fundamental Freedoms and the Courts, co-ordinator and co-author, Cartier, Chişinău, 2007

Articles, reports

"Theoretical and Legal Aspects of Property Law in the Republic of Moldova", "Legal Order – Priority Condition for Establishment of the Rule of Law in the Republic of Moldova", "The Situation of the Judiciary in the Republic of Moldova", "Current Problems in the Social Sciences and European Integration", "Evaluation of the Needs of the Judicial System in the Republic of Moldova", "Independence of the Judiciary and Material Liability of Judges", etc.

VIII. Language

Languages	Reading			Writing			Speaking		
	Very good	Good	Fair	Very good	Good	Fair	Very good	Good	Fair
a. First language									
Official language of the Republic of Moldova	X			X			X		
b. Official languages									
French	X			X			X		
English			X			X			X
c. Other languages									
Russian	X			X			X		

IX. Other relevant experience

Devising and launching of a computer programme – data base for transfer and assignment of civil cases, used by the Supreme Court since 1 January 2006

Same date – setting-up of a data base containing electronic versions of all judgments and decisions given by the Civil and Administrative Disputes Bench of the Supreme Court

X. I confirm that, if elected to the Court, I shall move to Strasbourg

Professional address :

Supreme Court of the Republic of Moldova
18, Petru Rareș St., Chișinău,
Tel. 22.22.71
Fax : 21.20.89
e – mail : mihaip@mail.md

Home address :

Alba Iulia St. 23, ap.130 Chișinău
Tel.51.77.00
e – mail : mihaip@mail.md

CURRICULUM VITAE
Maria POSTOICO

I. Civil status

Surname, first name: POSTOICO Maria
Sex : Female
Date and place of birth: 4 April 1950, Horodiste village, Donduseni district, Moldova
Nationality: Moldovan
Civil status: Married, mother of one daughter

II. Studies, academic and other qualifications

1972-1978 Law degree, Faculty of Law, State University of Moldova, Republic of Moldova
May 1984 Skills training during a programme at the Institute of Political Law and International Comparative Law, Moscow, Russian Federation
Aug. 2000 Skills training during a UNDP programme relating to the concept of the civil code in democratic countries, Washington DC, USA

III. Relevant professional activities

a. Description of activities in the legal field

1997 Judge at the Economic Court of the Republic of Moldova (Court of Appeal), Decree of the President of the Republic of Moldova No. 8-II of 20 January 1997
1989 Member of the State arbitration body, Decree of the Presidium of the Supreme Soviet of the MSSR No. 3372-XI of 21 June 1989
1987 State arbitrator on economic disputes, Decree of the Presidium of the Supreme Soviet of the MSSR No. 2023-XI of 17 July 1987
1983 Arbitrator on economic disputes for the State arbitration service for the Committee of Ministers, Committee of Ministers Decision No. 424 of 29 November 1983

b. Description of non-judicial activities in the legal field

Parliament of the Republic of Moldova

2005-present Deputy President of the Parliament of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 9-XVI of 31 March 2005
2001 Chair of the Legal, Appointments and Immunities Committee, Order of the Parliament of the Republic of Moldova No. 14-XV of 22 March 2001
2000 Chair of the State Security and Public Order Committee, Order of the Parliament of the Republic of Moldova No. 831-XIV of 24 February 2000
1998 Vice-chair of the Legal, Appointments and Immunities Committee, Order of the Parliament of the Republic of Moldova No. 13-XIV of 29 April 1998

Other activities in the Moldovan Parliament

2005-present	Vice-chair of a committee working on the national security plan of the Republic of Moldova, Decree of the President of the Republic of Moldova No. 374-IV of 22 December 2005
4 April 2005	Chair of a committee for the inauguration of the President of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 14-XVI of 4 April 2005
2003	Chair of a working group preparing proposals with a view to finalising legislation and regulations guaranteeing the efficiency and quality of justice, Order of the Parliament of the Republic of Moldova No. 445-XV of 7 November 2003
2003	Member of a committee preparing the national strategy for the prevention and combating of corruption, Decree of the President of the Republic of Moldova No. 1515-III of 6 November 2003
2003	Member of a special committee examining draft legislation amending the Constitution of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 243-XV of 13 June 2003
2003	Member of the co-ordinating council on matters relating to the completion of regulations, reporting to the Government of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 609 of 22 May 2003
2002	Member of a special committee examining draft legislation amending the Constitution of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 1333-XV of 26 September 2002
2001	Member of a committee preparing proposals with a view to regulating plurality of citizenship, Decree of the President of the Republic of Moldova No. 24-III of 25 September 2001
2001	Chair of a working group on the completion of the draft Criminal Code, Code of Criminal Procedure and Code relating to Administrative Offences, Decision of the Legal, Appointments and Immunities Committee No. CJ10/153 of 6 June 2001
2001	Chair of a special committee examining draft legislation amending the Constitution of the Republic of Moldova (relating to judicial reform), Order of the Parliament of the Republic of Moldova 216-XV of 31 May 2001
2001	Member of a committee preparing proposals to adapt legislation to the provisions of the Constitution of the Republic of Moldova in respect of the problems relating to the special status of the autonomous territorial entity of Gagauzia, Order of the Parliament of the Republic of Moldova No. 146-XV of 10 May 2001
2000	Member of a special committee for the completion of the draft Civil Code, Order of the Parliament of the Republic of Moldova No. 1315-XIV of 26 October 2000
2000	Member of a special committee examining draft legislation on the revision of the Constitution of the Republic of Moldova, Order of the Parliament of the Republic of Moldova No. 1075-XIV of 22 June 2000

Parliamentary Assembly of the Council of Europe

2006-present	Vice-Chair of the Committee on Rules of Procedure and Immunities
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2006-present	Member of the Sub-Committee on the Election of Judges to the European Court of Human Rights
2005-2006	Chair of the Moldovan delegation to the Parliamentary Assembly of the Council of Europe (PACE), Member of the Bureau of the PACE
2005-present	Chair of the delegation of Moldova to the PACE, Order of the Parliament of the Republic of Moldova No. 157-XVI of 21 July 2005
2005-present	Member of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)
1999-present	Member of the Committee on Legal Affairs and Human Rights
1999-present	Member of the Committee on Rules of Procedure and Immunities
1999	Member of the delegation of Moldova to the PACE

European Commission for Democracy through Law (Venice Commission)

2001-2005	Member of the Venice Commission
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External parliamentary activities

15-22 June 2006	Study visit to examine the legislative framework of State legal aid systems for vulnerable social groups, and how these work in practice, Paris (France) and London (United Kingdom)
8-10 December 2004	Consultations with experts on the Code of Civil Procedure, Strasbourg (France)
27.4-3.5 2004	Study visit to the Portuguese School of Legal Studies, Lisbon (Portugal)
31.10-2.11 2003	Working meeting on legal issues with Council of Europe experts, Strasbourg (France)
6-10 October 2003	Work for the high-level course on juvenile justice organised by the International Institute for the Rights of the Child (IDE), Sion (Switzerland)

