



Parliamentary Assembly
Assemblée parlementaire

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Doc. 13027

20 September 2012

Election of judges to the European Court of Human Rights

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

List and curricula vitae of candidates submitted by the Governments of Bosnia and Herzegovina, Croatia, the Republic of Moldova and the Russian Federation

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List and curricula vitae of candidates submitted by the Government of Bosnia and Herzegovina

Received by fax on 30 August 2012

*REPRESENTATION PERMANENTE DE LA BOSNIE-
HERZEGOVINE AUPRES DU CONSEIL DE L'EUROPE*

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OFC-COE-SXB -203-02-717-4/12

Mr Wojciech Sawicki
The Secretary General of the
Parliamentary Assembly of the Council of Europe

Strasbourg, 30 September 2012

Subject: Election of the judge in respect of Bosnia and Herzegovina
- The Decision of the Presidency of Bosnia and Herzegovina

Dear Mr Sawicki,

With reference to the letter of the Permanent Representation of Bosnia and Herzegovina from July 31, we wish to proceed also the Decision of the Presidency of Bosnia and Herzegovina on nomination of the new candidate for the position of judge of the European Court of Human Rights in respect of Bosnia and Herzegovina.

Dear Mr Sawicki, we would like to inform that we are at your disposal for any additional information.

Chargée d'Affaires a.i.
Mirsa Muharemagic

BOSNIA AND HERZEGOVINA PRESIDENCY

Pursuant to Article 47, Paragraph 1 a) of the Rules of Procedure of the Presidency of BiH (Official Gazette of BiH, number: 25/01 and 35/02), Article 4 of the Decision on procedures for candidature and appointment of BiH international representatives to international organizations and institutions (Official Gazette of BiH, number: 66/08) and according to Article 21, Paragraph 1, of the European Convention on Human Rights, and the criteria determined by Article 4.2. of the Resolution 1646 (2009) of the Council of Europe Parliamentary Assembly, the Presidency of BiH, at its 25th regular session held on July 19, 2012, has passed a

DECISION ON AMENDING THE DECISION ON DETERMINING THE CANDIDATE FOR THE ELECTION OF JUDGE TO THE EUROPEAN COURT FOR HUMAN RIGHTS IN STRASBOURG IN RESPECT OF BOSNIA AND HERZEGOVINA

I.

The Presidency of BiH has noted that Mrs. Mirsa Muharemagić withdrew from candidature for the election of judge to the European Court for Human Rights in Strasbourg in respect of Bosnia and Herzegovina.

II.

By this Decision, the paragraph I of the Decision of the Presidency of BiH on determining the list of candidates for the election of judge to the European Court for Human Rights in Strasbourg in respect of Bosnia and Herzegovina, number: 01-05-1-501/12 dated February 2012, is changed to read:

The Presidency of BiH has determined a new candidate for the election of judge to the European Court for Human Rights in Strasbourg in respect of Bosnia and Herzegovina,

- Ms. Jasminka Džumhur

III.

The Ministry of Foreign Affairs of Bosnia and Herzegovina is responsible for submitting this Decision, through the Secretariat of the Council of Europe, with curriculum vitae of the candidate to the Expert Advisory Panel for candidates for the election of judges to the European Court for Human Rights, for further procedure.

IV.

This Decision shall enter into force on the day of its adoption.

Number: 01-50-1-2163-44 / 12
Sarajevo, July 19, 2012

Chairman
Bakir Izetbegović

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OFC-COE-SXB -203-03-565-1/12

Mr Wojciech Sawicki
The Secretary General of the
Parliamentary Assembly of the Council of Europe

Strasbourg, 31 July 2012

Subject: Election of the judge in respect of Bosnia and Herzegovina
- the name and Curricula Vitae of the new candidate

Dear Mr Sawicki,

In reference to your letter of July 22, 2012 we have the pleasure to inform you that the Presidency of Bosnia and Herzegovina by its decision adopted July, 19 2012, has nominated Ms Jasminka Džumhur as the new candidate for the position as judge in respect of Bosnia and Herzegovina at the European Court of Human Rights:

The Composition of the candidates for the post in respect of Bosnia and Herzegovina is as follows:

1. Mr Vukoje Dragomir
2. Mr Vehabovic Faris
3. Ms Džumhur Jasminka

Enclosed with the abovementioned decision of the Presidency of Bosnia and Herzegovina is the Curricula Vitae of Ms Jasminka Džumhur. Decision is made in accordance with the model adopted by the Parliamentary Assembly of the Council of Europe.

Dear Mr Sawicki, we would like to inform that we are at your disposal for any additional information.

Charge d'Affaires a.i.
Branko Babić

c.c. Mr Luzius Wildhaber, Chair of the Advisory Panel of Experts on Candidates
for election for Judge to the European Court of Human Rights
Mr Manuel Lezertua, Director, Directorate of Legal Advice and Public
International Law, Secretary of the Panel

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OFC-COE-SXB -203-02-717-4/12

Mr Wojciech Sawicki
The Secretary General of the
Parliamentary Assembly of the Council of Europe

Strasbourg, 1 April 2012

Subject: Election of judge in respect of Bosnia and Herzegovina
- Description of national selection procedure

Dear Mr Sawicki,

With reference to our letter sent to you on 12 March 2012, please find attached the letter of description of the national selection procedure for the nomination of the three candidates.
The original Description letter will be sent to you subsequently.

Dear Mr Sawicki, we would like to inform that we will be at your disposal for any additional information.

Ambassador
Zdenko Martinovic

Sent to: - Mr Thorbjorn Jagland, Secretary General of the Council of Europe
- Mr Manuel Lezertua, Director, Directorate of Legal Advice and Public International Law, Secretary of the Panel

SUBJECT: Election procedures for the Seat of Judge at the European Court of Human Rights

The election of the Judge of the European Court of Human Rights from BiH is conducted in accordance with the Decision on Procedures for appointment and naming of BiH representatives to international organisations and institutions (*Official Gazette* of BiH No 66/08). An open public invitation for applications for the position is announced in the three leading newspapers in Bosnia and Herzegovina. The criteria, i.e. conditions which must be met by a candidate to enter the shortlist, are prescribed in the Decision on Procedures for appointment and naming of BiH representatives to international organisations and institutions, in accordance with Article 21, Paragraph 1, of the European Convention on Human Rights, and the criteria determined by Resolution 1646 (2009) of the Council of Europe Parliamentary Assembly.

BiH Presidency and the bodies determined by BiH Presidency are involved in the procedures of the election of the Judge of the European Court of Human Rights. The authorized body (which in this particular case is BiH Ministry of Foreign Affairs) announces an open competition for this position, considers fulfilment of administrative conditions and deadlines of the applications received, and submits to BiH Presidency all applications of the candidates meeting the criteria stated in the Decision on Procedures for appointment and naming of BiH representatives to international organisations and institutions, in accordance with Resolution 1646.

In the public invitation, amongst the rest of the criteria of the Council of Europe Parliamentary Assembly Resolution No 1646 (2009), the conditions set for candidates for the Seat of Judge at the European Court of Human Rights include full proficiency in one of the two official languages of the Council of Europe, familiarity with the other official language, and their biography submitted in one of the languages of the peoples of Bosnia and Herzegovina and in English or French, following the standard template which is the integral part of Resolution 1646 (2009).

In accordance with Article 3 of the Decision on Procedures on appointment and naming of BiH representatives to international organisations and institutions (*Official Gazette* No 66/08), and Article 21, Paragraph 1 of the European Convention on Human Rights, the following criteria, i.e. conditions for fulfilment of duties, were listed in the public invitation:

The judge shall be of high moral character and must either possess the qualifications required for the appointment to high judicial office or be a juriconsult of recognized competence;
The judge must be fluent in one, and be able to communicate in the other official language of the Council of Europe (English and French); The judge shall sit at the Court in their individual capacity;
During their term of office the judges shall not engage in any activity which is incompatible with their independence, impartiality or the demands of a full-time office.

Apart from the above stated qualifications, the Candidates must submit their biography in one of the languages of the peoples of Bosnia and Herzegovina and in English or French, in accordance with the standard template which is an integral part of Resolution 1646 (2009).

The Ministry of Foreign Affairs of BiH, on the basis of authorization from BiH Presidency, announced the public invitation for the Seat of Judge at the European Court of Human Rights Candidate in the three leading daily newspapers (*Dnevni Avaz*, *Nezavisne Novine* and *Dnevni List*), while observing the elements stated in the BiH Presidency Decision and the Council of Europe Resolution No 1646.

Based on Article 4 of the Decision on Procedures on appointment and naming of BiH representatives to international organisations and institutions, BiH Presidency selected three candidates for the Seat of Judge at the European Court of Human Rights from the list of applicants, in accordance with Article 4.2. of the 1646 Resolution. Furthermore, BiH Presidency insured that all candidates were of similar qualifications and that there was gender representation.

The candidates for the position of Judge, as stated in the public invitation, had to submit the following documents as evidence that they met the conditions above:

-verified copies of: University Degree (verified degrees, in the case of a university degree issued by a foreign university, or a degree obtained in a country other than BiH, after 06 April 1992); certificate of citizenship; ID card issued by CIPS; Bar exam certificate; evidence of required relevant work experience (certificate of employment or similar); evidence of knowledge of English and French; biography in one of the languages of the peoples of Bosnia and Herzegovina and in English or French, in accordance with the standardised template for a Curriculum Vitae which is an integral part of Resolution 1646 (2009).

The Presidency of BiH, via the Ministry of Foreign Affairs of BiH, forwarded the list of the three candidates and their Curricula Vitae in English, to the Expert Advisory Panel which was formed by a Committee of Ministers of the Council of Europe, for further procedure.

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OFC-COE-SXB -203-02-717-4/12

Mr Wojciech Sawicki
The Secretary General of the
Parliamentary Assembly of the Council of Europe

Strasbourg, 13 March 2012

Subject: Election of judge in respect of Bosnia and Herzegovina
- list of candidates

Dear Mr Sawicki,

With reference to your letter of 8 September 2011, we have the pleasure to inform you that the Presidency of Bosnia and Herzegovina, by its decision adopted on 22 February 2012, has nominated the following candidates for the position as judge in respect of Bosnia and Herzegovina at the European Court of Human Rights:

1. Mrs Muharemagic Mirsa
2. Mr Vukoje Dragomir
3. Mr Vehabovic Faris

Enclosed with the abovementioned decision of the Presidency of Bosnia and Herzegovina are also the Curricula Vitae of the three candidates, which are in accordance with the model adopted by the Parliamentary Assembly of the Council of Europe.

The letter with description of the national selection procedure for the nomination of the three candidates will be sent subsequently.

Dear Mr Sawicki, we would like to inform that we are at your disposal for any additional information.

Ambassador

Zdenko Martinovic

Copies: Mr Thorbjørn Jagland, Secretary General of the Council of Europe
Mr Luzius Wildhaber, Chair of the Advisory Panel of Experts on Candidates
for election as Judge to the European Court of Human Rights
Mr Manuel Lezertua, Director Directorate of Legal Advice and Public
International Law, Secretary of Advisory Panel

Jasminka DŽUMHUR

CURRICULUM VITAE*

I. Personal details

Name, forename: DŽUMHUR, Jasminka
Sex: Female
Date and place of birth: 23 June 1963, Zenica, Bosnia and Herzegovina
Nationality/ies: Bosnian

II. Education and academic and other qualifications

1. Master of Criminology Sciences, Faculty of Criminology, Criminology and Security Studies Sarajevo, 2009
2. Dipl. Jur. Degree, Faculty of Law of the University of Sarajevo, 1987
3. BAR exam, Ministry of Justice of the Republic of Bosnia and Herzegovina, 1994
4. Other education
 - a. Women's Human Rights Training Institute (WHRTI) - Education on practical use regional and universal human rights mechanisms in the litigation on women's rights issues, The Bulgarian Gender Research Foundation (BGRF) in cooperation with its partners the Center for Reproductive Rights (CRR) and the Network of East-West Women (NEWW) Sofia, Bulgaria, 2004-2005
 - b. International training Center of the ILO, Training: "Promotion of Women Workers' Rights and Equality in Employment", Sarajevo, 9-13 October 2000.
 - c. Advantage training on human rights and leadership of women, WLDI, Institute, Poland and Hungary, 1998-1999

III. Relevant professional activities

a. Description of judicial activities

Ms. Jasminka Dzumhur performed the judicial activities in the period from 1989 to 2001 in the Misdemeanor Court in Zenica as follows:

1989 – 1993 Judge of the Misdemeanor Court in Zenica
1993 – 2001 President of the Misdemeanor Court in Zenica

Main activities:

- Insurance of appropriate function of the Court;
- Managing of the Court administration, documentation and human resources;
- Supervision of the court work and reporting to the responsible bodies;
- Strengthening the justice system's institutional independence;
- Assessing judges' performance;
- Revision of legislation and instigation of revision of legislation when necessary;
- Perform 65% of work time as a judge

b. Description of non-judicial legal activities

April 2001 - June 2007 - National Human Rights Officer and Officer in Charge in the Office of the High Commissioner for Human Rights in B&H

Main activities

* Underlined text indicates posts or missions held at present.