IV. Activities and experience in the field of human rights

Co-operation with civil society

a. Juvenile justice

Apr.-Aug. 2006	Member of a national working group on juvenile justice (promotion of amendments to the Criminal Code and Code of Criminal Procedure drawn up by the working group)
September 2005	Participation in a regional forum on juvenile justice in Eastern and South-Eastern Europe, Chişinău
24 May 2005	Participation in a round table on respecting the rights of the child in places of detention, Chişinău

b. Children's Ombudsman

- 12 September 2007 Co-ordinator of a round table considering ways in which the Republic of Moldova might organise a Children's Ombudsman, in which Mrs Lena Nyberg, Sweden's Children's Ombudsman, participated, Chişinău, Parliament of the Republic of Moldova
- 2007-present Chair of a working group on optimising the activity of the Centre for the Rights of the Child and on the institution of the office of Children's Ombudsman
- 25-29 June 2007 Co-ordinator of the high-level visit by the Republic of Moldova to the Office of the Swedish Children's Ombudsman, Stockholm
- 2007 Co-ordinator of preparation of a collection of standard-setting documents relating to the protection of the rights of children and families
- 8 November 2006 Co-ordinator of a meeting between UNICEF international experts Nigel Cantwell and Hervé Boechat and the parliamentary groups on MPs' role in the promotion of the rights of the child, Chişinău, Parliament of the Republic of Moldova

c. Reform of criminal justice

- 5-6 October 2006 Participation and speech at a seminar on the development of the probation service in Moldova
- 29 September 2006 Participation and speech at a national conference to assess unpaid community service
- 19 May 2006 Participation and speech at a seminar on simplification of criminal procedure
- 27-28 October 2005 Participation and speech at a conference to assess the use by the criminal justice system of alternatives to imprisonment for children
- 23 September 2005 Participation and speech at a seminar on social and other rehabilitation activities for released prisoners
- 14-16.9.2005 Participation and speech at a regional forum on juvenile justice in Eastern and South-Eastern Europe
- 25-26 May 2005 Participation and speech at a seminar on juvenile justice reform in Moldova
- 25 March 2005 Participation and speech at a round table on social rehabilitation activities with persons sentenced to non-custodial penalties
- 27 January 2005 Participation and speech at a seminar on mediation in criminal cases involving juveniles
- 7 December 2004 Participation and speech at a national conference to assess community work
- 13-14 January 2004 Participation and speech at a round table on the management of community work for juveniles
- 27-28.11.2003 Workshop on pre-sentence reports (probation reports) in cases involving juveniles
- 23-24.10.2003 Participation and speech at an international conference on the use of a probation system in Moldova
- 24-25.9.2003 Workshop on mediation in criminal cases

2003-present	Member of a reference group studying the planned reform of the criminal justice system in Moldova
22-25.1.2003	Member of a joint group on policies on the operation of the prison system
8 November 2002	Participation and speech at an international conference on the use of a community work system
2002	Co-operation with the Penal Reform Institute with a view to the drafting for the Republic of Moldova of a Code of Criminal Procedure, an Enforcement Code and a Code on Administrative Offences

V. Public activities

a. Government service posts

b. Elective offices

2005-present	Member of the Parliament of the Republic of Moldova, XVIth legislature, Order of the Constitutional Court of the Republic of Moldova No. 6 of 17 March 2005
2001-2005	Member of the Parliament of the Republic of Moldova, XVth legislature, Order of the Constitutional Court of the Republic of Moldova No. 15 of 13 January 2001
1998-2001	Member of the Parliament of the Republic of Moldova, XVIth legislature, Order of the Constitutional Court of the Republic of Moldova No. 11 of 9 April 1998

c. Offices held in political parties or movements

2005-present	Member of the Bureau of the UEL (Unified European Left) in the PACE
2000-present	Member of the Unified European Left group in the PACE
1998-present	Member of the PCRM group in the Parliament of the Republic of Moldova

VI. Other activities

a. In the legal sphere

b. From 1976 to 1983

c. Offices

1983	Head of Legal Division
1980	Higher legal adviser
1976	Legal adviser in a State-owned enterprise

Activities in these offices related to the defence of human rights and fundamental freedoms and to representation in the courts.

VIII. Knowledge of languages

Language	Reading			Writing			Speaking		
	VG	G	Fair	VG	G	Fair	VG	G	Fair
a. First language									
Moldovan	X			X			X		
b. Official languages:									
- English									
- French	X				X			X	
c. Other languages: Russian	X			X			X		

IX. Contact address:E-mail : maria.postoico@parlament.md

Tel : 373 22 234207

105, bd Stefan cel Mare

Parliament of the Republic of Moldova

2073

Chişinău

Moldova

X. *I confirm that I shall settle permanently in Strasbourg in the event that I am elected as a Judge in the Court.*

VEACESLAV ZAPOROJAN
 CHISINAU, 29, RENAȘTERII BL., AP.53,
 HOME TEL. + (373 22) 21 31 28, GSM 069105142
 BUSINESS: MD-2004 CHIȘINĂU, 28, LĂPUȘNEANU STR., TEL. + (373 22) 25 37 25
 E-mail: veaceslavzaporojan@yahoo.com; zaporojan@constcourt.md

I. *Personal details*

Name, forename: ZAPOROJAN Veaceslav
 Sex: male
 Date and place of birth: 16 July 1962, Drochia, Republic of Moldova
 Nationality– Republic of Moldova

II. *Education and academic and other qualifications*

2003 – present	PhD studies, specialization> Public Law, organisation and functioning of public institutions. PhD subject „Protection of fundamental rights within the constitutional jurisdiction of Republic of Moldova”. Final presentation of the PhD thesis – 25 December 2007.
2000 – 2001	Postgraduate studies in Public Law, State University of Moldova:
1984 – 1989	Bachelor degree; State University of Moldova, Law Faculty:
1977 – 1981	Secondary studies: Constructions College of Chisinau: technician -architect.

III. *Relevant professional activities*

a. *Judicial activities*

02.12.2002 – present	Constitutional Court of the Republic of Moldova <i>Assisting-Judge of the President of the Constitutional Court of the Republic of Moldova</i> , member of the advisory scientific board of the Constitutional Court of the Republic of Moldova
10.11.2004 – present	International Court of Arbitration and Conciliation from Geneva, OSCE Deputy arbitrator on behalf the Republic of Moldova (appointed by the Decision of the Government of the Republic of Moldova no. 1239 of 10.11.2004).
01.08.1989 – 02.12.2002	Moldovan Bar Association Lawyer
01.11.2000 – 02.12.2002	Head of the Bureau of lawyers of the Law Faculty of the State University of Moldova.
1992 – 1995	Head of the Bureau of lawyers of Drochia district

b. *Non judicial legal activities*

01.10.1995 – present	State University of Moldova Superior Lecturer, Cathedra of Constitutional and Administrative Law Taught courses: <i>constitutional law, juridical protection of human rights, constitutional jurisdiction</i>
01.10.2006 – present	Superior Lecturer, Academy of Public Administration (Chisinau) Taught course: <i>Constitutional Jurisdiction in the Republic of Moldova</i> (for postgraduate students)

c. *Non-legal professional activities*

IV. *Activities and experience in the field of human rights*

01.12.2005 – present	United Nations Development Programme in Moldova Project „Support in implementing the National Action Plan in the field of human rights in the Republic of Moldova” National adviser, Member of the community of practitioner
09 – 12.2005	Moldovan Helsinki Committee for Human Rights and the German Embassy in

	<u>Moldova</u> Project "Evaluation of needs of the judicial system from Moldova" Expert
21 - 23.12.2005	<u>Moldovan Helsinki Committee for Human Rights</u> Workshop for Transdniestrian NGOs: "Strategies of protection against violations of human rights" Trainer
01.2006 – 04.2006	<u>United Nations Development Programme in Moldova</u> Elaboration of the inter-university curricula for law faculties on Legal protection of human rights Member of the working group
04.2005 – 03.2006	<u>Moldovan Helsinki Committee for Human Rights and the Moldovan League for the Protection of Human Rights (LADOM)</u> "Promotion of international human rights standards in Gagauzia and Transdniestria" Expert
05 – 07.2006	<u>United Nations Development Programme in Moldova</u> Assessment of implementation of the National Action Plan in the field of human rights in the Republic of Moldova (right to education) Expert
31.10 – 02.11.2006	<u>United Nations Development Programme in Moldova</u> Workshop "Instruction of coordinators from local public administration in the field of human rights" Trainer
12.07.2007 - present	Public association "Centre for Constitutional Studies and Education of Human Rights": founder
20.08 – 24.08.2007	Summer school "Promotion of human rights" for representatives of NGOs Trainer

V. *Public activities*a. *Public office*

19.11.2001 – present	Member of the Commission for evaluation of the degree of knowledge of the Constitution and of the official language by the applicants seeking Moldovan citizenship
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b. *Elected posts - none*c. *Posts held in a political party or movement - none*VI. *Other activities*

a. Field	b. Duration	c. Functions
<i>International Conference devoted to the 15th anniversary of the independence of the Republic of Moldova „Sovereignty and State structure in pluriethnic countries”, 22-23 September 2006, Chisinau.</i>	14.05.2006 – 23.09.2006	Member of the organisational board
Regional Seminar „Access to justice” (Montenegro)	10.05.2005 – 13.05.2005	participant

<p>29.07.2004 – 24.02.2005</p> <p><i>International Practical Conference devoted to 10th anniversary of the Constitutional Court of Moldova „Constitutional justice: actuality and perspectives”, Chisinau, 23-24 February 2005. Report „Efficiency of constitutional justice for the protection of human rights and fundamental freedoms of citizens of Republic of Moldova”.</i></p>	Member of the organisational board
<p>15.01.2004 – 23.07.2004</p> <p>International Conference devoted to the 10th anniversary of the Constitution of the Republic of Moldova „10 years of development under the auspices of the Constitution”, Chisinau, 23 July 2004. Report „Premises for implementation of the constitutional review in the Republic of Moldova”.</p>	Member of the organisational board
<p>01.11.2005 – 29.12.2005</p> <p>Parliamentary constitutional commission for the adoption of the draft law on amendment of the Article 135 and Article 136 of the Constitution of the Republic of Moldova</p>	Expert

VII. *Publications and other works*

- “If the constitutional complaint is instituted ...”, Revue “Constitutional Justice”, no. 4, 2007;
- “Direct access of the person at the constitutional justice (German Practice)”, „Revista națională de drept”, no.4, 2007;
- „Interaction of administrative and constitutional justice in the Republic of Moldova”, „Revista națională de drept”, no.1, 2007;
- “Access to justice of Moldovan citizens from the left bank of the river Dnester”, LADOM informative bulletin, March 2006;
- „Premises of implementing the constitutional review in the Republic of Moldova”, Revue „Constitutional Justice”, no.3, 2005
- Coordinator of the publication of interpretations of norms of the Constitution by the acts of the Constitutional Court: „Constitutional Court of the Republic of Moldova: 10 years of activity”, Chisinau, 2005
- „Constitutional jurisdiction and human rights in a state based on rule of law”. „Revista națională de drept”, no. 11, 2003;
- „Efficiency of constitutional jurisdiction in the protection of human rights and fundamental freedoms of Moldovan citizens”, Revue „Constitutional Justice” no.4, 2003;
- „Constitutional Jurisdiction – guarantor of human rights”, newspaper „Dreptul” no.28, 2003.

VIII. *Languages*

Language	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language Romanian	+			+			+		
b. Official languages:									
- English			+			+			+
- French	+				+			+	
c. Other languages									
- Russian	+			+			+		

IX. *Other relevant information*

X. *Please confirm that you will take up permanent residence in Strasbourg if elected as judge on the Court*

I confirm

STALNO PREDSTAVNIŠTVO REPUBLIKE SLOVENIJE PRI SVETU EVROPE
REPRESENTATION PERMANENTE DE LA REPUBLIQUE DE SLOVENIE
AUPRES DU CONSEIL DE L'EUROPE

40, allée de la Robertsau
67000 STRASBOURG
Tél. : 03 88 36 60 25
Fax. : 03 88 37 14 44

Strasbourg, 5 December 2007
No. 134/07/MK

Mr. Philippe Boillat
Director General for Human Rights and Legal Affairs

I refer to the letter of the Secretary General of 21 December 2006 concerning the expiry of the term of office of Mr. Boštjan Zupančič, judge at the European Court of Human Rights, by the end of October 2007.

In accordance with the decision taken by the Committee of Ministers on 28 May 1997, I am pleased to convey to you the list of the Slovenian candidates in order of preference:

- Mr. Boštjan Zupančič
- Ms. Milena Šmit
- Mr. Boštjan Penko

The curricula vitae are enclosed.

Yours faithfully.

Marjetica Bole
Ambassador

CURRICULUM VITAE
Boštjan M. ZUPANČIČ

I. Personal Details

Nationality: Slovenian
Sex: male
Date of birth: 13 May 1947
Place of birth: Ljubljana, Slovenia
Status: Married, five children

II. Education and Academic Qualifications

1981 Harvard Law School, Cambridge, Massachusetts, *Scientiae Juris Doctor (S.J.D.)*,
Professor R.M. Unger, Mentor; Dissertation: "*The Conflict and the Rules*" (published)
1976-1977 Harvard Law School, Cambridge, Massachusetts – Research Scholar
1973-1974 Harvard Law School, Cambridge, Massachusetts – S.J.D. Programme
1972-1973 Harvard Law School, Cambridge, Massachusetts
LL.M. Degree (Masters in Law); Average Grade: A
1971-1972 Université de Montréal, École de Criminologie, Montréal, Canada,
Research Scholar
1970-1971 University of Zagreb, Law School – Masters in Law Program
Summer 1968 Cambridge University, Law School, United Kingdom
Extra-Mural in Law Studies
1966-1970 University of Ljubljana, Faculty of Law, Degree dipl. iur.;
Average Grade: 9 (out of 10). Award Scholarships: "Boris Kraigher", "Boris Kidrič" and
"Dr. Prešeren Award" (highest available for students)

III. Relevant professional activities

a. Judicial activities

Since 1.11.1998 Judge of the European Court of Human Rights, elected in respect of Slovenia
President of the Third Chamber (since November 2004)
1993-1998 Judge of the Constitutional Court of Slovenia,
President of the Criminal Law Chamber dealing with Human Rights

b. Non-Judicial legal activities

1995-2002 United Nations Committee against Torture (Geneva)
Vice-Chairman (1997-1998)
1993 China University of Law and Public Policy – Visiting Professor
1989-1992 University of Ljubljana, First Vice-President (for academic affairs)
1986-1998 University of Ljubljana, Law School – Full Professor of Law (1989)
1983-1985 Athens University & Temple University – Joint Summer Programmes
1982-1986 Seton Hall University, Law School, Full Professor of Law (1985)
1981 Fordham University, School of Law – Associate Professor of Law
1980-1981 Seton Hall University, Law School – Distinguished Professor of Law
1980 Iowa University, College of Law – Associate Professor of Law
1979 Supreme Court of Slovenia – Clerking
1977-1979 New York Law School – Assistant Professor of Law
1976 Circuit Court of Ljubljana – Clerking
1975-1976 University of Ljubljana, Law School – Assistant Professor of Law
1974-1975 Army – Honorary Discharge, Corporal
1970-1974 University of Ljubljana – Assistant Professor

Memberships

- Editorial Board of "REVUS," European Constitutionality Review, Ljubljana;
- "Society for the Reform of Criminal Law", Vancouver, Canada;
- Editorial Board of "Dignitas", Ljubljana ;
- Editorial Board of "Revija 2000", Ljubljana;
- International Editorial Board of "Pravni Vjesnik", Osijek, Croatia
- Advisory Board of "Nottingham Law Journal", United Kingdom
- Scientific Advisory Board of "European Journal of Law Reform", Utrecht, The Netherlands
- Scientific Committee of "Analele Universității București, Seria Drept", Bucharest, Romania

Lectures

- Chong Qing University of Law and Public Policy, China, 1994
- China University of Law and Public Policy, Beijing, 1994
- University of Cardiff, Wales, U.K., 1995
- Harvard Law School, Cambridge (USA), 1995, 1998; *The Universality of Autonomous Legal Reasoning: Revolutionary Developments in the European Court of Human Rights in Strasbourg*, April 2005
- University of Beijing, 1997
- Gong An University, Beijing, 1997
- Central European University, Budapest, 1997; *The Individual Citizen versus the State*, June 2004
- University of Zagreb, 1997, 2006
- Lectures for Slovene Judges and Lawyers, 1997, 1998, 1999, 2000, 2004
- International Association for the Protection of Human Rights in Cyprus, 1999; 'Fair Trial' in Times of Terrorism, October 2003
- University of Washington, Seattle, 1999
- University of British Columbia, Vancouver, 1999
- Université de Paris XIII, fall 1999, spring and autumn 2000, autumn 2003, spring 2007
- Amnesty International, Ljubljana, autumn 2000
- International Association of Constitutional Law, French Senate, Paris, spring 2001
- Seminar on the Jurisprudence of the European Court of Human Rights, Izmir Bar Association, September 2001
- O.S.C.E., Warsaw, key speaker, spring 2002
- Lectures to judges in Kiev (Ukraine), spring 2002
- University of Auvergne, autumn 2002
- Université de Paris I (Panthéon-Sorbonne), autumn 2002
- Judge at the "Philip C. Jessup International Law Moot Court Competition", Russian Federation, February 2003
- University of Sienna (Italy), *Sovereignty in the Context of Human Rights*, May 2003
- Association of Lawyers, Coimbra (Portugal), *Special Investigative Means and Human Rights in the Jurisprudence of the European Court of Human Rights*, November 2003
- Institut des Hautes Études Européennes de Strasbourg, *La Cour européenne des Droits de l'Homme : les techniques d'interprétation de ses jugements*, January 2004
- Human Rights Research and Practice Centre of the Union of Turkish Bar Association, Ankara (Turkey), *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, February 2004
- Constitutional Court of Slovenia, April and December 2004, November 2005
- Lecture on the ECHR, Association for International Criminal Law, Tara, Serbia-Montenegro, May 2004
- O.S.C.E. Conference, *On Tolerance*, Brussels, Belgium, September 2004
- International Conference "The Position of Constitutional Courts following Integration into the European Union", Bled, Slovenia, September-October 2004 (participation only)