- Ensure effective functioning of the BiH field presence and implementation of the Working Plan, through regular staff meetings, consultation and coordination processes and activities with other agencies, governmental institutions and NGOs;
- Providing monitoring of human rights situation in BiH and propose appropriate courses of action and make recommendations for OHCHR Geneva;
- Strengthening partnerships with civil society, other non-UN actors, and member state's institutions;
- Providing legal expertise on national and international human rights standards to the B&H institutions, NGOs in the areas of transitional justice, elimination of discrimination against women, implementation UN treaty body obligations and recommendations, combating trafficking in human beings, domestic violence, civil war victims etc.
- Delivering trainings to police, judges, prosecutors, social workers, NGOs, representatives of IPTF, SFOR/EUFOR, EUPM on human rights, combating trafficking in human beings, illegal migration and asylum, domestic violence, gender based violence;
- Participation in drafting of laws and by-laws
- Providing permanent consultancy to the governments representatives at all levels

July 5 2007 – 15 December 2008 – Legal Consultant, Senior Legal Adviser and Western Balkans Regional Program Coordinator for Justice and Civil Society in the International Commission for Missing Persons (ICMP)

Main activities

- Draft written communication to governments and international organizations as relates to ICMP activities;
- Support the strengthening of government capacity at all levels, including the judiciary, to improve capacity to address the issue of missing persons;
- Work with relevant government authorities, as well as international organizations, to address the identified legal shortcomings in protection of rights related to the missing issue;
- Provide legal expertise to governments on draft primary or secondary legislation or amendments relevant to the missing persons issues, e.g. the Law on Missing Persons; the Law on DNA Registry or laws addressing civilian war victims;
- Provide training and technical support to government and civil society organizations, particularly in the sphere of implementation of legislation providing rights to families of missing persons;
- Provide legal expertise to government and civil society on specific cases which are illustrative of particular patterns of human rights violations related to missing persons, having in mind the UN Treaty Body recommendations and relevant domestic court decisions;
- Support ICMP capacity building efforts with the courts and Prosecutors' Offices to protect victims/witness rights and address the issue of missing persons;
- Review legislation and draft legislation for compliance with domestic and international human rights standards related to the missing persons issue;

15 December 2008 – BiH Ombudsman for Human Rights

Main activities

- Manage national mechanism of human rights
- Provide protection and promotion of human rights

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

- Member of the UN Working Group for Enforced and Involuntary Disappearances, since 2010
- In capacity of the National Human Rights Officer and the Officer in Charge in the Office of the High Commissioner for Human Rights in BiH and the BiH Ombudsman, participation in – or co-ordination of – the drafting of various reports on implementation of international human rights standards in BiH, in particular: for the United Nations, the Committee on the Elimination of Racial Discrimination (CERD), the Committee against Torture (CAT), the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC), the Committee on Rights of Migrants Workers (CMWR);
- Delivering trainings to police, judges, prosecutors, social workers, NGOs, representatives of IPTF, SFOR/EUFOR, EUPM on human rights, dealing with the problems of trafficking of human beings, illegal migration and asylum, domestic violence, gender based violence;
- Participation in drafting of amicus curie in the cases of human rights violations before the Human Rights Chamber for Bosnia and Herzegovina (Cases:CH/03/13051, CH/02/8679, CH/02/8689, CH/02/8690, CH/02/8691, CH/02/8961, No. CH/02/9499) and the BiH Constitution Court Case: U-4/04);
- Participation in drafting of laws and by-laws (Law on Movement and Stay Aliens and Asylum, Law on Gender Equality, Law on Protection from Domestic Violence, Rulebook on Protection Trafficking Victims-Foreigners)
- Providing permanent consultancy to responsible B&H ministries, NGOs;

V. Public activities

a. Public office

None

b. Elected posts

BiH Ombudsman

The first chairperson of the Steering Committee of the Institute for Missing Persons of Bosnia and Herzegovina

The first woman member of the UN Working Group for Enforced and Involuntary Disappearances in its history since 1980

c. Posts held in a political party or movement

None

VI. Other activities

- Former member of various NGOs and one of founders of the women movement in BiH. Founder and former member of the Women Association "Medica" Zenica and the Center for Legal Assistance for Women Zenica in period od 1993-2001, former member of the Coordination Board of the B&H Women's Economic Network, and the Executive Board of the Bosnian Women's Initiative;
- Provided short consultancy to many international organizations on human rights issues, including COWI, UNIFEM, UNICEF, UNDP, UNFPA, World Learning/USAID;
- Participated and delivered national and international lecture on human rights

VII. Publications and other works

- Nenadic, M., Đuderija S. Dzumhur, J. Krehić, A., Commentary of the Law on Missing Persons of Bosnia and Herzegovina, Center for Free Access to Information, Sarajevo, 2008, COBISS.BH-ID 17,043,462

- Kronic Zita, LJ, Krehić, A., Dzumhur, J. and Sendic, M., Analysis of the Harmonization of the BiH Legislation with the Convention on the Rights of the Child, the Ombudsman for Human Rights in Bosnia and Herzegovina, Sarajevo, 2009, ISBN 978-9958 - 503-00-9;
- Dzumhur, J., Reparations of war victims rights in Bosnia and Herzegovina in the practice of the Human Rights Chamber and the BiH Constitutional Court, the Fund for Humanitarian Law, Documenting and memory, the Forum for Transitional Justice / March / April 2009
- Enhancing Women's Political Participation, A Policy Note for Europe and CIS, UNDP Regional Bureau for Europe and the Commonwealth of Independent States, Bratislava, 2009, ISBN 978-92-95092-02-0
- Dzumhur, J., and others, Human Rights for Social Workers in Theory and Practice-Training Manual, the Organization for Security and Co-operation in Europe, Mission to Bosnia and Herzegovina, Sarajevo, 2009, ISBN 978-92-9235-333 – 9
- Ačkar, B., Krehić, A., Kušundžija, A., Jerkovic, R., Ačkar, M., and Dzumhur, J., Gender Aspects of the Labor Law - Manual for Inspectors, Judges, Prosecutors, Center for Free Access to Information Sarajevo and the Center for legal assistance to women,
- Sali Terzic, S. Lukic, N., Ausić, S., and Dzumhur, J., Handbook on the Protection of Victims of human trafficking in Bosnia and Herzegovina, the Office of the High Commissioner for Human Rights in Bosnia and Herzegovina

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– Bosnian/Croatian/Serbian (mother tongue)	“X	”	”	X	”	”	X	”	”
<i>b. Official languages:</i>									
– English	“X	”	”	“X	”	”	“X	”	”
– French	”	”	“X	”	”	“X	”	”	“X
<i>c. Other languages:</i>									
– Russian	“X	”	”	X”	”	”	“X	”	”

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

If I was elected to the Court, I would be very keen to perfect my knowledge of the two official languages of the Council of Europe.

X. Other relevant information

None

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

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

Faris VEHABOVIĆ
CURRICULUM VITAE*

I. Personal details

Name, forename	VEHABOVIĆ, Faris
Sex	Male
Date and place of birth	23 May 1967, Sarajevo
Nationality	BiH

II. Education and academic and other qualifications

1981-1985: High School I Gymnasium Sarajevo

1987-1993: Faculty of Law, University of Sarajevo,

1998: Trainee at the European Commission of Human Rights in Strasbourg,

2000: Participant in summer school on Framework Convention on Minorities in Budapest organized by the International Group on Minorities Rights of the Council of Europe,

2001: Passed Bar exam,

2004: Summer School of Human Rights and Democratisation, University of Bologna and Balcanica Institute,

2003-2005: Interdisciplinary Postgraduate Studies in European Studies, University of Bologna and University of Sarajevo – Master Degree in European Studies

III. Relevant professional activities**a. Description of judicial activities**

Ad hoc judge of the European Court of Human Rights since December 2010;

Judge of the Constitutional Court of the Federation of Bosnia and Herzegovina since 1 December 2007;

Member of the Council for the Protection of Vital National Interests within the Constitutional Court of the Federation since 14 February 2008.

Vice-president of the Constitutional Court of the Federation of Bosnia and Herzegovina since September 2008.

Registrar of the Constitutional Court of Bosnia and Herzegovina from 15 January 2001 to 30 November 2007.

Legal expert – Office of the Ombudsperson for Human Rights in Bosnia and Herzegovina from 1 March 1996 to 14 January 2001.

b. Description of non-judicial legal activities

Member of Association of Judges of the Federation of BiH

Lecturer of the Centres for Education of Judges and Prosecutors of the Federation of BiH and the Republika Srpska.

* Underlined text indicates posts or missions held at present.

c. Description of non-legal professional activities

Member of Board of the Center for Human Rights of the University Sarajevo.

Member of Association Alumny of the Centre for Interdisciplinary Postgraduate Studies (ACIPS)

IV. Activities and experience in the field of human rights

Selected by the President of the IV Section from the list of ad hoc judges and participated in a case of Esmā Palić v. BiH (missing person leading case) and author, together with President of the IV Section and currently President of the European Court of Human Rights, Mr. Bratza, of separate opinion.

Lecturer of Centers for Education of Judges and Prosecutors of the Federation of BiH and the Republika Srpska in the field of application of European Convention on Human Rights,

Lecturer of Centers for Education of Judges and Prosecutors of the Federation of BiH and the Republika Srpska in the field of case law and procedure before the European Court on Human Rights,

Lecturer of Centers for Education of Judges and Prosecutors of the Federation of BiH and the Republika Srpska in the field of case law and procedure before the Constitutional Court of Bosnia and Herzegovina,

Lecturer of the Council of Europe (Office in Sarajevo), OSCE, UN in the field of human rights protection, jurisprudence and procedure before the European Court on Human Rights and Constitutional Court of BiH.

Participant in various projects of Center for Human Rights of the University Sarajevo in respect of protection of human rights,

Participant in various projects of Association for Democratic Initiative in relation to human rights protection,

Lecturer to the international officials serving in OSCE, International Police Task Forces in the field of constitutional structure of Bosnia and Herzegovina and European Convention on Human Rights,

Editor of Bulletin of the jurisprudence of the Constitutional Court of Bosnia and Herzegovina.

Author of many scholarly articles on human and constitutional rights.

Many lectures concerning Human Rights at different institutions and organisations, NGOs, judges and prosecutors.

V. Public activities

a. Public office

None.

b. Elected posts

None.

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

Organising of and participating at numerous human rights, democratisation and civil society related events (courses, seminars, round tables), as well as discussion on constitutional reform in BiH.

Engaged as an expert in local self-government development in the Federation of BiH,

Engaged as a legal expert by the European Commission in preparation of the project of the constitutional reform in Bosnia and Herzegovina.

VII. Publications and other works

- Published more than 20 scientific papers (books, articles, reports, studies), textbooks (being a co-author), participated in international scientific and research projects;
1. Relationship Between Constitution of Bosnia and Herzegovina and the European Convention on Human Rights,
 2. Legal analysis of initiatives for constitutional reform in Bosnia and Herzegovina,
 3. Why there will be no systematic constitutional reform in Bosnia and Herzegovina;
 4. Co-author of the project of translation of 93 key judgment of the European Court of Human Rights organized by the Council of Europe,
 5. Co-author of the Regional Human Rights Report 2007,
 6. Co-author of the Report on Human Rights in Bosnia and Herzegovina 2008 and 2010.
 7. Constitutional Obstacles,
 8. Position of Constituent People in the Constitution of Bosnia and Herzegovina,
 9. Relations Between Constituent People, Others and National Minorities and Question of Protection of Collective Rights;
 10. Jurisprudence of the Constitutional Court of Bosnia and Herzegovina concerning housing and right to work disputes.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i> – S-B-H (Serbian-Bosnian-Croatian)	..	..	..	..	..	..	..	..	..
<i>b. Official languages:</i> – English	X	..	..	X	..	..	X	..	..
– French	..	..	X	..	..	X	..	..	X
<i>c. Other languages:</i>									

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

Yes.

X. Other relevant information

Constitutional Court of the Federation of BiH, where I currently held position of a vice-president, has no appellate jurisdiction or any other competence that can lead to conflict of interest or necessity to appoint ad hoc judge in a case that I am elected as a Judge of the European Court of Human Rights.

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

Should I be elected Judge at the Court, I will reside in Strasbourg.

Dragomir VUKOJE
CURRICULUM VITAE*

I. Personal details

Name: Dragomir
Surname: VUKOJE
Sex: Male
Date of birth: 27 August 1951
Place of birth: Trebinje, Bosnia and Herzegovina
Nationality: Bosnia and Herzegovina
Civil status: Married to Miroslava Babić, two children

II. Education and academic qualifications

2010-2011 The Board of the College of Law Sciences at the *Apeiron* University of Banja Luka, accepted the doctoral dissertation titled *The European Convention on Human Rights Norms Applicable to the War Crimes Cases*

2008 – 2010 The *Apeiron* University of Banja Luka, the College of Law Sciences (completing the LL.M); Master of Laws in the field of Crimes against Humanity

1970 – 1974 University of Belgrade, the Law School, Belgrade, Serbia

1966 – 1970 Secondary School in Trebinje

September 1993 Bar Exam, Podgorica, Montenegro

The most important International Trainings received:

September 2011: Belgrade, Serbia, Foundation for Humanitarian Law, ICTY Legacy.

June 2009: One-week judicial training held at the Swedish Supreme Court and organised by SIDA (Swedish International Development Agency).

October 2008: Judicial and cooperation training at the European Court of Human Rights in Strasbourg.

October 2008: Two-week judicial training in the United States organised by the US Department of Justice.

February 2007: One-week judicial training in the United Kingdom organised by the UK Embassy in Bosnia and Herzegovina in cooperation with the Council of the European Union.

March 2006 and 2008: Judicial trainings at the ICTY (International Criminal Tribunal for the Former Yugoslavia)

September, 2002: Two-month judicial training in France. Lectures were given at the Judicial and Prosecutorial School and the Paris Court of Appeals. Practical training was provided at the Supreme Court - Tribunal de Grand Instance (TGI) Saint Etienne.

November 1997- June 1998: Six-month judicial training in France. Lectures were given at the Judicial and Prosecutorial School in Paris. Practical training was provided at the TGI in Tarbes, including two-month intensive French course at Vishy, University of Clermont – Ferand, and one-month French course at Allianze, Paris.

June 1997: One-month programme organised by the Council of Europe and the French Ministry of Justice.

* Underlined text indicates posts or missions held at present.