- Association internationale de droit constitutionnel, Round-Table on the Interpretation of the Constitution, Bordeaux, October 2004
- Institut des Hautes Études Européennes de Strasbourg, March 2005
- Institut international des droits de l'homme, Strasbourg, *Philosophical Fundamentals of Human Rights*, July 2005
- Université de Nanterre, *Objective and Subjective Constraints*, October 2005
- Institut des Sciences Politiques (Sciences po), Paris, Master de droit économique, « Droit de la répression – procédure pénale », décembre 2005 – février 2006
- Indiana University School of Law, Croatia Summer Law Programme “Human Rights Issues before the ECHR”, Dubrovnik; 18-21 July 2006
- Constitutional Court of Turkey, *Universality of Human Rights*, September 2006
- Lecture at the Law Faculty of Galatasaray, September 2006
- Seminar on “*Democracy and social justice: what future for European private law?*”, Cour de cassation, Paris, 26 January 2007
- Seminar on “*Procedural Guarantees in Criminal Proceedings: common standards in the European Union*”, *Relationship of the EU Framework Decision to the ECHR: Towards the Fundamental Principles of Criminal Procedure*, Ministry of Foreign Affairs, Berlin, February 2007
- Faculté de droit, sciences politiques et sociales, Villeteuse (Paris 13), *Développements récents de la jurisprudence de la Cour européenne des droits de l'homme*, Monday 19 March 2007
- Round-Table on the future of the European Court of Human Rights, University Robert Schuman, Strasbourg, 14 April 2007
- Conferences on international criminal law and constitutional law, University of Nova Gorica, April 2007
- Conference on the European Court of Human Rights to lawyers, Ljubljana, 28 May 2007
- 15th Annual Conference on “*The Individual vs. the State – Free to Protest: Constituent Power and Street Demonstrations*”, *Theories Concerning the Collective Behaviour*, Central European University, Budapest, June 2007
- *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, Constitutional Court of Georgia, Batumi, 6-7 July 2007, Constitutional Court of Azerbaijan, Baku, 9 July 2007
- Indiana University School of Law, Central & Eastern European Law Programme, “*Croatia Summer Law Programme*”, *Human Rights Issues from Central and Eastern European Countries before the ECHR*, Dubrovnik, 26 July – 3 August 2007
- Sciences po, Paris, lecture on the European Court of Human Rights, 30 November 2007

c. Non-legal professional activities

Not applicable.

IV. Activities in the field of human rights

Judge of the European Court of Human Rights (since November 1998)

President of the Third Chamber (since November 2004)

Author, in leading cases, of many separate opinions which were subject of serious academic review

Member and Vice-President of the United Nations Committee against Torture (seven years)

Author of many scholarly articles on human and constitutional rights.

Many lectures concerning Human Rights at different universities and other institutions

V. Public activities

a. Public office

1989-1992 University of Ljubljana, First Vice-President (for academic affairs)

b. Elected posts

Not applicable.

c. Posts held in a political party or movement

Has never been a member of any political party. Has never engaged in any political activity.

VI. Other activities

VII. Publications and other works

Shortlist of Articles, Books and Treaties

- *THE OWL OF MINERVA, ESSAYS ON HUMAN RIGHTS*, book (cca. 400 pages), ELEVEN International Publishing, December 2007
- Co-author: Johan Callewaert, *Relationship of the EU Framework Decision to the ECHR: Towards the fundamental principles of criminal procedure*, pp. 265-271, ERA Forum scripta iuris europaei, vol. 8, number 2, Springer, June 2007
- *On Tolerance*, Theory and Practice of Contemporary International Law, Essays in Honour of Professor Levan Alexidze on the 80th Anniversary, Inovacia, Tbilissi, pp. 127-137, 2007
- *On Universality of Human Rights*, The Human Rights. Case-Law of the European Court of Human Rights Journal, The Legal World Publishing House Ltd, in Russian pp. 24-28, in English pp. 76-79, 2007
- *Morality of Virtue vs. Morality of Mere Duty or Why do Penalties Require Legal Process whereas Rewards Do Not*, Human Rights, Liber Amicorum Luzius Wildhaber, Human Rights – Strasbourg Views / Droits de l'homme – Regards de Strasbourg, NP Engel Publisher, Kehl am Rhein, 2007
- *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, Hukuk Fakültesi Dergisi, Galatasaray Üniversitesi, 1/2003, pp. 37-57 (February 2004); Annual of German & European Law, vol. II/III, Berghahn Books, pp. 156-170, 2006
- *The Privilege against Self-incrimination as a Human Right*, European Journal of Law Reform, vol. 8, n° 1/2 (2006), p. 15-56
- *On Legal Formalism: the Principle of Legality in Criminal law*, L'interprétation constitutionnelle, Dalloz, 2005, pp.61-82 (Round-Table of the Association internationale de droit constitutionnel organised on 15 and 16 October 2004 in Bordeaux,)
- Interview « *Rugalmasan ítéljük meg a tagállamok mérlegelési jogkörét* », Hungarian journal Fundamentum 2005/1
- *International Adjudication and the Internationalisation of Constitutional Law*, 24 (2005) Pravna Praksa pp. I-VIII (in Slovene language)
- *The Individual Citizen versus the State – Litigation of Constitutional & Human Rights*, 12th Annual Conference on "The Individual vs. the State", Central European University, Budapest, June 2004
- *O razlagi sodnih precedensov in sodb ter posebej sodb Evropskega sodišča za človekove pravice*, Revus 2, Revija za evropsko ustavnost, May 2004 (Slovene)
- *Hukuki Emsallerin ve Avrupa İnsan Hakları Mahkemesi Kararlarının Yorumlanması* (Turkish), Hukuk Fakültesi Dergisi, Galatasaray Üniversitesi, 1/2003, pp. 59-78 (February 2004)
- *Eiropas Cilvēktiesību tiesas precedentu un spriedumu interpretācija (Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights)*, Likums un Tiesības, Aprīlis, 6. sējums, nr. 4 (56) 2004
- *Kazensko pravo in njegov vpliv na normativno integracijo*, Pravna Praksa, št. 18-19/2004 (Slovene)
- *Adjudication and the Rule of Law*, European Journal of Law Reform, Vol. V, No. 1/2, 2003, pp. 23-126.
- *The Constitutional Law Making – Constitutional Law and the Jurisprudence of the European Court of Human Rights : An Attempt at a Synthesis*, Revus 1, Revija za evropsko ustavnost
- *Droit constitutionnel et jurisprudence de la Cour européenne des Droits de l'Homme*, Revue de Justice constitutionnelle Est-Européenne, numéro spécial 2003, L'influence de la jurisprudence de la Cour

européenne des Droits de l'Homme sur l'activité des Cours constitutionnelles d'Europe centrale et orientale, November 2002