III. Relevant professional activities

Judicial activities:

- 2010 *Ad hoc* judge of The European Court of Human Rights in Strasbourg - Official List of ad hoc judges, updated in May 2011
- 2009 Official BiH candidate for a judge of the International Criminal Court for the Former Yugoslavia in the Hague at the Assembly of States Parties held in January 2009 in New York.
- 2005 – present: - Judge of the Court of BiH (State Court) in Sarajevo, Appellate Division, Section I for War Crimes, Section II for Organised Crime
- First president of the War Crimes Panel at the Court of BiH
- 1998 – 2005 Judge of the District Court in Trebinje, BiH
- 1993 – 1998 Judge of the Basic Court in Trebinje, BiH

Non-judicial activities

- 1975 – 1993 Attorney in *Elektrodistribucija* (power-supply company) in Trebinje

Non-legal professional activities

- 2009-2012 Appointed trainer to judges and prosecutors by the decision of the Public Institution Centre for Judicial and Prosecutorial Training of the Federation BiH
- 2010-2012 Member of the State Board of Bar Examiners for Economic Law

IV. Activities and experience in the field of human rights

Article II/2 of the Constitution of BiH prescribes that the rights and obligations envisaged in the European Convention on Human Rights and its protocols directly apply to Bosnia and Herzegovina, and that these acts have priority over all other laws. For that reason as a judge in the Appellate Section of the Department I for War Crimes and Department II for Organised Crime, Economic Crime and Corruption I have the opportunity to decide on grounds for appeals related to cases involving custody (contesting the legality of custody) when a complainant refers to violation of Article 5 of the European Convention on Human Rights (ECHR), as well as appeals related to violation of Article 6 of the European Convention on Human Rights. It is also worth noting that I encounter violations of human rights, that is, grave violation of International Humanitarian Law i.e. Article 3 of the European Convention on Human Rights prohibits torture. When acting in the capacity of a judge of Administrative Department I decide and deliberate on appeals related to violation of the right to property guaranteed by Article 1 of the 1st Protocol to the European Convention on Human Rights.

Finally, within the appellate framework related to the principle of *nullum crimen sine lege* (no crime without law) and jurisprudence of the European Court of Human Rights, the death penalty is prohibited under Article 2 of the Protocol VI, and Protocol XIII to the European Convention on Human Rights.

V. Public activities

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Code of Judicial Ethics aimed at promoting professional and ethical standards in functioning of the judicial system in Bosnia and Herzegovina. The Code secures that among other things, judges are free to participate in the civic, charitable and religious activities provided that they should avoid any activity or association that could reflect adversely on their impartiality or interfere with the performance of judicial duties (Article 2.2.3). Also, according to Article 2.2.3, judges should refrain from: (a) membership in political parties; (b) attendance at political gatherings and political fund raising events; (c) contributing to political parties or campaigns; (d) taking part publicly in controversial political discussions except in respect of matters directly affecting the operation of the courts, the independence of the judiciary or fundamental aspects of the administration of justice; (e) signing petitions to influence a political decision.

The foregoing clearly stipulates rather restrictive conditions for the judges' public activities, with the aim at securing their impartiality. Thus, in order to comply with deontology of the judicial profession I, being a judge, have never in my life performed any activity that could raise doubt about my independence, impartiality or integrity. Therefore, my answers to items a., b. and c. are negative.

VI. Other activities

- a. Field: The Association of Citizens – Admirers of the French Language – The Trebinje Francophone Club”
- b. Duration 2000 - 2006
- c. Functions President of the Club

VII. Publications and other works

- Standards of proof in the war crime cases – International Scientific Conference: Topical issues of the application of criminal legislation, Collection of Papers, the Faculty of Law Banja Luka, 4 and 5 February 2011;
- With Božidar Banović, PhD, co-authored a paper titled *The Prohibition of Torture as ius cogens of the International Criminal Law and International Human Rights Law*.
- The Historical Importance of the French Civil Code and Its Codification - Serb Legal Thought, Journal of Legal Theory and Practice; Banja Luka, Issue 41 (2007)
- New Legal Solutions and How They Contribute to Efficiency In Criminal Proceedings
Law and Justice, Journal of Case Law and Theory; Sarajevo, Issues 1-2 (December, 2004); Criminal Justice In France: An Outline of the Journal of Justice, Case Law and Theory; Banja Luka, Issue 12 (March, 2004)
 - Judicial College of Bosnia and Herzegovina---June, 2008 (Neum, BiH). Lectured on the use of facts adjudicated by the ICTY decisions
 - Judicial College of Bosnia and Herzegovina---June, 2007 (Neum, BiH). Lectured on the new Criminal Procedure Code
 - Training Programme for Appellate Judges of Bosnia and Herzegovina; May, 2007 (Banja Luka, BiH). Lectured on sentencing in war crimes and organised crime cases before the Court of BiH.
 - Training Programme for War Crimes Judges---September, 2006 (Vlašić, Bosnia). Moderated a panel on war crimes which included internationally distinguished speakers: Professor Dr Zoran Pajić from King's College of London and Professor Dr William Schabas, Director of the Irish Centre for Human Rights, National University of Ireland, Galway, Ireland.
 - Regional Conference on National War Crimes Trials---October, 2006 (Miločer, Montenegro). Lectured on war crimes issues. Speakers at the conference included Clint Williamson, US War Crimes Ambassador, Sam Nazzaro, Permanent Legal Advisor to the US Department of Justice (OPDAT/US Embassy in Belgrade, Nicholas Ackerman, Regional Director of the US Department of Justice for Central and East Europe, Nataša Kandić, Director of the Humanitarian Law Fund, David Tolbert, ICTY Deputy Chief Prosecutor and Joseph Paonesa, US Marshals Service.
 - Law School Symposium on Civil Law in Europe---October, 2004 (University of Sarajevo Law School). Lectured at an international symposium on the historical significance of the civil law in France
 - Third Annual Conference on Substantive Criminal Law---June, 2004 (Neum, Bosnia). Lectured at the conference concerning solutions that would contribute to the efficiency of criminal proceedings.
 - The first state level Conference “Processing of War Crimes – Achievements & Challenges” organised within the Support to WCC Project held in June 2006 in Sarajevo. The Conference is organised within the UNDP - Government of Japan Project “Support to the Establishment of the War Crimes Chamber”. I actively participated in the topic “Current Legislation on Transfer of Evidence and War Crime Cases (The Hague – BiH – Entities) – Survey of Regulations.

Other courses/programmes/study visits:

- *Analysis of the ECHR verdicts*; seminar held in Sarajevo on September 14-15, 2009
- Visited the ECHR in Strasbourg on three occasions (1997, 1998 and 2008)
- A member of a delegation of judges and prosecutors from Bosnia-Herzegovina visiting the United States from 11 to 25 October 2008;
The delegates visited the courts, prosecutors and investigative offices as well as law schools in Pittsburgh and Boston. The programme covered the investigation and trial management of complex organised crime cases.
- *Human Losses in BiH 91-95*; June 2007 (Sarajevo, BiH)
The results of the project were introduced and then evaluated by three independent experts: Patrick Ball, Philip Verwimp and Ewa Tabeau.
- *Independence of Judiciary and Transition Challenges*; June 2007 (Belgrade, Serbia)
- *Human Rights Protections in BiH Criminal Legislation*; May 2006 (Neum, Bosnia)
- Member of a delegation of the Court of BiH judges visiting the judicial institutions of England and South Wales; February 2006
- Member of a delegation of the Court of BiH judges visiting the ICTY---January 2006 (Den Haag, The Netherlands)
The delegates observed trials being conducted at the ICTY [the *Milošević* trial and the so-called *Vukovar Three* (Mrkšić, Radić, Šljivančanin)] and met with the Prosecution, Registry and the Judiciary.

War Crimes; November, 2005 (Sarajevo, Bosnia); Moderators: Judges Miletić and Rodrigues.
- *Criminal Procedure*; September 2005 (organised by the US Department of Justice). Moderators: Judge Manuel Real, David O. Carter and Prosecutor Steven Kessler.
- Seminar on War Crimes; March, 2005 (Sarajevo, BiH) Moderators: Dermont Groome, Antoinette Issa, Gabrielle McIntyre, Catherine Marchi-Uhel, Frederick Harhoff.

ICTY outreach to the local communities in Bosnia and Herzegovina – the ICTY’s work on war crimes committed in Foča; October, 2004
- *International Humanitarian Law before ICTY and National Courts*; February 2002 (Sarajevo, BiH) International lecturers included Almiro Rodrigues, the former ICTY judge, Aryeh Neier, President of Open Society Institute of New York, Frank Orton, Human Rights Ombudsman in BiH, Eugene O’Sullivan and John E. Ackerman co-authors of the book *ICTY Practice and Procedure*, John Richard and William Day Jones, Defence Counsel before the ICTY.
- *Jurisprudence of the European Court of Human Rights*; September, 2002 (Banja Luka, BiH)
- *International Humanitarian Law before the ICTY and Domestic Courts*; February 2002 (Sarajevo, BiH) Lecturers included Aryeh Neier, President, Open Society Institute – New York, Prof. Eugene O’Sullivan, John E. Ackerman, co-author- and books *Practice and Procedure of the ICTY*, Prof. Peter Murphy, Prof. Zoran Pajić, Mr. John Richard Day Jones, Mr. Rodney Dixon and many others;
- *New Criminal Code of RS – the Main Restructuring Directions*; December, 2000. (Teslić, BiH)

- And about 30 other seminars.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– French	X		“	X		“	“	X	“
<i>b. Official languages:</i>									
– English	“	X	“	“	X	“	“	“	X
– French	X	“	“	X	“	“	“	X	“
<i>c. Other languages:</i>									

IX. *In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.*

I fully accept this condition.

X. Other relevant information

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

I hereby confirm that I shall take up permanent residence as stated above.

List and curricula vitae of candidates submitted by the Government of Croatia

[Email addressed to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 27 August 2012]

The Government of the Republic of Croatia

Pursuant to Article 31, paragraph 3 of the Act on the Government of the Republic of Croatia (Official Gazette No 150/2011), at its session held on August 23 2012, the Government of the Republic of Croatia adopted the

CONCLUSION

on the election of candidates of the Republic of Croatia for judge at
the European Court of Human Rights

- Vesna Alaburić,
- Vesna Crnić-Grotić, Ph.D. in Law,
- Ksenija Turković, Ph.D. in Law

are selected as candidates for judge at the European Court of Human Rights.

Class: 080-02/12-01/515

No: 5030115/1-12-01

Zagreb, August 23 2012

PRIME MINISTER
Zoran Milanovic

(m.p.)

Based on item V, paragraph 2 of the Decision of the Government of the Republic of Croatia about the founding of a Candidate Selection Committee of the Republic of Croatia for the position of judge at the European Court of Human Rights (OG 139/2009, 95/2010 and 119/2011), the Candidate Selection Committee of the Republic of Croatia for the position of judge at the European Court of Human Rights is hereby issuing a

PUBLIC TENDER

for candidate selection from the Republic of Croatia for the position of judge at the European Court of Human Rights

Requirements which applicants for the position of judge at the European Court of Human Rights must fulfil include:

1. high moral character in accordance with provisions of Article 21, paragraph 1 of the Convention of the Council of Europe for Protection of Human Rights and Fundamental Freedoms;
2. they must either possess the qualifications required for appointment to high judicial office or must be jurisconsults of recognized competence; in accordance with provisions of Article 21, paragraph 1 of the Convention of the Council of Europe for Protection of Human Rights and Fundamental Freedoms;
3. less than 70 years of age, in accordance with provisions of Article 23, paragraph 2 of the Convention of the Council of Europe for Protection of Human Rights and Fundamental Freedoms;
4. active knowledge of one, and passive knowledge of a second official language of the Council of Europe, according to the Resolution of the Parliamentary Assembly of the Council of Europe 1646 (2009). The Resolution was posted on the official website of the Ministry of Justice, at www.pravosudje.hr;
5. the obligation to discontinue all activities which could be incompatible with their independence, impartiality or the full-time requirement during their term, in accordance with provisions of Article 21, paragraph 2 of the Convention of the Council of Europe for Protection of Human Rights and Fundamental Freedoms.

Qualifications required for appointment to high judicial office are: the applicant must have at least 15 years of work experience as a judicial official or the same number of years as an attorney at law or a notary public, or the applicant must be a university professor of law, must have passed the bar exam and have at least 20 years of work experience, and an established professional career in a certain field of law, including professional and scientific papers.

Requirements for jurisconsults of recognized competence are: the applicant must be perceived as a respectable legal professional in the general and scientific public with his/her papers and public contributions, must be a doctor of law and have at least 12 years of work experience or a master of law with at least 15 years of work experience.

Applicants of both genders can apply under equal conditions.

Applicants must enclose a CV in Croatian and in either English or French to their written application in the standard CV form which constitutes an integral part of the Resolution of the Parliamentary Assembly of the Council of Europe 1646 (2009), and certificates about the level of proficiency in official languages of the Council of Europe.

The Candidate Selection Committee of the Republic of Croatia for the position of judge at the European Court of Human Rights may, if it deems it necessary, interview the applicants and test their knowledge of official languages of the Council of Europe.

In their written applications, the applicants must also state reasons for applying and explain why they believe they would be good candidates for a judge at the European Court of Human Rights, and list their experience in the field of human rights.

The Candidate Selection Committee of the Republic of Croatia for the position of judge at the European Court of Human Rights may, if it deems it necessary, interview the applicants who are short-listed.

The Candidate Selection Committee of the Republic of Croatia for the position of judge at the European Court of Human Rights will submit the adopted proposal on the selection of three candidates from the Republic of Croatia for the position of judge at the European Court of Human Rights to the Government of the Republic of Croatia for approval, then forward it to the Parliamentary Assembly of the Council of Europe.

In conformity with the procedure adopted by the Council of Europe Ministerial Committee on 10 November 2010, prior to sending the list of candidates to the Parliamentary Assembly, it is necessary to obtain an opinion of the Expert Advisory Panel about the eligibility of proposed candidates.

The judge will be selected by the Parliamentary Assembly of the Council of Europe for a period of nine years, without the possibility of reappointment. Regardless of the appointment time, a judge's term terminates on his/her 70th birthday.

The deadline for submitting written applications with enclosed CVs is thirty (30) days from the date of tender publication in the Official Gazette. Applications must be sent to the Ministry of Justice of the Republic of Croatia, Dežmanova 6 and 10, 10000 Zagreb, with the remark: "Candidate applications for the position of judge at the European Court of Human Rights".

**Candidate Selection Committee of the Republic of Croatia
for the position of judge at the European Court of Human Rights**

Report with the description of the implemented procedure and criteria for the selection of three candidates of the Republic of Croatia for the judge at the European Court of Human Rights

Significant reforms in the work of the European Court of Human Rights have been introduced by the Protocol 14 for the implementation of the Convention of the Council of Europe for the Protection of Human Rights and Fundamental Freedoms which came into force in June 2010, as regards the Republic of Croatia; mandate of the judges has been extended from 6 to 9 years.

The mandate of the judges executing this function was automatically extended for additional two years. Following the aforementioned, the mandate for the Croatian judge Nina Vajić, Ph.D., was extended for additional two years. The election procedure of a new judge from the Republic of Croatia for the European Court of Human Rights was cancelled due to the adoption of Protocol 14 and mandate extension.

According to the information received from the Secretary General of the Parliamentary Assembly of the Council of Europe, the mandate of the Croatian judge at the European Court of Human Rights will expire on 31 October 2012; a new election procedure for the Croatian judge by the Parliamentary Assembly of the Council of Europe should therefore be initiated in due time.

According to the Decision of the Government of the Republic of Croatia on the establishment of the Committee for the election of candidates of the Republic of Croatia for the judge at the European Court of Human Rights (hereinafter the Committee) (OG no. 139/09, 95/2010 and 119/2011), the session of the new Committee was held on 29 June 2012 in the premises of the Ministry of Justice in view of the fact that some of the candidates from the list submitted to the Council of Europe pursuant to the Decision of the Government of the Republic of Croatia of 22 March 2012 did not demonstrate sufficient qualifications for the judge at the European Court of Human Rights, the Parliamentary Assembly of the Council of Europe required from the Republic of Croatia to submit a new list of candidates.

The new members of the Committee are as follows: the president of the Judiciary Board of the Croatian Parliament Josip Kregar, Ph.D., who is simultaneously the president of the Committee, deputy president of the Constitutional Court Ms. Snježana Bagić, the judge at the Civil Law Department of the Supreme Court Mr. Branko Medančić, resident professor of the Faculty of Law in Zagreb, Head of the Constitutional Law Department, Branko Smerdel, Ph.D. and deputy minister of justice, Mr. Gordan Markotić.

The conditions which the applicants for the judge at the European Court of Human Rights must fulfil were determined at the first Committee session: have high moral character, possess the qualifications required for appointment to high judicial office or be juriconsults of recognised competence, be under 70 years of age, should take over the obligation to stop performing any activity incompatible with their independence, impartiality, or with the requirement of full time service in case of their election, in compliance with the Convention of the Council of Europe for the Protection of Human Rights and Fundamental Freedoms. Besides the stated, the condition was set that the applicants must be active users of one and passive users of another official language of the Council of Europe, in compliance with the Resolution of the Parliamentary Assembly of the Council of Europe 1646 (2009).

At the same time, the Committee established, in accordance with national legislature, the following the conditions for the appointment to of high judicial office : the applicant must have at least 15 years of experience as a judiciary official or as many years as an attorney or a notary, or be a university professor of law, with completed bar examination and at least 20 years of work experience with proven expertise in a certain area of law, as well as publication of expert and scientific papers. The following conditions for the lawyers recognised as respectable experts were determined: that the applicant has been recognised by the wide expert and scientific public as a respectable legal expert with his/her work and public endeavour, that he/she is a professor of law and has at least 12 years of work experience or that he/she is a master of law and has at least 15 years of work experience.

The Committee further established the following criteria for the decision on the election of three candidates for the judge at the European Court of Human Rights: proper knowledge of the Convention in theory and practice, extensive knowledge of human rights and other documents of the Council of Europe as well as other human rights protection instruments, taking part in conferences on human rights topics, recognition by the legal circles as an expert in human rights, participation in workgroups for drafting of documents and regulations related to human rights, publications and other papers, generic criterion and the criterion of representation of the academic community members and judiciary officials.

The stated additional criteria result from the Resolution 1646 of the Parliamentary Assembly of the Council of Europe and standardised curriculum vitae form as its constituent part.

The Committee members have agreed to state the following (among other), in the public tender text: that persons of both sexes may equally participate in the tender, that the applicants must enclose their curriculum vitae to the application in Croatian and English or French, in compliance with the standardised CV form which is a constituent part of the Resolution of the Parliamentary Assembly of the Council of Europe 1646 (2009), that their application should contain their experience in the area of human rights and that the Committee (should it deem necessary) may conduct an interview with the applicants, and test the knowledge of the official languages of the Council of Europe.

As the Republic of Croatia is obligated to propose a new list of three candidates for the judge at the European Court of Human Rights to the Parliamentary Assembly of the Council of Europe, the committee members have agreed that the Ministry of Justice should urgently publish the cancellation of the public tender for candidature from November 2011 and to publish a new public tender for the election of the candidates of the Republic of Croatia for the judge at the European Court of Human Rights.

The public tender for the election of the candidates of the Republic of Croatia for the judge at the European Court of Human Rights was published on 4 July 2012. Tender information was available on the Internet page of the Ministry of Justice and forwarded to all courts, faculties of law, the Croatian Bar Chamber and the Public Notary Chamber. In this way a clear national procedure of candidate election was defined, with respect to the authority and credibility of the European Court of Human Rights.

The application term was 30 days from the day of publication, 4 July 2012 to 3 August 2012, inclusively. The Ministry of Justice, as the body performing expert, administrative and technical affairs for the Committee, has received a total of eight properly submitted applications.

Eight applicants submitted their applications for the new tender: Mr. Đuro Sessa, the judge of the Supreme Court of the Republic of Croatia, Ms. Zorka Čačić – Zagrajski, judge at the Municipal Civil Court of Zagreb, Ksenija Turković, Ph.D. vice-chancellor for legal issues and international cooperation of the Faculty of Law at the University of Zagreb, Mrs. Vesna Alaburić, attorney at law, Neven Cirkveni, Ph.D., attorney at law, Vesna Crnić Grotić, Ph.D., resident professor of International Law permanently appointed at the Faculty of Law of Rijeka University, Jelena Čuveljak, M.Sc., judge of the Commercial Court of Zagreb, Permanent Service in Sisak nad Zlata Đurđević, Ph.D. , resident professor of the Criminal Process Law at the Faculty of Law at the University of Zagreb.

Two more Committee sessions were held in August 2012 following the expiry of the term to submit applications for the public tender. At the second session of the Committee held on 8 August 2012 it was established that all applications to the tender for the election of candidates for the judge at the European Court of Human Rights, were submitted in due term. The Committee members studied and investigated all submitted applications and established that each of the eight applicants fulfilled the conditions stated in the public tender.

Having taken into consideration all stated additional criteria as well as information on each applicant, it was decided that the following five applicants should be shortlisted, in the following alphabetical order: Mrs. Vesna Alaburić, Ph.D., Vesna Crnić Grotić, Ph.D., Zlata Đurđević, Ph.D., Mr. Đuro Sessa and Ksenija Turković, Ph.D. and to conduct the interview with them on 13 August 2012.

Interviews were conducted with the shortlisted applicants at the third Committee session held 13 August 2012. All shortlisted applicants were interviewed.

The President of the Committee introduced each applicant with the method of the interview before its beginning. He stated that the interview was an important step for the evaluation of each applicant, that the questions would not be suggestive or captious and informed them that each member of the Committee had the right to pose questions he/she considered helpful in reaching the final decision, taking into consideration both the criteria defined by the Resolution 1646 of the Council of Europe, as well as the proposal of the candidates established by the Committee. He stated that the questions of the Committee members had not been previously compared and that the applicants were expected to state their answers and standpoint on all questions posed by the Committee members.

The interview was primarily based on the knowledge of the practice of the European Court of Human Rights (hereinafter: ECtHR) and implementation of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: the Convention). The applicants answered a whole range of questions

related to ECtHR activities, the procedures applied by the ECtHR and the possibilities for its more efficient activity, future role/reform of the ECtHR, the implementation of the Convention in the Republic of Croatia, as well as the fulfilment and protection of human rights and freedoms in the legal system of the Republic of Croatia (hereinafter: RoC), knowledge of the constitutional establishment of the RoC as well as the motivation and the plans of the candidates.

The Committee bases its election on established criteria – both the criteria from the international documents, good practice from other countries and standards established at previous elections:

1. The Candidates must be persons of high moral character.
2. The candidates must either possess the qualifications required for appointment to high judicial office or be jurisconsult of recognized competence
3. The candidates must know at least one of the official court languages and have passive knowledge of the other.
4. The candidates must be familiar with the domestic legal system and public international law. Practical experience is also desirable.
5. The candidates must have less than 61 years of age.
6. The candidates must explicitly agree in their application to work in Strasbourg.
7. The election of candidates as a rule includes at least one person of the opposite sex, out of the three proposed.
8. The candidates must demonstrate proper knowledge of the Convention and other documents and Instruments of human rights protection as well as concrete work in the area of human right protection such as participation at conferences and recognition in legal circles as a human rights expert.

The candidates must fulfil all the highest judge election standards; these criteria are based on strict implementation of ability and political neutrality principles, as well as absence of external influence on candidate eligibility evaluation.

The procedure must fulfil the principles of fairness, transparency and consistency both in the outstanding performance and the highest ability standards of judicial duty they are applying for, and clear selection rules and criteria. The names of the candidates, the terms of making a decision, the members of the Committee and criteria of election have been made available to the public.

The Committee went into a recess after the interview with all the applicants to reach the final decision on the election of three candidates who will be proposed to the Government of the RoC for appointment as candidates of the Republic of Croatia for the judge at the European Court of Human Rights. The Committee decided on candidate proposal by the majority of votes after secret voting. The candidate list was narrowed by secret voting, by the majority of votes in multiple voting circles. The candidates were compared after each selection according to their applications, interview impression and the criteria set upfront.

Following careful checking of all relevant facts, the Committee, having evaluated the applicants according to the highest criteria of professional and academic excellence, legal expertise, moral reputation and social recognition, selected three applicants outstanding by their comprehensive knowledge of all aspects of the ECtHR, comprehensive knowledge of theoretical and normative frames for the work of the ECtHR, all human right protection segments (from the position of national and international law) as well as consequent and clear standpoints on basic human rights institutes.

The Committee members stated their standpoint on the final list of candidates by voting. The list was supported unanimously.

The Committee members adopted the final proposal on the election of the following three applicants for the candidate of the Republic of Croatia for the judge at the European Court for Human Rights: Ms. Vesna Alaburić, Ms. Vesna Crnić-Grotić and Ms. Ksenija Turković.

The Committee concluded that the complete public tender procedure was conducted within the framework of the following regulations on the election of the candidates for the judges at the ECtHR brought by the Parliamentary Assembly of the Council of Europe and the Council of Ministers - Resolutions 1426 (2005), 1627 (2008), 1366 (2004), Recommendation 1649 (2004) and Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights of 28 March 2012. The principles and the criteria for conducting the tender and selecting the candidates for the judge of the Republic of Croatia at the ECtHR were included in the above regulations and followed in course of this procedure.

At the election of the candidates, the Committee used criteria of the highest expert, public and moral integrity of the applicant as well as interview results, taking into account that six women and two men had applied to the public tender. At the moment of the candidate selection for the position of judge of the Republic of Croatia to the ECtHR, gender representation at the ECtHR was 18 woman and 26 men. In the case of the selection of men for the position of a judge of the Republic of Croatia to the ECtHR, after the expiry of the mandate to the judge Nina Vajić, gender representation would contribute to a greater disbalance of woman in relation to men regarding gender composition of the Court.

The Committee endeavoured, taking into account numerous documents of the ECtHR and of the bodies of the Council of Europe, to promote candidate election procedure, and in particular in view of the fact that three equally eligible candidates were required. The Committee therefore brought to public attention the list of candidates, minutes of meetings clearly presenting the requirements and election criteria and what should be improved further. The Committee proposes codification of otherwise good practice, better cooperation with the public and decision-makers as well as proposition regarding attracting as many candidates as possible.

Regret was expressed because other eminent individuals from judicial, attorney, academic and social environment have not applied for the tender.

Vesna ALABURIĆ

CURRICULUM VITAE

I. Personal details

Name, forename	ALABURIC, Vesna
Sex	female
Date and place of birth	21 December 1956, Gvozd, Croatia
Nationality	Croatian

II. Education

- (i) 1979 graduated from the Faculty of Political Science of the University in Zagreb
- (ii) 1990 graduated from the Faculty of Law of the University in Zagreb

III. Professional activities**a. Judicial activities**

- (i) 1992-1995 lawyer in the law firm Dragutin Kasapović in Zagreb, Croatia
- (ii) from 1995 law firm Vesna Alaburic:
 - represented journalists and publishers in hundreds civil proceedings (libel)
 - defended journalists in dozens criminal proceedings (defamation)
 - represented clients in various cases in relation to human rights
 - defended an accused before the International Criminal Court for the Former Yugoslavia in Den Haag

b. Non-judicial legal activities

- (i) 1980-1992 Ministry of Information (last position senior legal adviser)
- (ii) lecturer on various seminars about the case law of the European Court of Human Rights concerning Article 10, organised by the Council of Europe (Ukraine, Montenegro, Serbia) and other institutions (Russia, Bosnia and Herzegovina, Macedonia, Belarus)
- (iii) drafting media laws and participation in public debates about media laws, freedom of expression and other human rights

c. Non-legal professional activities

2003-06 lecturer of THE PUBLIC MEDIA LAW at the Faculty of Political Science (journalism) of the University in Zagreb

IV. Activities and Experience in the Field of Human Rights

4.1. Freedom of expression and media freedom

Since beginning of nineties to this day considerable part of my daily professional and non-professional activities have been devoted to various human rights issues. In particular, but not limited to, I was concerned with the freedom of expression issues, including media freedom and freedom of journalistic reporting and commenting:

- (i) By participating in drafting of various laws and regulations relevant for freedom of expression and media freedom, as well as by participating in numerous public debates on draft laws in this field; I always called for introduction of the European legal standards of the protection of freedom of speech and freedom of media (as established by relevant ECHR jurisprudence, in particular) in the Croatian legal system even before Croatia became the party to the European Convention for Protection of Human Rights and Fundamental freedoms).
- (ii) As a lawyer I represented, during nineties and afterwards, often on a pro-bono basis, various newspaper publishers (inter alia, publishers of political weeklies "Globus" and "Feral Tribune" and daily "Jutarnji list") in numerous civil proceedings (hundreds of them) for damage claims because of

published information. Those proceedings, claiming for Croatian standards extremely high compensations for the alleged mental anguish and fears sustained due to published information, were mainly initiated by the members of the then Government, Government's officials, members of the leading party and their political sympathizers. Considering the expenses of those legal proceeding as well as their number, existence of those independent newspapers was seriously jeopardized. Those legal proceedings were therefore of utmost importance for the democratic development of Croatia, as newly established state.