- *From Combat to Contract: What Does the Constitution Constitute?*, European Journal of Law Reform 59-95, 1999, in Czech Language "Pravnik", 1997; translation and publication in Portuguese in 2001; International Law of XXI Century, To the 80th Anniversary of Professor Ivanovich Lukashuk, Editions Прмени « Прмени », Kiev, 2006
- CRIMINAL LAW : A CRITIQUE OF THE IDEOLOGY OF PUNISHMENT, Beijing, 2001 (in Chinese)
- *Droit Constitutionnel et Jurisprudence de la Cour Européenne des Droits de l'Homme*, article in XVI^e Annuaire International de Justice constitutionnelle, 2000, prof. Louis Favoreu, Ed., Economica, Paris 2001
- *Access to Court*, Nottingham Law Journal, December 2000
- *The Crown and the Criminal : Towards the General Principles of Criminal Procedure*, 9 European Review of Public Law, 11-39, 1997
- CRIMINAL LAW, Seton Hall, 358 pages (Advanced Criminal Law textbook), 1986
- CRIMINAL PROCEDURE : A Theoretical Vademecum, Seton Hall, 400 pages (textbook), 1985
- *Criminal Responsibility under Mistake of Law : the Real Reasons*, 13th American Journal of Criminal Law, 37-66, 1985
- CRIMINAL LAW : ITS NATURE AND ITS FUNCTION, New York, 401 pages, 1983 (published in Chinese in 2000)
- *Truth and Impartiality in Criminal Process*, 8 Journal of Contemporary Law, 39-133, 1982
- CRIMINAL LAW : The Conflict and The Rules (S.J.D. Dissertation, Harvard Law School), New York (296 pages, published as articles), 1981
- *The Privilege against Self-Incrimination*, Arizona State Law Journal (1981:1), 1-25
- *On Legal Formalism : The Principle of Legality in Criminal Law*, 27 Loyola Law Review, 356-369, 1981
- *Criminal Law and its Influence upon Normative Integration*, Masters Thesis, Harvard Law School, 7 Acta Criminologica, Montréal, Canada, spring 1974 (. pdf original available on Internet)
- In Slovene language: About twenty longer legal treaties, numerous short articles. Essays, poetry etc.

Summary of Publications in Slovene language (1986-1999)

Books

- CRIMINAL PROCEDURE Textbook
Casebook, Five editions: 1986, 1987, 1989, 1991, and 1994
- ANALYSIS OF A COURT MARTIAL CRIMINAL PROCESS, 1988 (262 pages) – Co-author and Editor
- FREEDOM OF ASSOCIATION, 1990 (321 pages) – Co-author and Editor
- BEING AND LONGING, A BOOK OF PHILOSOPHICAL AND PSYCHOANALYTICAL ESSAYS (1988 and 1990)
- LAW AND RIGHT, Essays, 1991
- FROM MADNESS TO BENISON, Essays (1992)
- ELEMENTS OF LEGAL CULTURE, legal and sociological articles (1995)
- CONSTITUTIONAL CRIMINAL PROCEDURE CASEBOOK (1996) (915 pages); 2nd edition (1100 pages) 1999

VIII. LANGUAGES

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language Slovene	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Official Languages – English	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

– French	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Other Languages									
– Serbian or Croatian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
– German	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Italian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Latin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. OTHER RELEVANT INFORMATION

X. PLEASE CONFIRM THAT YOU WILL TAKE UP PERMANENT RESIDENCE IN STRASBOURG IF ELECTED AS A JUDGE AT THE COURT

Shall I be re-elected Judge at the Court, I will continue to reside in Strasbourg.

CURRICULUM VITAE
Milena ŠMIT

I. Personal details

Name, forename: ŠMIT, Milena
Sex: female
Address:
-permanent: Novi trg 6, Ljubljana, Slovenia
-temporary: 21, rue du Bouquet de Longchamp, 75016 Paris, France
Telephone: at work: (00 33) 01 45 68 27 65
E-mail address: milena.smit@gov.si
Date and place of birth: 3rd March 1950, Celje, Slovenia
Nationality/ies: Slovene

II. Education and academic and other qualifications

June 1969 graduate at *Gymnasium Celje*;

14.02.1975 graduated *cum laude* at the *University of Ljubljana, Faculty of Law* as Bachelor of Laws - title of diploma: "Proposals of the Member States of the United Nations on revision and amendments of the UN Charter with a view of achieving greater efficiency and rationalisation of the procedure and organisation of the General Assembly", that was awarded by *UN Association of Slovenia*;

27.02. – 01.03.1978 professional judiciary exam;

01.07. – 29.07.1977 summer course on American law, organized by Universities of Columbia, Amsterdam and Leyden in Amsterdam;

02.04. – 27.04.1991 course of lectures on international law at the Faculty of Law in Strasbourg;

22.07. – 09.08.1991 summer course on international public law at The Hague Academy of International Law;

01.03. – 15.03.1993 study visit of the headquarters of the Hague Conference on Private International Law in Hague in the framework of the programme *Demo-droit* of the Council of Europe;

III. Relevant professional activities

a. Judicial activities

b. Non-judicial legal activities

01.12.1975 - 31.01.1977 lawyer in trainee in *Working society of lawyers (barristers)* *Rudi Šelih, dr.Matjanko Dolenc and Sonja Dolinar, Ljubljana*;

01.02.1977 - 31.03.1978 trainee at District Court of Ljubljana;

01.04.1978 - 31.07.1978 Counsellor at the then *Republic Committee for the protection of the environment, Ljubljana*;

15.11.1978 – 31.12.1980	Counsellor in the <i>Office for execution of penal sanctions</i> at the then <i>Republic secretariat for justice, administration and budget</i> , Ljubljana;
01.01.1981 - 31.07.1984	Counsellor in the <i>Sector for property and legal matters</i> at the then <i>Republic secretariat for justice, administration and budget</i> , Ljubljana;
01.08.1984 - 29.02.1992	Head of the <i>Office for common matter service</i> at the then <i>Institute for Seismology of the Republic of Slovenia</i> ;
01.03.1992 -30.04.1992	Counsellor of the Minister in the <i>International legal Department</i> at the <i>Ministry of Foreign Affairs of the Republic of Slovenia</i> ;
01.05.1993-31.08.1996	Counsellor of the Government - Head of <i>Human rights and Council of Europe Section</i> within the <i>Department for multilateral relations</i> at the <i>Ministry of Foreign Affairs of the Republic of Slovenia</i> ;
01.09.1996-01.12.1997	Chargé d'affaires a.i. at the <i>Embassy of the Republic of Slovenia in Lisbon</i> ;
01.12.1997 - 31.10.1998	Counsellor at the <i>Embassy of the Republic of Slovenia in Lisbon</i> ;
1.11.1998 - 31.10.2001	Counsellor at the <i>Permanent Representation of the Republic of Slovenia at the Council of Europe</i> in Strasbourg and the General Consul a.i. at then <i>General Consulate of the Republic of Slovenia</i> in Strasbourg;
01.11.2001 - 31.01.2003	Undersecretary at the <i>Department for international and legal affairs</i> in the <i>Ministry of Foreign Affairs of the Republic of Slovenia</i> ;
01.02.2003 - 18.05.2005	Head of <i>Human rights and Council of Europe Section</i> within the <i>Department for International organisations</i> at the <i>Ministry of Foreign Affairs of the Republic of Slovenia</i>
<u>19.05.2005 - present</u>	<u>Minister Plenipotentiary at the <i>Embassy of the Republic of Slovenia in Paris</i> and <i>Deputy Head of Permanent delegation of the Republic of Slovenia at UNESCO</i>;</u>

c. Non-legal professional activities

IV. Activities and experience in the field of human rights

1993 – 1996; 2001 – 2005	representative of the Republic of Slovenia in the Council of Europe's Steering Committee on Human Rights (CDDH) and its working group on prevention of the violation of the human rights on national level and improvement of domestic legal remedies, representative of the CCDH in the ad hoc Committee on Action Against Trafficking in Human Beings (CAHTEH),
01.05.1993-31.08.1996	counsellor of the Government acting as Head of <i>Human rights and Council of Europe Section</i> within the <i>Department for multilateral relations</i> at the <i>Ministry of Foreign Affairs of the Republic of Slovenia</i> ; in this capacity coordination and active participation at the several conferences and forums on human rights, such as OSCE conferences on topic of human rights, the Hague Conference on Private International Law regarding the <i>Convention of 29 May 1993 on Protection of Children and Co-operation in respect of International Adoption</i> ; III.Committee of the UN