- (iii) I also defended, often on a pro bono basis, Croatian journalists in numerous criminal proceedings for libel and insult which were also initiated by the ruling politicians at the time and various public figures connected with the ruling party with the aim to suppress critical reporting in particular and restrict freedom of expression in general; I defended, inter alia, journalists of "Feral Tribune" Viktor Ivancic and Marinko Culic charged, ex officio, for defamation of the then President of Croatia Franjo Tudjman, as well as editor in chief of "Globus" Davor Butkovic in the criminal proceedings for alleged defamation, initiated, in their private capacity, by the 22 members of the then Government.
- (iv) I represented, (on a pro bono basis) Croatian Journalists' Association 1995-1999 in all activities relating to various legal aspects relevant to journalists' work (including, but not limited to, by submitting various constitutional complaints challenging constitutionality of certain laws or their specific provisions relevant for journalists and their profession, inter alia, certain provision of the Law on Ministry of Interior then in force which allowed the Minister to impose secret measure of surveillance and eavesdropping without any judicial control, or the provision of the Criminal Law affording special protection of reputation of certain public officials); I assisted in the establishment of special fund, within the CJA, for the purpose of providing necessary financial support to indigent independent media and journalists to be able to cover necessary costs of numerous civil and criminal proceedings initiated against them.
- (v) I published in various scientific journals numerous articles (scientific papers and researches) on freedom of expression, freedom of thought, freedom of opinion, media freedom, right to receive information of public interest, restriction of hate speech in a democratic society, protection of privacy, protection of reputation etc. I also published more than 200 newspaper columns (mostly in "Globus", "Feral Tribune" and "Jutarnji list") participating in public debates on various human rights and other relevant issues and the need to bring Croatian legislation (and court practice) in line with the relevant human rights jurisprudence; in order to effectively contribute to this process I publish the book "Freedom of expression in the case law of the European Court of Human Rights".
- (vi) Through all my professional, publicist and public activities I always made efforts, often in adverse political environment, to promote the highest standards in protection of the fundamental human right to freedom of expression referring, very often, to the relevant case law of the European Court of Human Rights.

4.2. Human rights in the context of criminal proceedings

- (i) I submitted, in private capacity, constitutional complaint challenging constitutionality of the provision of the Criminal Law allowing continued detention on remand (pre-trial detention) based solely on the particularly serious circumstance of the offence committed, arguing, inter alia, that this provision (and the court practice based on it) was in stunning contrast to relevant ECtHR jurisprudence concerning Article 5 of the Convention (right to liberty and security of person).
- (ii) As a defence counsel for Milivoj Petkovic, indicted before the ICTY (International Criminal Tribunal for Former Yugoslavia) in The Hague, I dealt intensively with various internationally recognized (human) rights of the accused (so called "fair trial rights"), such as the right of the accused to be released pending trial, right to be presumed innocent, right to be informed timely and in detail on the charges against him, right to examine witnesses, right to have adequate time and facilities for his defence, the right to be tried within a reasonable time etc.; in this context I regularly referred to the European Convention for the Protection of Human Rights and Fundamental Freedoms and invoked the case law of the ECtHR in support of my arguments

4.3. Equal protection of the law – non-discrimination

Through my professional and my public activities I always vigorously defended the right to equal protection of the law without discrimination on any ground, such as ethnicity, religion, sex, sexual orientation, political opinion, property or other status.

- (i) I represented Lejla Sehic when, following the beauty contest, she was stripped of the title “Miss Croatia” because of her ethnicity.
- (ii) I represented before the courts of law a number of persons faced with various legal problems and obstacles because of their ethnicity/nationality.
- (iii) I published scientific paper in the Croatian Law Journal on the hate speech, “Limitation of hate speech in a democratic society”, and several newspaper columns provoked by certain concrete public manifestations of hate speech.

V. Public activities

None.

VI. Other activities

None.

VII. Publications and other works

(i) Published books:

1. Law on Public Information – commentary and practice, VIV - inženjering d.o.o., Zagreb, 2000.
2. Freedom of expression in the case law of the European Court of Human Rights, Narodne novine, Zagreb, June 2002.
3. Manual on freedom of speech („Freedom of expression in the Republic of Croatia – legislation and practice“, Introductory study.) Croatian Journalists' Association, Zagreb, 1998, p. 5-68)
4. Responsibility for non-pecuniary damage due to violation of personal rights,(group of authors) Narodne novine, Zagreb, September 2006.

(ii) Published scientific and professional papers:

1. “Freedom of thought, opinion, expression and information – theoretical legal analyses of basic constitutional terms”, Croatian Law Review, no. 5., June 2003., III, pp. 1-14.
2. “Limitation of hate speech in a democratic society – part I”, Croatian Law Review, no. 1., January 2003., III, pp. 62-72.
3. “Limitation of hate speech in a democratic society – part II”, Croatian Law Review, no. 2., February 2003., III, pp. 80-90.
4. “Media vs. Privacy – critical analyses of Croatian criminal and civil legislation”, Croatian Law Review, no. 3., March 2002., II, pp. 1-18.
5. “Hazardous games without borders”, Croatian political science review, Vol. XXXIV, (1997), No. 5, pp. 80-87.
6. “Freedom of expression and the protection of honour and reputation in the criminal legislation – theoretical and practical problems in transitional Croatian circumstances”, Croatian Annual of Criminal Law and Practice, Vol. 3 – no. 2/1996, pp. 537-556.
7. “Criminal and civil responsibility for the public word in Croatia”, Review for Media Research, (year 5, no. 2.), Zagreb, 1999.
8. “Freedom of expression in the Republic of Croatia – legislation and practice”, introductory study for the Hand-book on the Freedom of Expression, Croatian Journalists' Association, Zagreb, 1998., pp. 5-68.

(iii) Newspaper articles

dozens of columns in Croatian dailies (“Jutarnji list”, “Novi list”, “Vjesnik”) and weeklies (“Globus”, “Feral Tribune”) on the various issues concerning criminal and civil legislation and court practice.

VIII. Languages

a/ first language : Croatian

b/ official languages:

- English: very good in reading, writing and speaking
- French: fair in reading

IX. Confirmation in relation to language classes

I do intend to follow very intensive classes of French language.

X. Other relevant information

AWARD - American Bar Association (Section of Litigation) Award for the Human Rights and Access to Justice - 1998

XI. Confirmation in relation to residence in Strasbourg

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

Vesna CRNIĆ-GROTIĆ

CURRICULUM VITAE*

I. Personal details

Name, forename: CRNIĆ-GROTIĆ, Vesna
 Sex: female
 Date and place of birth: 9 March 1957, Rijeka
 Nationality: Croatian

II. Education and academic and other qualifications

EDUCATION			
Date	1994	1985	1980
Place of education	Zagreb	Zagreb	Rijeka
Name and type of organisation providing education	Faculty of Law, University of Zagreb	Faculty of Law, University of Zagreb	Faculty of Law, University of Rijeka
Title or qualification awarded	PhD (Doctor of Law)	Master of Law	lawyer

PROFESSIONAL TRAINING			
Year	2003	1997, 1998	1994
Place of training	Oslo, Norway	Charleston, West Virginia	United States
Name and type of organisation providing training	F. Nansen Institute	Charleston University, W.V.	ABA/ CEELI
Field	International Law	Seminar in American Democratic Processes	Legal clinics in education

Year	1991	1989-90
Place of training	Geneva, Switzerland	The Hague, The Netherlands
Name and type of organisation providing training	United Nations, International Law Commission	Asser Institute for International Law
Field	International Law	International Law

III. Relevant professional activities**a. Description of judicial activities:**

None

b. Description of non-judicial legal activities:

- since 2011 – member of the expert team of the Government of Croatia for the preparation of memorandum in the arbitration procedure between the Republic of Croatia and the Republic of Slovenia in a border dispute,
- 2011 – tenure Full Professor of International Law
 2006 – 2011, Full Professor
 2002 – 2006, Associate Professor
 1996 – 2002, Assistant Professor
 1985 – 1996, Assistant

* Underlined text indicates posts or missions held at present.

1993 – 1995, 2005-2011 - Vice-Dean for student and academic affairs at the Faculty of Law Rijeka,
1995 – today, co-director of the Civil Law Legal Clinic
1980 – 1985, head of legal and human resources dpt., Triglav Insurance Co., Rijeka

c. Description of non-legal professional activities:

Administrative positions:

- Vice-Dean for student and academic affairs at the Faculty of Law Rijeka, 1993-1995, 2005-2011

Membership in editorial boards of the:

- Collected Papers of the Faculty of Law University of Rijeka (Zbornik Pravnog fakulteta u Rijeci),
- Comparative Maritime Law (Poredbeno pomorsko pravo)
- Rule of Law (Vladavina prava)

IV. Activities and experience in the field of human rights

- since 1998 member and vice-chair of the Committee of Experts for the European Charter for regional or minority languages, Council of Europe, the third consecutive term of office; monitoring body of independent experts;
- since 2001 I teach a course on International Documents on Human Rights at the Sarajevo University international postgraduate study programme Democracy and Human Rights;
- since 2007 I have introduced and teach several graduate and postgraduate courses on human rights at the Faculty of Law in Rijeka as the only law faculty in Croatia that teaches such courses:
 - o European Convention for Human Rights, elective graduate and postgraduate course
 - o International Human Rights, elective graduate course
 - o Protection of Minorities, elective postgraduate course
- in 1995 I introduced and I am a co-director of the graduate course Civil Law Clinic;
- mentor to a number of graduate and postgraduate students for their graduation papers or their master thesis with the topic covering international and especially European human rights, for example, in 2011 on the right to a home or on the discrimination of Roma in education;
- in 1999 and 2000 lecturer at Annual Summer School on Human Rights, organized by the United Nations Office of the High Commissioner for Human Rights,
- since 2009 lecturer at the Summer School of Human Rights organized by the Faculty of Law Rijeka and the Institute for Human Rights in Novi Vinodolski,
- since 2008 mentor to students participating in international and regional student moot court competition in the field of international law (e.g. Philip Jessup Moot Court Competition) and European human rights,
- invited expert on more than 40 national and international academic conferences, expert seminars and workshops on human and minority rights, for example:
 - o "Article 3 of the European Convention – Freedom from Torture and Inhuman or Degrading Treatment or Punishment in International Law, Council of Europe and UNHCR Joint Workshop on the European Convention on Human Rights and the Protection of Refugees, Zagreb, July 1998.
 - o Procedural requirements for submitting application to the European Court for Human Rights, Hrvatski pravni centar, workshops in 1999 in Zagreb, Osijek and Rijeka,
 - o Decisions of the European Court for Human Rights in the case law against Croatia, 27th Annual meeting of the Pula County Court Judges, Poreč, 2004,
 - o Human Rights and Non-discrimination in International Law, Integrating Differences – Human Rights, Social Inclusion and Social Cohesion in the Balkans on its Road to the EU, Ohrid, Macedonia, 28 to 31 May 2009,
 - o Development of the free legal aid system in Croatia, Seminar on the development of a legal aid system in Armenia, Yerevan, Armenia, 2005,
 - o Application *Ratione Temporis* of the European Human Rights Convention, Conference Legal Culture in Transition - Supranational and International Law in National Courts, Opatija, June 2011,
 - o European Convention for Human Rights, workshop for judicial staff, Judicial Academy, Zagreb, May – June 2011;
 - o Minority Languages in the Administration of Justice – A View from the European Charter for Regional or Minority Languages, Conference on the Situation of the Basque Language in the Administration of Justice, Bilbao, 25 and 26 October 2007,

- Linguistic Rights of National Minorities Ten Years after the Oslo Recommendations and Beyond, Safeguarding Linguistic Rights: Identity and Participation in Multilingual Societies, Oslo 18-19 June 2008;
- International Conference - Minorities in a Seamless Europe - The Role of Transfrontier Co-operation in Maintaining Ethno-cultural Diversity, Budapest, 15 September 2009,
- The Committee of Experts and the Irish language in the third monitoring cycle for the United Kingdom, POBAL Conference on the application of the Charter for regional and minority languages, Belfast, 23 June 2010,
- Information Seminar on the European Charter for Regional or Minority Languages for judicial authorities, Moscow, 19 October 2010,

V. Public activities

a. Public office:

- since 2009 Member of the Main Commission for Law of the National Science Council, Croatia
- 2001 - 2003 appointed member of the Main Commission and the visiting professor of the SEE University in Tetovo, FYR Macedonia, established by the SEE University Foundation from Zurich within the stabilisation program of the OSCE and the Council of Europe. The Commission was in charge of appointment of teachers and setting the curriculum.
- Commissioner for Legal Affairs, Municipality of Bakar, in 2001;

b. Elected posts: none

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

VI. Other activities

a. Field

- scientific research

b. Duration: more than five years

c. Functions: leader of the project, researcher

- since 2006 - leader of the project "Human and Minority Rights in the European Legal Area",
- 2002 – 2006 - leader of the project "International private law aspects of consumer protection – harmonisation with the EU Law",
- 1997 – 2002 - researcher, "Legal, Social and Economic status of Women", Faculty of Law Rijeka,
- 1997 – 2002 - researcher, international project between Faculty of Law Rijeka and the Institute for Criminology Ljubljana "Women in Transition – Women and Imprisonment",

VII. Publications and other works

I have published two books (one in English) and more than 40 articles, including more a number of articles in English. In addition, I participated in the translation into Croatian of the book by D. Gomien on the *European Convention on human rights* in 2007:

a) Book:

- Law of Treaties (in Croatian), Pravni fakultet Sveučilišta u Rijeci 2002, 341 pp.

b) Articles:

- 1) Control Mechanisms of the European Convention on Protection of Human Rights and Fundamental Freedoms (in Croatian), paper at the Conference: Right to a Home and Peaceful Enjoyment of Property, Zagreb 1998,
- 2) Protection of Ownership in International Law (in Croatian), Zbornik Pravnog fakulteta Sveučilišta u Rijeci, Vol. 22/2001, br. 1, pp. 361-375;
- 3) Object and Purpose of Treaties in the Vienna Convention on the Law of Treaties, Asian Yearbook of International Law, Volume 7, (Kluwer Law International), pp. 141-174;
- 4) International Standards of Treatment of Persons Deprived of Freedom (in Croatian), in "Žene i kazna zatvora", ed. V. Grozdanić i A. Šelih, Pravni fakultet Rijeka, Rijeka 2001, pp. 49-66;
- 5) Admissibility of Applications against Croatia before the European Court for Human Rights (in Croatian), Zbornik Pravnog fakulteta Sveučilišta u Rijeci, Suppl. No. 3/2003, pp. 251-275;

- 6) Consumer Protection by the European Court for Human Rights, (in Croatian) eds. Tomljenović V., Čulinović-Herc, E. (ur.): *Zaštita potrošača i ulagatelja u europskom i hrvatskom pravu – Izazovi međunarodnog tržišta roba i kapitala*, Rijeka 2005, pp. 375-384.
- 7) Fundamental Rights and Freedoms, (with N. Hlača), "The Legal System of Croatia", u: *Modern Legal Systems Cyclopaedia*, Vol.8, William S. Hein & Co. Law Publisher, Buffalo & New York, (2005), pp. 21-28;
- 8) Protection of social rights as fundamental human rights in the case law of the European Court of Human Rights (in Croatian), in: *Socijalna prava kao temeljna ljudska prava*, ed. N. Bodiroga Vukobrat and S. Barić, Zagreb 2010, pp. 98-104.
- 9) Human rights in European Union in practice of the ECJ in Luxembourg (in Croatian), co-author: Nataša Sgardelli Car, *Zbornik Pravnog fakulteta u Zagrebu*, God. 2010, Br. 5, pp. 971-994;
- 10) Application *Ratione Temporis* of the European Human Rights Convention with regard to Croatia, N. Bodiroga-Vukobrat / S. Rodin /Gerald G. Sander / (Ed.), *Legal Culture in Transition: Supranational and International Law in National Courts* (will be printed by Logos Publishers in Berlin, Germany)

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– Croatian	“x	“	“	“x	“	“	“x	“	“
<i>b. Official languages:</i>									
– English	“x	“	“	x	“	“	x	“	“
– French	“	“x	“	“	“	“x	“	“	“x
<i>c. Other languages:</i>									
– Italian	“	x	“	“	“	“x	“	“	“x
– Russian	“	“x	“	“		x	“	“	x

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention to follow intensive language classes of the French language prior to, and if need be also at the beginning of, my term of duty if elected a judge on the Court.

X. Other relevant information

- in 2003 listed candidate for the Croatian judge on the European Court for Human Rights;

Membership In associations:

- Croatian Society for International Law
- International Law Association
- International Academy of Comparative Law
- Scientific Council of the Croatian Academy of Arts and Science for Peace and Human Rights,
- Croatian Academy of Legal Science

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

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

Ksenija TURKOVIĆ
CURRICULUM VITAE*

I. Personal details

Name, forename: TURKOVIĆ Ksenija
Sex: Female
Date and place of birth: 13 February 1964, Zagreb, Croatia
Nationality/ies: Croatian

II. Education and academic and other qualifications**a) Education and Academic Qualifications:**

- Yale Law School, New Haven, Connecticut, USA
Doctor of Juristic Science (J.S.D.), April 1996
Doctoral Dissertation: "The Principle of Legality and the Organization of Authority: A Comparative Approach to the Principle of Legality"
- Yale Law School, New Haven, Connecticut, USA
Master of Laws (LL.M.), May 1989
- Faculty of Law, University of Zagreb, Zagreb, Croatia
J.D., May 1987, *summa cum laude*, rank: 1/400 (first in class)

b) Bar Exams/Admissions:

- New York State Bar admission/membership, 1996-2008
- New York State Bar Exam, completed in November 1993
- Croatian Bar Exam, completed in February 1990

c) Additional Academic & Other Qualifications/Training:

- Summer School on Cinema and Human Rights, European Inter-University Centre & Human Rights Film Network, Venice, Italy, August/September 2005 (21 days)
- Visiting Scholar, Yale Law School, New Haven, Connecticut, USA, 2002/03 (one-year post-doctoral studies)
- International Seminar on the Rome Statute of the International Criminal Court, International Institute of Higher Studies in Criminal Sciences, Syracuse, Italy, September 1998 (14 days)
- Salzburg Seminar, Session 284 – International Environmental Negotiation, Salzburg, Austria, May 1990 (14 days)
- Goethe Institute, intensive German language course (Mittelstufe III), Düsseldorf, Germany, June/July 1990 (2 months)

III. Relevant professional activities (posts held and activities conducted at present are underlined)**a. Description of judicial activities**

1989-1990	Court of Appeals - Civil and Criminal Divisions, Zagreb, Croatia <i>Law Clerk</i> . Assisted in trial preparations. Drafted briefs, memoranda, judgments.
1987-1988	District Court - Civil and Criminal Divisions, Zagreb, Croatia <i>Law Clerk</i> . Assisted in trial preparations. Drafted briefs, memoranda, judgments.
2012-to present	<u>European Court of Human Rights – <i>ad hoc judge</i></u>

* Underlined text indicates posts or missions held at present.

b. Description of non-judicial legal activities

- 2010 to present University of Zagreb, Zagreb, Croatia *Vice-rector for legal affairs & international relations*
- 2009 to present Member of the expert team for the preparation of the meritum for the application for the case on Genocide Convention, Croatia v. Serbia in front of the International Court of Justice
- 1998-2000 Hunton & Williams LLP, New York, New York
Legal Counsel
Represented a client in front of the ICTY, The Hague, Netherlands
- 1995-1996 Sullivan & Cromwell LLP, New York, New York
Associate in General Corporate Practice
Drafted legal documents and performed legal research in area of Derivatives, Mutual and Offshore Funds, Project Finance and Securities
- 1987 to present University of Zagreb Law School, Zagreb, Croatia
- *Full Professor (since 2008); Associate Professor (1998-2008); Assistant Professor (1990-1998)*
 - Courses: Criminal Law, International Criminal Law, Comparative Law, Medicine and Law, Bioethics, Criminology and Victimology, Law and Cinema, Psychiatric Clinic, Criminology and Social Pathology
 - Jean Monnet Program 2011, module on „Criminal Law and Victimology“

Other Academic Institutions:

- Co-chair of Health Law, University of Zagreb School of Medicine (since 2006)
- Chair of Medicine and Criminal Law and International Criminal Law at the Postgraduate Criminal Law Studies, Faculty of Law, University of Osijek (since 2008)
- Lecturing Forensic Dentistry at the School of Dental Medicine, University of Zagreb (since 1997)
- Inter-University Center, Dubrovnik, Croatia
 - Co-director and Lecturer at the course „International Criminal Law“ (since 2007)
 - Lecturer at the course, „Victimology and Victim Rights“ (1998, 2004, 2005, 2006, 2009, 2010)
 - Lecturer at the course “European Law” (2004)
- Lectured „Misdemeanour Laws and Criminal Policy“ at Zagreb Police Academy (2003/04)

Other relevant legal activities are listed under

IV. Work and Experience in the Field of Human Rights.

c. Description of non-legal professional activities

- Vice-Rector for International Relations, University of Zagreb (since 2008)
- Head of Criminal Law Department, Faculty of Law, University of Zagreb (2008 - 2010)
- Associate Dean for Academic and Student Affairs, Faculty of Law, University of Zagreb (2005-2007)
- ECTS Coordinator, Faculty of Law, University of Zagreb (2007-2008)
- Member of the Committee on Monitoring Implementation of Bologna Process, University of Zagreb (since 2006)

IV. Activities and experience in the field of human rights (posts held and activities conducted at present are underlined)

Council of Europe related activities and experience:

- Member of the Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence – CAHVIO (2009-2011)
- Vice-president of the Group of Specialists on Child Friendly Justice, Ad hoc Advisory Group – CJ-S-CH (2009/10)
- Consultant on “child-friendly justice” – wrote an expert report “Elements for European Guidelines on Child-friendly Justice with Particular Focus on Children’s Access and Place in Criminal Justice System,” Strasbourg, 29 May 2008, cdpc/docs (2008) 06 – e
- Member of the Group of Specialists on Counterfeit Pharmaceutical Products – PC-S-CP (2007 to 2009)
- Member of the Group of Specialists on Remedies for Crime Victims – CCJ-S-VICT (2007)
- Vice-president of the Committee of Experts on the Protection of Children against Sexual Exploitation & Abuse – PC-ES (2006/07)

Work on Croatian national strategies related to protection of human rights:

- Member of the Committee drafting the National Strategy on Assistance and Protection of Victims of Crimes for the period of 2012-2016, Ministry of Justice (2011 to present)
- Member of the Committee drafting the National Strategy on Combating Drug Abuse for the period of 2012-2018, Ministry of Justice (2011/12)
- President of the Commission drafting the National Program on Protection and Promotion of Human Rights for the period of 2008-2011, adopted by the Croatian Government in November 2007
- Member of the Committee drafting the National Strategy on the Prevention of Family Violence for 2004-2007 and 2008-2010, Ministry of Family (2004 to 2008)

Membership in expert groups drafting new legislative acts related to human rights:

- President of the Expert Committee drafting amendments to Mental Health Act, Ministry of Justice (2012 to present)
- President of the Expert Committee drafting new Croatian Criminal Code, Ministry of Justice (2009-2011), law adopted by the Parliament in October 2011
- Member of the Expert Committee drafting new Croatian code on juvenile justice, Ministry of Justice (2009-2011)
- President of the Expert Committee drafting law on state compensation for victims of violent crimes, Ministry of Justice (2007)
- Member of the Expert Committee drafting amendments to Mental Health Act, Ministry of Justice (2000-2003)
- Member of the Expert Committee drafting law on gender equality, Ministry of Family (2008)

Other relevant activities:

- Member of the Working Group (appointed by Croatian Government) for the harmonization of the Croatian legal system with the European Convention on Human Rights (1997)

Activities in organizations dedicated to protection and promotion of human rights:

- Management Board of the European Union Agency for Fundamental Rights (FRA), Croatian observer (2010 to present)
- President of the Board, Croatian Center for Human Rights, an independent national human rights institution (2007-2012)
- Member of the Board, Institute Open Society Croatia (2005/06)
- Center for Genocide and War Crimes, Zagreb, Croatia (1991-1993)
 - Worked with International League for Human Rights, Helsinki Watch and EEC Monitors on refugee issues in Croatia and Bosnia & Herzegovina

- Compiled information for the future prosecution of war crimes (assisted in interviewing persons released from camps)

Consultant on issues related to human rights:

- Ad hoc consultant on legal issues related to HIV/AIDS testing and counselling, World Health Organization – Division for Europe (the issues were treated from the perspective of human rights of people living with HIV/AIDS) (2007, 2009)
- Ad hoc national consultant, Twinning Project HR/2004/IB/JH/06 “Combating Trafficking in Human Beings in Croatia” (2007)

Research projects related to promotion and protection of human rights:

Coordinator and researcher:

- IPA project „Improving the Capacity of the University System to Create a Framework for battling Discrimination, Corruption aimed at Improving Academic Integrity” (2011 to present)
- “Croatian Health Law in the Light of European Standards”, - reviewing current laws, proposing changes and offering interpretations taking into account European standards that have already emerged as well as comparative good practices (2007 to present)
- Research on „Violence in the Family in Croatia“ for Ministry of Family on prevalence rates, recidivism, causes of family violence, protection of rights of the victims (2009)
- “Treatment of People Leaving with HIV/AIDS in Croatian legal system” for UNAIDS Croatia – study was done from the perspective of human rights of persons living with HIV/AIDS, research resulted in a booklet and number of proposals how to change and adapt Croatian legal system to better protect rights of persons living with HIV/AIDS, coordinator and main researcher (2005/06)

Researcher/Mentor:

- Mentor of the project “Challenging stereotypes and discrimination against women – sexual violence in the legal proceedings in Croatia,” B.a.B.e. – NGO in Special Consultative Status with the Economic and Social Council of the UN (2007-2009)
- Consultant and main researcher on the project “Transitional justice – research on assistance and protection of victims of violent crimes in Croatia”, UNAIDS (2006-2009); the project resulted in establishing special offices for victims at 4 district courts in Croatia
- Member of a research team of the Open Society Croatia and later NGO called IDEM creating and implementing “index of open society” – created and interpreted part related to the rule of law (2004-2007)
- “Bioethics and Law”, researcher, Ministry of Science and Education (1999-2001)

Organizing international conferences/workshops related to human rights issues:

- „*The Challenges of Democracy and the University*“, 22nd annual conference organized by the University of Zagreb and Alliance of Universities for Democracy, Hoste, Center for Advanced Academic Studies of University of Zagreb, Dubrovnik, Croatia, October, 2011 (approximately 120 participants)
- 18th World Congress on Medicine and Law – „*Health, Law and Ethics at the Outset of Third Millenium – The Human Rights Based Approach*“; President of the Scientific Committee, Zagreb, Croatia, August, 2010 (approximately 500 participants)
- 9th World Congress on Bioethics - Member of the „Honorary Committee,“ , delivered key note speech on „Informed Consent in Multicultural Society“, Rijeka, Croatia, 2008 (approximately 800 participants)
- NATO Workshop on “The Role of Humanitarian Victimology in Preventing Terrorism” organized within the NATO Program “Security through Science,” *Co-director* (with Uwe Ewald, Max Planc Institut, Freiburg) (26 participants from 13 countries, Zagreb, Croatia, 2004)

Human rights education:

- Head of the unit of the UNESCO Chair on Medicine, Law and Bioethics, Faculty of Law, University of Zagreb – lecturing on *Bioethics and Law*, preparing textbook on bioethics and law (2009 to present)
- Member of the UNESCO Chair for Education, University of Zagreb, organizing international round tables on different issues related to higher education, including those on right to education (2009 to present)
- Delivering lectures at "Little School of Human Rights", organised by student organization ELSA-Zagreb (2006, 2010, 2011)
- Participated in Course for lawyers on the ECHR, organized by Center for Peace Studies and Interrights; prepared and delivered module on Article 2. of the ECHR (2008)

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

Management Board of European Union Agency for Fundamental Rights (FRA), *Croatian observer* (2010 to present)

President of the Board, Croatian Center for Human Rights, an independent national human rights institution (2007-2012)

Vice-Rector for Legal Affairs and International Relations, University of Zagreb (2010 to present)

Vice-Rector for International and Interinstitutional Cooperation, University of Zagreb (2008 -2010)

Member of the Management Board, Inter University Center, Dubrovnik, Croatia (2008 to present)

Member of the Management Board, Konfucius Institute, Zagreb, Croatia (2011 to present)

b. Elected posts

None

c. Posts held in a political party or movement

I have not been a member of any political party/movement

VI. Other activities**a. Field****Projects in the Area of Criminal Law:****National projects:**

- "Croatia and International Criminal Justice", researcher, Ministry of Science (2002-2008)
- "Sentencing Policy in Croatia", Academy of Legal Sciences & Croatian Association of Criminal Sciences and Practice, researcher (2004)

International projects:

- Writing a chapter in „The Crime of Agression – The Commentary,“ Claus Kreiß & Stefan Bariga (eds.), (2011 to present)
- FP6 Project „Human Security in the Western Balkan Region: The Impact of Transnational Terrorist and Criminal Organizations on the Peace-Building Process of the Region,“ (HUMSEC) (2006-2008)
- Project 2005/AGIS/139 „The Public Prosecution Service - Key Player in a Just and Effective Criminal Justice System – A Comparative Research Study across Europe“, researcher (2005-2008)
- Member of Croatian research team for ICRC publication, Customary International Humanitarian Law (ed. Jean-Marie Henckaerts and Luise Doswald-Beck, 2005)

Projects in the Area of Criminology and Victimology:

National projects:

- Prepared and adapted methodology for implementing international victim survey in Croatia, State Bureau of Statistics (2008/09)

International projects:

- "State and Organized Crime", Institute for Criminology, Faculty of Law University of Ljubljana, researcher (2005/06)
- "Analyzing victim's needs and expectations in post-conflict societies: an international quantitative victim survey in nine countries in different conflict/post-conflict situations," Max Planck Institute for Foreign and Comparative Criminal Law, researcher – collecting data (2004/06)
- National Coordinator for European Sourcebook of Crime and Criminal Justice Statistics (1997 to present)
- National Coordinator for the 2000 International Crime Victim Survey (UNICRI);

Projects in the Area of Education:

TEMPUS projects:

- „Reforming Croatian Legal Education,“ Grant co-ordinator (2005/06)
- „Foreign Languages in the Field of Law,“ managing the part of the project on organizing legal courses in English (2006-2009)

LLL for Judges:

- Developed & updated modules for Judicial Academy on (2004 to present):
 - Victims' Rights
 - Violence in the Family
 - Business Crimes (co-author)
- Participated as a lecturer in the program of the Ministry of Justice & ICTY educating Croatian judges for conducting national trials of war crimes (2004)

Bioethics:

- Member of Ethical Committee – University of Zagreb School of Medicine
- Member of Ethical Committee – University Hospital Centre Zagreb, Croatia
- Member of Ethical Committee – Psychiatric Hospital Vrapče, Zagreb, Croatia

VII. Publications and other works

Published four textbooks (co-author), three books (editor with contribution), one law commentary (principal author) and over 40 papers in international and domestic journals (of which over 20 in referred journals) in the areas of criminal law, medical law and ethics, criminology and victimology.

1. *Rethinking Croatian Rape Laws: Force, Consent and the 'Contribution of the Victim,'* in RETHINKING RAPE LAW: INTERNATIONAL AND COMPARATIVE PERSPECTIVES (ed. C. McGlyn & V. Munro, Routledge-Cavendish Publishing, 2011) (co-author with I. Radačić)
2. The Value of the ICTY as Historiographical Tool, u "ICTY: Towards a Fair Trial?", International Criminal Law Series of Intersentia Antwerp (www.intersentia.be) in co-operation with Neuer Wissenschaftlicher Verlag Vienna (2009)
3. *The Framework of a Reform of Criminal Sanctions in the Republic of Croatia*, 16 CROATIAN ANNUAL OF CRIMINAL LAW AND PRACTICE, 809 (2009)
4. Right to Refuse Medical Treatment in Croatia, 44 Medicina (2008), also available on http://hrcak.srce.hr/index.php?show=toc&id_broj2407
5. *The Prosecution Service Function within the Croatian Criminal Justice System*, EUR J CRIM POLICY RES, DOI 10.1007/s10610-008-9067-6 (2008)
6. *Crimes Against the Values Protected by International Criminal Law*, (p. 99-140); *Sexual Crimes* (p. 145-179); *Crimes against Matrimony, Family and Youth*, (203-213); *Health Crimes* (247-265), in POSEBNI DIO

KAZNENOG PRAVA (TEXTBOOK ON SPECIAL PART OF CRIMINAL LAW) (ed. Petar Novoselec, Faculty of Law, University of Zagreb, 2007)

7. HIV/AIDS IN THE LEGISLATION OF THE REPUBLIC OF CROATIA (Media print d.o.o., Zagreb, 2006)
8. *Euthanasia in Croatia, u EUTHANASIA IN INTERNATIONAL AND COMPARATIVE PERSPECTIVE* (ed. Marc Groenhuijsen, Floris van Laanen, Wolf Legal Publishers, 2006)
9. *What Victimology has to Offer in Fight against Terrorism, u LARGE-SCALE VICTIMISATION AS A POTENTIAL SOURCE OF TERRORIST ACTIVITIES: IMPORTANCE OF REGAINING SECURITY IN POST-CONFLICT SOCIETIES* (ed. Uwe Ewald and Ksenija Turković, Amsterdam, IOS Press, 2006)
10. MENTAL HEALTH ACT – COMMENTARY WITH ADDENDUM, (principal author, other authors M. Dika, M. Goreta, Z. Đurđević), Faculty of Law, University of Zagreb, Psychiatric Hospital Vrapče (2001), p. 1-127, 208-321, 323-389, 437-640

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language</i>	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
– Croatian									
<i>b. Official languages:</i>									
– English	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
– French	<input type="checkbox"/>	X		<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	X
<i>c. Other languages</i>	<input 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"/>
– German	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	X	

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

In the event that I do not meet the level of language proficiency required for the post of judge in an official language, I hereby confirm my intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, my term of duty if elected a judge on the European Court of Human Rights.

X. Other relevant information

Married, mother of two children.

Memberships: American Bar Association (1996-2008), World Society of Victimology, World Society of Medicine and Law, European Society of Criminology, Croatian Law Academy, Croatian Association of Psychiatry and Law (*president*), Croatian Society of Comparative Law, Croatian Association of Criminal Sciences and Practice

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

I hereby confirm that I and my family will take up permanent residence in Strasbourg if elected a judge on the European Court of Human Rights.

XII.

I hereby confirm that during my term of office I will not engage in any activity which is incompatible with my independence, impartiality or with the demands of a full time office if elected a judge on the European Court of Human Rights.

List and curricula vitae of candidates submitted by the Government of the Republic of Moldova



Permanent Representation of the Republic of Moldova
to the Council of Europe

No. 443.83/2-433

Strasbourg, 28 August 2012

Dear Secretary General,

With regard to your letter of 23 February 2012 concerning the candidates for the position of judge to the European Court of Human Rights in respect of the Republic of Moldova, I have the honour to submit the list of three candidates, as follow:

Mr. Mihail BURUIANĂ
Mr. Valeriu GRIȚCO
Mr. Vladimir GROSU

The detailed curricula of these candidates, as well as the information on the national selection procedure are also enclosed herewith.

At the same time, I would like to inform the Parliamentary Assembly that on 17 July 2012, the authorities of the Republic of Moldova have asked for the opinion of the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights in accordance with the Resolution CM/Res (2010)26 of the Committee of Ministers.

Given that the opinion of Advisory Panel has not been provided as yet, the authorities of my country rely on the Parliamentary Assembly Sub-Committee on the Election of Judges to the European Court of Human Rights decision whether to consider the examination of the submitted list of candidates in respect of the Republic of Moldova.

Please do not hesitate to let me know if any additional queries.

Sincerely Yours,

Tatiana PÂRVU
Ambassador, Permanent Representative

Mr. Wojciech SAWICKI
Secretary General of the Parliamentary Assembly of the Council of Europe
Strasbourg

Encl.

The description of the proceedings (p. 4.2 Resolution 1646 (2009))

The procedure of the selection of candidates at the national level started after the receipt of the official notification of the Parliamentary Assembly of the Council of Europe by elaborating the required national legal framework. This process was conditioned *inter alia* by the adoption by the Committee of Ministers on 28 March 2012 at the 1138th meeting of the Ministers' Deputies of the [Guidelines CM \(2012\)40 final](#) on the selection of candidates for the post of judge at the European Court of Human Rights, as well as its [Explanatory Memorandum](#).

[Government's Decision no. 276](#) concerning the setting up of *Ad-hoc Governmental Commission on selecting the candidates for the post of judge at ECHR* (hereafter 'the Commission') and the *Special Regulation* (hereafter 'the Regulation') *on procedure for eliciting applications* was adopted, both documents reflecting the Guidelines and Explanatory Memorandum.

The Regulations and the Commission's composition were largely disseminated through the Official Gazette and official web-database of the Ministry of Justice. Civil society has also been involved in the decision-making process.

The Commission consisted of 17 notorious persons, representing all competent national authorities and institutions, academic staff, civil society. Thus, it included the representatives of:

The Government: (1) Minister of Justice; (2) Secretary General of the Government; (3) Deputy Minister of Foreign Affairs and European Integration; (4) acting Governmental Agent to the ECHR; (5) head of the Legal Drafting General Division from the Ministry of Justice;

The Parliament: (6) Vice-president of the Parliament, Member of Parliament, head of the national delegation to PACE; (7) Vice-president of the Commission for legal affairs, nominations and immunities, MP; (8) Secretary of the Commission for legal affairs, nominations and immunities, MP; (9) one member of the Parliament;

The President of the Republic of Moldova: (10) Secretary General of the President's Office;

The Supreme Court of Justice: (11) President of the Supreme Court of Justice, ex-judge to the European Court of Human Rights in respect of the Republic of Moldova;

The Supreme Council of Magistrates: (12) Member of the Supreme Council of Magistrates, judge of the Supreme Court of Justice;

The General Prosecutor Office: (13) Deputy General Prosecutor;

The Ombudsman Office: (14) Director of the Centre for Human Rights, Ombudsman;

The Bar Association: (15) President of Bar Association;

The Academic Staff: (16) Dr.hab, professor in law at the State University of the Republic of Moldova, who is also part-time Director of NGO that promotes the judicial reforms in the Republic of Moldova;

The Civil Society: (17) President of the National Participation Council, Director of Resource Centre for Human Rights (CReDO, Moldovan NGO).

According to the Regulation, all members of the Commission were equal in their opinion and votes to be casted, each of them having had the right to a dissenting opinion. The Regulation provides in detail the proceedings, methodology, competences, deadlines within the national selection procedure.

The selection procedure encompassed three stages: (i) call for candidates, (ii) shortlisting, (iii) written test and interview.

Potential candidates were called to submit their applications during one month time. The public call for the potential candidates, accompanied by a description of the relevant criteria and the required documents was largely disseminated via the Official Gazette, mass-media, official web-sites of the Moldovan diplomatic missions and the [official web-page](#) of the Ministry of Justice.

[Nine candidates](#) applied for the selection, all of them being [shortlisted](#) for the next stage. The meetings of the Commission were conducted in the most transparent way, each meeting being [announced in advance](#). The first meeting of the Commission was video recorded and [broadcasted](#). Consequently, the press was allowed to reflect the following stages of the selection procedure.

In addition to that, the Commission accepted the written request of the female candidate on the matter of postponing the next selection stage. The members of the Commission emphasized that the request had been lodged by the sole female candidate and acceding to it implied securing gender equality principle and fair access to the selection proceedings. Given that particular situation, the Commission asked and obtained the favourable decision of the Government on the extension of the selection procedure in order to allow the sole female candidate to attend the written test and the interview.

Even though all nine candidates have been invited, only eight of them (7 male and 1 female) attended the final stage of the selection procedure, which included written test and interview. Written test assessed the candidates' knowledge of the European Convention and the European Court of Human Rights case-law. Candidates were asked to answer three questions in writing, inclusively to give their solution to a practical case. Subsequently, the answers were examined and rated by the members of the Commission in respect of every candidate individually. To be noted that the candidates' names were encoded (Commission' members not knowing to which candidate written answers belonged to) in order to ensure the objective and fair evaluation.