	General Assembly in New York, UN Commission for Human Rights; coordinator for the reporting on fulfilment of the obligations stemming from ratified international instruments by the Government of Slovenia;
1.11.1998 - 31.10.2001	counsellor at the <i>Permanent representation of the Republic of Slovenia at the Council of Europe</i> in Strasbourg - acquaintance with the work of the Committee of Ministers, also regarding the execution of the judgments of the European Court of Human Rights; active participation at the technical working group for preparation of the contribution of the Council of Europe for World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban in 2001;
01.11.2001 - 31.01.2003	undersecretary at the <i>Sector for international and legal affairs at the Ministry of Foreign Affairs of the Republic of Slovenia</i> (responsible for international aspects of the protection of human rights);
01.02.2003 - 18.05.2005	Minister Plenipotentiary at the <i>Sector for multilateral organisations at the Ministry of Foreign Affairs of the Republic of Slovenia</i> (once more as the Head of <i>Department for Human rights and Council of Europe</i> – setting up and leading the <i>Interministerial coordination working group regarding the implementation of international instruments in the field of human rights</i> ; coordinator for the reporting on fulfilment of the obligations stemming from ratified international instruments by the Government of Slovenia; preparation of the comparative analysis between European Convention on Human Rights and the then draft of the EU Charter on fundamental rights; participation at the committee COHOM in Brussels, participation at the sessions of the then European Monitoring Centre on Racism and Xenophobia (EUMC), which became the EU Agency for Fundamental Rights on 1 March 2007);
19.05.2005 - present	Deputy Head of <i>Permanent delegation of the Republic of Slovenia at UNESCO</i> – <u>in broader sense UNESCO is linked with the development of the standards of the protection of fundamental rights, since the quality of life of the individual is very much determined by education, culture and science;</u>

V. Public activities

- a. Public office: none
- b. Elected posts: none
- c. Posts held in a political party or movement: none

VI. Other activities

- a. Field: Association of Diplomats of the Republic of Slovenia – founding member and the president from October 2003 to January 2005; member of the Slovenian Association for International relations; member of the Slovenian Paneuropean movement Association; member of the Slovenian Tennant's association;
- b. Duration
- c. Functions:none

VII. Publications and other works

1994-1996 : member of the group of redactions of the publication of the translations of international human rights documents in Slovene within the UN Association for Slovenia;

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language									
Slovene	X			X			X		
b. Official languages:									
- English	X			X			X		
- French	X			X			X		
c. Other languages:									
Serbo- Croatian	X			X			X		
Portuguese	"	"X"	"	"	"	X"	"	X"	"
Italian	"	"X"	"	"	"	"X"	"	"X"	"
German - rudimentary	"	"		"	"	"	"	"	"
Latin- notion	"	"	"	"	"	"	"	"	"

IX. Other relevant information

X. I confirm that I will take up residence in Strasbourg if I elected a judge on the Court.

**CURICULUM VITAE
Bostjan PENKO**

I. Personal details

Name: Penko
Forename: Bostjan
Sex: male
Address: Rozna dolina c.XI/3, 1000 Ljubljana, Slovenia
Telephone: 00386 31 617 313
Email address: bostjan.penko@dt-rs.si
Date and place of birth: 13.10.1961, Ljubljana
Nationality: Slovenian

II. Education and academic and other qualifications

University degree in Law, 1987, Faculty of Law, University of Ljubljana;

Bar exam in 1990;

Four semesters out of four at the L.L.M (optionally Ph.D) study programme of criminal law; all exams passed; thesis still pending.

III. Relevant professional activities

a. Judicial activities

Assistant to a judge, from 1987 to 1991;

First instance criminal (trial) judge in the periods from 1991 to 1995 and from 1999 to 2001;

Senior State Prosecutor at the Supreme Prosecution Office of Slovenia – from 2004; in this capacity member of a group of prosecutors specialized in investigating and prosecuting of organized crime.

b. Non-judicial legal activities

Head of International Department and Criminal law Department in the Ministry of Justice of the Republic of Slovenia from 1995 to 1999; in this capacity co-author of several amendments to Slovenian Penal Law and Criminal Procedure Code (with special attention to human rights related issues), co-drafter of the Law on Cooperation between Slovenia and International Criminal Tribunal for Former Yugoslavia, co-drafter of the Slovenian Law on Responsibility of Legal Persons for Criminal Offences.

c. Non-legal professional activities

None.

IV. Activities and experience in the field of human rights

Throughout my entire professional career, human rights have been one of the central issues. Acting as a criminal judge in the early stages of a newly established democracy I had to pay major attention to internationally recognized human rights standards in the criminal proceedings which at that time were not

yet embedded in our legal tradition – the ECHR, the decisions of the former Commission and judgements of the Court were often the main sources of my reasoning.

One of the main tasks of my work at the Ministry of Justice was the implementation of human rights standards as stipulated in the Convention in Slovenian penal legislation.

As a Council of Europe expert I have usually been engaged in environments where human rights needed to be strongly and consistently (not politically but on an expert level, e.g. by quoting judgements of the ECHR) promoted.

As a director of the preventive anticorruption body I had the opportunity (through monitoring of the functioning of state bodies as well as through hundreds of complaints of citizens) to deal with a wide range of alleged violations of human rights, apart from those exclusively linked to criminal law.

Currently I am directing and supervising investigations of organized crime where as a rule suspects are detained, property is being seized, special investigative means are being used and undercover police activities are being conducted. Jurisprudence of the ECHR is always a firm and reliable orientation in establishing the proper, very subtle balance between the efficiency of the proceedings and respect for human rights of individuals.

V. Public activities

a. Public office

Undersecretary of state, from 1995 to 1999;

Director of the Office for the Prevention of Corruption of the Republic of Slovenia, from 2001 to 2004;

Senior State Prosecutor, from 2004 to present time.

b. Elected posts

Judge, from 1991 to 1995 and from 1999 to 2001.

c. Posts held in a political party or movement

None

VI. Other activities

Here I will mention some relevant international activities:

As an expert I contributed to the work of the Preparatory Committee for the establishment of the UN International Criminal Court (ICC) in 1996 and 1997. I represented Slovenia at the UN Diplomatic Conference in Rome in 1998, where the Statute of the ICC had been adopted.

I headed Slovenian Delegation during the negotiations and drafting of the UN Convention against Corruption in Vienna.

In the year 2000 I represented Slovenia before the UN Committee against Torture in Geneva.

I was head of Slovenian Delegation to The Council of Europe Steering Criminal Law Committee (CDPC), between 1995 and 2000.

I was engaged as an expert in the pre-accession negotiations for Slovenian membership to the European Union.

I have been a member of several Council of Europe Ad Hoc Committees and Expert Groups in the field of criminology, criminal and international criminal law and public prosecution.

I am a regular Council of Europe, the OECD and the OSCE expert in the field of criminal law and corruption, member of several international missions on behalf of these organizations and author of a number of written expert opinions.

VII. Publications and other works

Commentaries to Slovenian Penal Code and Code of Criminal Procedure; Manual on Prosecution of Corruption and Economic Crime (CE project for Bosnia and Herzegovina); several articles in domestic specialized publications on different criminal law issues; a number of comprehensive expert opinions in the field of criminal law.

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language									
- Slovene.....	"x	"	"	"x	"	"	"x	"	"
b. Official languages:									
- English	"x	"	"	"x	"	"	"x	"	"
- French	"	"	"	"	"	"	"	"	"
c. Other languages:									
Serbo-Croatian.....	"x	"	"	"x	"	"	"x	"	"
German.....	"	"x	"	"	"	"x	"	"x	"
.....	"	"	"	"	"	"	"	"	"

IX. Other relevant information

I am married and have 2 children, aged 11 and 8 years.

X. I confirm that I will take up residence in Strasbourg if I am elected a judge at the Court.

*Permanent Representation
of Turkey
to the Council of Europe*

The Ambassador

Strasbourg, 26 November 2007

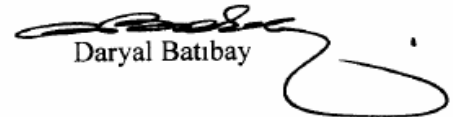
Dear Mr. Secretary General,

With reference to your letter of 3 October 2007 regarding the procedure for the election of the judge to the European Court of Human Rights in respect of Turkey to replace the current judge whose term of office expired on 31 October 2007, I hereby inform you of the Turkish candidates in the alphabetical order:

Prof. Dr. Ruşen Ergeç	Professor of International and European Protection of Human Rights and Constitutional Law University of Brussels
Prof. Dr. A Işıl Karakaş	Vice-Dean and Head of Department of International Law Galatasaray University, İstanbul
Prof. Dr. Ali Dursun ULUSOY	Vice-Dean and Professor of Law Ankara University Faculty of Law

The Curricula Vitae of the candidates are enclosed herewith.

Yours sincerely,


Daryal Batibay

Mr Terry Davis
Secretary General of the Council of Europe
Strasbourg

**CURRICULUM VITAE
Rusen ERGEÇ**

I. Personal details

Name : Ergeç
Forename : Rusen
Sex : male
Date and place of birth: 3 January 1952, Istanbul

II. Education and academic and other qualifications

-1969: graduated from American International High School (Mons, Casteau, Belgium);
-1974-1975: Licentiate in political sciences and international relations (University of Brussels);
-1975-1977: master degree in international law (University of Brussels);
-1977-1981: Licentiate in law (University of Brussels) { René Marc Award};
-1985: PhD (University of Brussels) { Alice Segerhs Award}

III. Relevant professional activities

a) *Judicial activities:* none

b) *Non judicial legal activities :*

-Professor ("professeur ordinaire") of International and European protection of Human Rights and Constitutional Law at the University of Brussels ("Université libre de Bruxelles") (1995-....)
-Professor of Public International Law at the Royal Military School of Belgium (2006-...)
-Member of the Brussels Bar (1991-...): practicing public law, human rights and international law.
-1985-1986, parliamentary legal advisor at the Belgian Senate
-Member of the scientific committee of Revue trimestrielle des droits de l'homme (Brussels), Journal de droit européen (Brussels- 1995-2002), Revue belge de droit constitutionnel (Brussels).
-Co-founder and Editor in chief of the Belgian French-Dutch periodical Chroniques de droit public – Publiekrechtelijke Kronieken (1995-2003).
-Member of the board of the "Chroniques de droit public - Publiekrechtelijke Kronieken (2003-)
-Member of the « Société française de droit international » (French Society of International Law) (2000-...)

c) *Non-legal professional activities :* none

IV. Activities and experience in the field of Human Rights

a) *At theoretical level*

- Since 1981 actively involved in teaching and research relating to Human Rights, especially the European Convention on Human Rights at the University of Brussels (Law faculty).
- Courses and lectures on the European Convention on human Rights at the Collegio de Mexico (1994), the Athens Pandeion University (1993), the Law Department of Duke University (summer training course of 1989), and the Académie royale de Belgique (1999).

b) *Practice level*

Handling of numerous cases relating to Human Rights before the European Commission of Human Rights, European Court of Human Rights, Belgian Constitutional Court, Belgian Supreme Administrative Court, and before the International Court of Justice in the Hague (1 case) and United Nations Human Rights Committee (1 case)

c) *Other activities relating to Human Rights*

- Arbitrator appointed by Belgium with respect to the human dimension of the Organization for Security and Co-operation in Europe (OSCE) (1993-2000).
- Vice-President of the Institut des droits de l'homme at the Brussels Bar {Brussels Bar's Institute of Human Rights} (1994-2000).
- Expert of the European Council with respect to human rights (1992- 1998; various missions to Eastern Europe Countries).
- Expert on various occasions of the Belgian Ministry of Justice with respect to human rights (1988-...).
- Member of the Groupe d'études politiques européennes (Brussels) (1990-...).

V. Public Activities

- a. *Public office:* none
- b. *Elected posts:* none
- c. *Posts held in a political party or movement:* none

VI. Other activities

- a. *Field:* none
- b. *Duration:* none
- c. *Functions:* none

For my current activities (see above)

VII. Publications and other Works

- Les droits de l'homme à l'épreuve des circonstances exceptionnelles. Etude sur l'article 15 de la Convention européenne des droits de l'homme, Brussels, Bruylant, 1987, 427 p.{ « *Human Rights under Exceptional Circumstances. Study on Article 15 of the European Convention on Human Rights*»};
- Regards sur la Constitution turque de 1982, Editions of the University of Ankara, 1988, 86 p.{ « *Commentary of the 1982 Turkish Constitution*»};
- La compétence extra-territoriale à la lumière du contentieux sur le gazoduc euro-sibérien, Brussels, Editions de l'Université, Bruylant, 1984, 115 p. { « *Extraterritorial Jurisdiction in the Light of the dispute on Euro-siberian pipe-line* » } ;
- Convention européenne des droits de l'homme { « *European Convention on Human Rights* » }, (together with J. Baron Velu, Chief Advocate General at the Belgian Supreme Court and professor at the University of Brussels), Brussels, Bruylant, 1990, 1185 p. (new impression in 1995);
- Introduction au droit public { « *Introduction to Public Law* » }, volume I: Le système institutionnel { « *Institutional System* » }, Brussels, Kluwer - Story Scientia, 1994, 2d edition 300 p.; volume II, Les droits et libertés { « *Rights and Liberties* » }, 2003, (2^d edition), 235 p.
- Acting as editor: Les droits économiques, sociaux et culturels dans la Constitution { « *Economic, social and Cultural Rights in the Constitution* » }, Brussels, Bruylant, 1995, 320 p. ;
- Together with Els Witte, André Alen et Hugues Dumont, Bruxelles et son statut – Het Statut van Brussel, Brussels, { « *Brussels and its Statute* » }, De Boeck & Larcier, 817 p. ;
- Protection européenne et internationale des droits de l'homme, Brussels, Bruylant, 2006, 2d edition, 271 p. { « *European and International Protection of Human Rights* » }.

More than 100 articles and notes in French and English on matters of public and administrative law, as well as private and public international law.

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language:									
Turkish	X			X			X		
b. Official languages:									
English	X			X			X		
French	X			X			X		
c. Other languages:									
Dutch	X				X			X	
German	X				X			X	
Italian	X				X			X	

IX. Other relevant information

None.

X. I hereby confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court

CURRICULUM VITAE
Ayşe Işıl KARAKAS

I. Personal details

Name, forename: KARAKAS, Ayşe Işıl

Sex: Female

Date and Place of birth: 08.12.1958, Istanbul

Nationality: Turkish

II. Education and academic and other qualifications

Education

High School: Lycée Galatasaray, Istanbul, 1978

B.A in Political Science, Istanbul University, 1983

B.A in Law, Marmara University, 1990

M.A in Public Law, Istanbul University, Graduate School of Social Sciences, 1986

Thesis *“European Convention on Human Rights and Constitution of 1982”*

M.A in European Law, Nancy II University, Centre Européen Universitaire, 1988

Mémoire *“Le juge communautaire et le Parlement Européen”*

PhD in Public Law, Istanbul University, Graduate School of Social Sciences, 1992

Thesis *“Judicial order of the European Community as a supranational constitutional order and the sovereignty of nation-state”*

Academic qualifications

Research Assistant, Istanbul University, Faculty of Political Sciences, Department of International Law, 1984-1993

Assistant Professor, Istanbul University, Faculty of Political Sciences, Department of International Law, 1993-1998

Associate Professor, Istanbul University, Faculty of Political Sciences, Department of International Law, 1998-1999

Associate Professor, Galatasaray University, Faculty of Law, Department of International Law, 1999-2003

Professor, Galatasaray University, Faculty of Law, Department of International Law, 2003-

Other qualifications

Academy of European Law, European University Institute, Florence, 1990

Salzburg Seminar “Transnational Law and Legal Institutions” Salzburg, 1992

Institut International des Droits de l'homme, Strasbourg, 1997

III. Relevant professional activities

- a. Judicial activities
- b. Non-judicial legal activities

Istanbul Bar membership, 1991-

Director, Research and Documentation Center on Europe (CREDE), Galatasaray University (since 2002)

Head of the Department of International Law, Faculty of Law, Galatasaray University (since 2002)

Vice-Dean, Faculty of Law, Galatasaray University (since 2004)

- c. Non-legal professional activities

Publishing newspaper articles on Turkey's current European relations

Briefing foreign journalists on Turkey's European relations

Giving interviews on weekly/monthly publications

Board Member of the Strategic Research Center, Galatasaray University

IV. Activities and experience in the field of human rights

- a. University courses taught on human rights:

European Law of Human Rights (in English and French)

European Convention on Human Rights and Turkey (in Turkish and French)

International Law of Human Rights (in Turkish)

Legal reform process in Turkey (in French)

- b. Courses taught at international programs:

Annual Human Rights Program for Southeastern Europe, International Olympic Academy, Olympia, Greece, 2000; *"Council of Europe: The fundamentals of a democratic society and the European Court of Human Rights"* (in English)

European Public Law Center, MA Program, 2006, 2007; *"Human Rights"* (in English)

- c. Activities:

Member of the Human Rights Research Center, Istanbul University, 1999

Member of the Helsinki Citizens Assembly

V. Public Activities

- a. Public office
- b. Elected posts

Representative of Assistant Professors at the College Academic Council, Istanbul University, Faculty of Political Sciences, 1995-1997

Representative of Associate Professors at the College Academic Council, Galatasaray University, Faculty of Law, 2001-2003

Representative of Associate Professors at the Board of Administration, Galatasaray University, Faculty of Law, 2001-2003

Representative of Professors at the College Academic Council, Galatasaray University, Faculty of Law, 2004-

Representative of Professors at the Board of Administration, Galatasaray University, Faculty of Law, 2004-

- c. Posts held in a political party or movement

VI. Other activities

- a. Visiting Professor in French universities:

University of Strasbourg III (Robert Schuman), Master 2 of Human Rights Program, October 2007 (1 month)

University of Montpellier I, Faculty of Law, Master 2 of Human Rights, Master 2 of Public Law, February 2006 (1 month)

University of Reims, Ecole doctorale, July 2005 (1 month)

University of Reims, Ecole doctorale, Master of European Union, January 2004 (1 month)

University of Aix-Marseille III, CERIC, Master of International Law, Master of European Union Law, December 2003 (1 month)

University of Reims, Ecole doctorale, May 2002 (1 month)

- b. Erasmus Exchange Program

University of Artois, Faculty of Law, 8 hours courses on Turkey's human rights issues and legal reforms, February 2007 (1 week)

- c. Member of the Board of Editors of four Turkish law journals and a series on european neighborhood edited in Bruylant, Bruxelles

- d. Organizer of "European Days" at Galatasaray University since 2002 and editor or co-editor of the papers presented in Harmattan Publisher

VII. Publications and other works

- a. Books:

Diversité Culturelle en Turquie et en Europe, co-edited with Alain Bockel, Harmattan, Paris, 2004

Constitutional Principles of European Union Law, Yenilik Yayınevi, Istanbul, 2003 (in Turkish)

Total number of Books: 4 (The most recent one in progress at Harmattan, Paris)

- b. Articles:

"The Continous Problematic Concept of International Law: Jus Cogens via Human Rights" in Erdoğan Teziç'e Armağan, Galatasaray Üniversitesi Yayınları, 2007 (in English)

"La Réforme Constitutionnelle et les Droits de l'Homme" with Alain Bockel in Questions Internationales: La Turquie et l'Europe, Documentation Française, 2005

"Positive obligations of States in the protection of human rights according to the European Court of Human Rights decisions" in Uluslararası Hukuk Kurultayı, Ankara Barosu, 2004 (in Turkish)

"The Problematic of Human Rights in Turkey-European Union Relations" in Türk Dış Politikasının Analizi, edited by Faruk Sönmezoğlu, DER Yayınları, İstanbul, 2004 (in Turkish) (also published in Greece)

"The European System for the Protection of Human Rights and Terrorism" in Galatasaray Üniversitesi Hukuk Fakültesi Dergisi, (2002/2) (in English)

"European Court of Human Rights and Right to Life: From McCann to Kaya and beyond" in Galatasaray Üniversitesi Hukuk Fakültesi Dergisi, 2002/1 (in Turkish)

"Fundamental values of the democratic societies and the European Court of Human Rights" in Human Rights in 21 Century, edited by M.Vassilou, Sakkoulas Publishers, Athenes, 2001 (in English)

"Abortion ban in Ireland: A problem of supranational European law" Sosyal Bilimler Dergisi, İstanbul, 1997 (in Turkish)

Total number of Articles: 24

c. Total number of Papers presented: 18

d. Special Reports: 3

VIII. Languages

Language	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language Turkish	X			X			X		
b.Official languages									
-English	X			X				X	
-French	X			X			X		
c. Other languages									

IX. Other relevant information

X. I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.

CURRICULUM VITAE
Ali Dursun ULUSOY

I. Personal details

Name : Ulusoy

Forename : Ali Dursun

Sex : Male

Date and place of birth: 20 August 1968, Mut, Turkey

Nationalities: Turkish

II. Education and academic and other qualifications

-Professor of Law, Ankara University (2007)

-Visiting Scholar, University of California Los Angeles (UCLA) (July 2005-August 2006)

-Associate Professor of Law, Ankara University (2002)

-PhD (*Doctorat de Droit Public*) (1998)
Bordeaux IV-Montesquieu University

-LL.M (*Diplôme d'Etude Approfondie-D.E.A*) (1994)
Bordeaux IV-Montesquieu University

-B.A. (1990)
Ankara University Faculty of Law

III. Relevant professional activities

a. Judicial activities:

-Attorney apprenticeship at Ankara Bar (1993-1994)

-Judicial apprenticeship at Military Court, Ankara (1990-1992)

b. Non judicial legal activities :

-Vice Dean of Ankara University Faculty of Law (2002-)

-Professor at Ankara University Faculty of Law, Department of Public Law (*Courses held: Administrative Law, Administrative Judicial Procedure, Police Law, Public Economic Law*) (1999-)

-Legal consultant for the privatization of Turkish Telecom co. (2004-2005)

-Head of Department of Legal Affairs, Energy Market Regulatory Agency (2002-2003)

-Research Assistant, Ankara University, Faculty of Law (1991-1993; 1998-1999)

c. Non-legal professional activities : none

IV. Activities and experience in the field of human rights

- President of the Academic Working Group of the New Turkish Constitution Drafting Initiative, assumed by the most representative NGOs, forming the Economic and Social Council of Turkey
- Academic Member of the Turkish Police Act revision Drafting Committee (2006-2007)
- Academic Member of the Turkish Administrative Procedure Act drafting Committee (2005-)
- Legal expertise in the fields of right to property, economic rights, freedom of expression, conscience and religion

V. Public activities

a. Public office:

- Member of the Board of Administration, Ankara University Faculty of Law
- Member of the Board of Erasmus Programme, Ankara University
- Representative of Campus European Programme, Ankara University

b. Elected posts: none

c. Posts held in a political party or movement: none

VI. Other activities

- Volleyball coach (1991-) and player (1985-)

VII. Publications and other works

Five books and more than sixty published articles and also a number of papers or presentations since 1993. Some of them are as follows:

- Law of Public Services (Kamu Hizmeti İncelemeleri)
Ulke Publications, İstanbul 2004, 286 pages
- Independent Agencies (Bağımsız İdari Otoriteler)
Tarhan Publications, Ankara 2003, 209 pages
- The Islamic Headscarf Problem Before Secular Legal systems: Factual and Legal Developments in Turkish, French and European Human Rights Laws
European journal of Migration and law, 2007/4 (upcoming)
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- Evaluation of European Court of Human Rights' Jurisprudence about Islamic Headscarf Issue (Avrupa İnsan Hakları Mahkemesinin Türban Yasağına İlişkin Kararı Üzerine Notlar)
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- The Place of Administrative Sanctions in Legal Order (İdari Ceza Hukukunun Hukuk Düzeni İçindeki Yeri)
Paper, presented in the International Symposium of Administrative Sanctions, İstanbul Kültür University, 20-21 September 2007

XIII. Languages

a) First language

Turkish (mother tongue)

b) Official languages

- English: Reading (VG); Writing (VG); Speaking (G)
- French: Reading (VG); Writing (VG); Speaking (VG)

c) Other languages

- German (basic)

IX. Other relevant information

- Editor of the Journal of Ankara University Faculty of Law (2004-2006)
- Member of advisory board of several academic journals

X. I hereby confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court

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