The interviews were held individually by questioning every candidate in front of the members of the Commission. Also, two by two interpreters from English and French languages (two university professors and two licensed interpreters) were present during the interview. They tested the candidates' language proficiency in both official languages of the Council of Europe. The candidates were invited to read and recall a text in every language and to hold a short conversation. That conversation was also aimed for testing and evaluating their knowledge of the Convention and their professional capacities. The substance of the candidates' answers was assessed by the members of the Commission, while the level of their language proficiency was evaluated by the interpreters. Similarly, each of the members of the Commission marked the interview results in respect of every candidate.

The national selection procedure was won by the first three candidates who obtained the biggest grades. The evaluation and grades of all candidates, the list of three selected candidates accompanied by their CVs were [published](#) on the web-site of the Ministry of Justice. In addition, every candidate has still the right to check his/her own results of evaluation.

Consequently, the Government approved the results of the selection procedure and upheld the list of three selected candidates by the [Decision no. 514 of 18 July 2012](#).

Description of the list of candidates (p. 4.3, 4.4, [Resolution 1646 \(2009\)](#))

All three candidates proposed to the Parliamentary Assembly, proved their language proficiency by having been tested for this purpose during the domestic selection proceedings.

Each of the nominated candidates, if elected, will not compel a necessity to appoint an *ad-hoc* judge afterwards. All candidates have declared that they do not have any pending applications before the European Court, neither as an applicant nor as a representative. The third in the list candidate, although was the Governmental Agent in the past, has been withdrawn from this office more than a year ago. According to the Government's estimation, a number of cases in which he was involved have already and essentially diminished and it will decrease to nil on the time the candidate, if elected, would be vested in office.

Concerning the *ad-hoc* judges, to be mentioned that the Government has already appointed an *ad-hoc* judge from the list of active judges of the ECHR and is ready to do so in the future for the avoidance of nominating *ad-hoc* judges from outside the Court's actual composition.

Being well aware of the requirement of gender balanced composition of the list of candidates, the Government presents the single sex list considering the special circumstances, thus having with exception to the paragraph 4 of the Parliamentary Assembly's [Resolution 1366 \(2004\)](#), as modified by [Resolutions 1426 \(2005\)](#), [1627 \(2008\)](#) and [1841 \(2011\)](#) and to the [decision](#) adopted on this subject by the Ministers' Deputies at their 593rd meeting on 27-28 May 1997.

As it might be reasonably inferred from the above description of selection proceedings, any potential female candidates had equal opportunity to submit their applications and access the stages of the proceedings (when *calling the candidates* and all through their *selection*). The selection procedure was public and subjected at large to mass-media and civil society scrutiny. Above all, the sole female candidate attended the selection procedure on equal basis and upon her particular request for postponing the process, the

proceedings were amended at once. At the same time, the Commission's composition was in itself representative (5 out of 17 members were women; p. 5 of [Resolution 1646 \(2009\)](#)).

The evaluation of candidates according to eligibility criteria under Article 21 of the Convention, revealed that the present three candidates fit better to the requirements of compatibility and professional experience for being proposed to the Parliamentary Assembly, compared with the eligibility of the sole female candidate ([similarly with the recent election of Belgian candidates](#)).

Furthermore, while selecting, the Commission gave priority to the assessment of potential candidates according to their professional capacities. By submission of the single sex list of candidates, the Government aimed to offer the Parliamentary Assembly a real choice among equal candidates and to facilitate comparison between them (p. 2 of [Resolution 1646 \(2009\)](#), p. 6 of [Information document prepared by the Secretariat of Parliamentary Assembly \(AS/Jur/Inf \(2011\) 02 rev 4 of 27 October 2011\)](#)), without causing appearance of self-evident disproportion by including one female candidate, who would be virtually less compatible from the professional point of view.

Finally, it was taken into consideration that the Court's composition among the present judges is gender balanced. Accordingly, the Republic of Moldova single sex list of candidates would not distort the principle of gender balance.

Mihail BURUIANĂ**CURRICULUM VITAE*****I. Personal details**

Name, forename BURUIANĂ, Mihail
 Sex Male
 Date and place of birth 16 September 1963, Zimbreni, Republic of Moldova
 Nationality/ies Republic of Moldova

II. Education and academic and other qualifications

2004 Master of Law (LL.M.), Harvard Law School, Cambridge, Massachusetts, USA;
 1996 Master of Law (LL.M.), University of Regensburg, Germany;
 1991 Diploma in Law (distinction), State University of Moldova, Republic of Moldova.

III. Relevant professional activities**a. Description of judicial activities**

N/a

b. Description of non-judicial legal activities

August 1991-date Lecturer at law, Faculty of Law, State University of Moldova: teaching the courses of Private International Law (undergraduate studies), Institutional Law of the European Union (undergraduate studies), International Economic Law (postgraduate studies), International Arbitration (undergraduate and postgraduate studies); coordinating students' annual and final theses;

1996-date Attorney at law, admitted to Moldovan Bar in 1996; Partner, *Buruiana & Partners* Law Firm, Chisinau: specialised in the areas of international law, civil and commercial law, and national and international human rights law;

1997-date Arbitrator, Court of International Arbitration of the Chamber of Commerce and Industry of the Republic of Moldova; Arbitrated many cases under the Arbitration Rules of the said Court; Member of the drafting committee on the Law on International Commercial Arbitration (effective 20.06.2008) and Law on Arbitration (effective 20.05.2008);

2010-date Member of the ICSID Panels of Conciliators and Arbitrators;

2007-date National Correspondent, CLOUT, UNCITRAL;

December 2011-January 2012 Gastwissenschaftler, Faculty of Law, University of Hamburg and Max Planck Institute for Comparative and International Private Law, Hamburg, Germany;

2009-2010 academic year Visiting, Faculty of Law, University of Oxford (Jesus College), Oxford, United Kingdom;

2004-2005 academic year Visiting Researcher, Harvard Law School, Cambridge, Massachusetts;

* Underlined text indicates posts or missions held at present.

September-December 2002	Visiting Scholar, George Washington University, Washington, D.C.;
August 1996-April 2002	Legal Expert and Manager, Project " <i>Reform of Economic Legislation</i> ", Chisinau, Moldova; Coordinated the drafting commission on the new Civil Code of the Republic of Moldova (effective 12 June 2003). Participated in drafting the Insolvency Law, Pledge Law, Law on Limited Liability Companies and other draft laws of the Republic of Moldova;
December 2001-January 2002	Consultant, TACIS Project " <i>Reform of the Notary System in Kazakhstan</i> "; Provided consultancy and expertise on the draft Statute on Notaries of the Republic of Kazakhstan;
October 1997-October 1999	Legal Expert, Secured Transactions Project for Moldova, implemented by the European Bank for Reconstruction and Development (EBRD), London; Provided assistance to the Ministry of Justice of the Republic of Moldova to set up the Pledge Registry.

c. Description of non-legal professional activities

August 1996-April 2002	Manager, Project " <i>Reform of Economic Legislation</i> " (an intergovernmental project), Chisinau, Republic of Moldova.
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IV. Activities and experience in the field of human rights

1996-date	<u>Attorney at law</u> : advising clients on various human rights law issues; issuing legal opinions on matters pertaining to property rights, employment standards, personal data protection, administrative law, international law;
2000-date	<u>Founding Member</u> and Chairman (2000-2009) of Moldovan Chapter of Transparency International: sustaining the transparency and anticorruption policies;
From the beginning of the 1990s to date	Participating at various seminars and training courses on human rights. Delivering presentations at conferences and colloquies on human rights law;
1996-2002	Member of the drafting commission on the new Civil Code: co-authored the chapter on "Certain personality rights". The draft chapter was accepted by the Parliament in the first reading, but eventually dropped from the Civil Code in the last reading;
1997 and 1999	Lecturer at law, assisted and accompanied the team of the State University of Moldova to <i>René Cassin</i> European Human Rights Moot Court Competition, Strasbourg;
April-June 1996	Intern, European Court of Human Rights.

V. Public activities

None

VI. Other activities

2000-date	<u>Member</u> of Transparency International-Moldova (transparency, anticorruption); Chairman, Transparency International-Moldova (2000-2009); non-remunerated activity;
2011-date	<u>Member</u> of the European Law Institute;

2007-2009	Member of the qualification committee of the Bar of the Republic of Moldova;
2002-2003	Member of the consultative scientific council of the Supreme Court of Justice of the Republic of Moldova.

VII. Publications and other works

The handbook for judges deciding civil cases (*Manualul judecătorului la examinarea pricinilor civile*), Cartdidact, Chisinau, 2006; Co-author;

Commentary on the Civil Code of Moldova (*Comentariul Codului civil al Republicii Moldova*), Volume II, Arc, Chisinau, 2006; Co-editor and co-author;

Commentary on the Civil Code of Moldova (*Comentariul Codului civil al Republicii Moldova*), Volume I, Arc, Chisinau, 2005; Co-editor and co-author;

11 articles on topics related to Law Reform in Moldova (published during 1997–2002), as well as on Private International Law (2005–2008), published in law reviews in Moldova (1997–2008). 2 articles published in law reviews in Germany;

“Moldovan Law on National Securities Commission - An Overview”, co-author, “Law in Transition” (Spring 1999), EBRD, London;

“Registration of Pledges under the Pledge Law of the Republic of Moldova of 23 May 1996”, co-authored with John L. Simpson and Joachim E. Menze, EBRD, 1998.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– Romanian	X			X			X		
<i>b. Official languages:</i>									
– English	X			X			X		
– French	X			X			X		
<i>c. Other languages:</i>									
– Russian	X			X			X		
– German	X			X			X		

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

Not applicable.

X. Other relevant information

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

Court.

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

Valeriu GRIȚCO

CURRICULUM VITAE*

I. Personal details

Name, forename	GRIȚCO, Valeriu
Sex	Male
Date and place of birth	22 February 1959, Mindic village, Donduseni district, Republic of Moldova
Nationality/ies	Republic of Moldova ; Romania

II. Education and academic and other qualifications

2002, August-December	Stage at the National Association of Securities Dealers, organized by the International Research & Exchange Board under the aegis of the United States Department of State, Washington D.C., USA. The stage was focused on the research regarding the legal regulation of the securities market in the USA
2001, April	Stage at the Central Officials Training Institute within the Government of the Republic of Korea, organized by the Korea International Cooperation Agency, Seoul, Republic of Korea. The stage was focused on the legal regulation of the Public Information Management and use of IT-technologies within
1987	Obtaining the degree of Ph.D. in Law at the All-Union Scientific Research Institute of Soviet Legislation of the USSR Ministry of Justice, Moscow, Russian Federation
1983 – 1986	Doctorate in Law and post-graduate studies at the All-Union Scientific Research Institute of Soviet Legislation of the USSR Ministry of Justice, Moscow, Russian Federation
1980	Law degree, qualified as jurist, Diploma with Honours, State University of Moldova
1975 – 1980	State University of Moldova, Law Department

III. Relevant professional activities**a. Description of judicial activities**

1990 – 1991	Judge of Buiucani Court, Chisinau
1987 – 1990	Judge of Centru Court, Chisinau

b. Description of non-judicial legal activities

1991 – to date	<u>Lawyer, member of the Bar Association of the Republic of Moldova, and legal activity as lawyer in civil and criminal proceedings at judicial instances of all levels</u>
2006 – 2010	Legal advisor of the KWS SAAT AG company (Germany) and representation of its interests in front of judicial and other official bodies of all levels
1999 – 2001	Legal advisor of the Bank Credit Commercial de France (France) which as an Investment bank was the Consultant of the Government of the Republic of Moldova in the privatization of the Regional electricity distribution companies
1998 – 1999	Legal advisor of the European Bank for Reconstruction and Development regarding the <i>Giurgiulesti</i> Oil Terminal Construction Project in Moldova
1995 – 2004	Legal consultant of the Law Firm "Baker & McKenzie" (USA) in the

* Underlined text indicates posts or missions held at present.

	matters related to the legislation of the Republic of Moldova
1994 – 2000	Legal advisor of the World Bank Country Office in the Republic of Moldova
1994 – 1997	Legal advisor of the United States of America Embassy in the Republic of Moldova
1980 – 1983, 1986 – 1987	Lecturer at the Chair of Civil and Civil Procedure Law of State University of Moldova, Law Department

c. Description of non-legal professional activities

1997 – to date	Chairman of the Board of Trustees of the “ <i>Suprematia Legii</i> ” (“The Rule of Law”) Juridical Society that represents the Rule of Law Foundation, Washington D.C., USA. It was the first non-governmental organization in the Republic of Moldova created with the purposes to promote the values of human rights and use of IT-technologies to assure the exchange of information in this field as well as concerning the implementation of the rule of law principles taking into account the experience of the United States and European countries. The activity of the “ <i>Suprematia Legii</i> ” Juridical Society was supported by the United States Department of State
1998, July-August	Participant in the Community Connections Program which offers practical training opportunities in the United States of America for different specialists, including legal practitioners from the former soviet republics. The program is carried out under the aegis of the United States Department of State

IV. Activities and experience in the field of human rights

1991 – present	The use of the European Convention on Human Rights as well as the relevant international legislation and European Court of Human Rights jurisprudence in judicial proceedings
1996 – 2012	Various participations at seminars, conferences and meetings organized within the Council of Europe with topics related to the well-functioning of advocacy, system of justice and protection of human rights

V. Public activities

None

VI. Other activities

2007 – present	Member of the Board of the Bar Association of the Republic of Moldova
2005 – present	Member of the Scientific Advisory Board of the Supreme Court of Justice of the Republic of Moldova
2003 – 2007	Vice-president of the Bar Association of the Republic of Moldova
1999 – 2003	Chairman of the Qualification Commission of the Bar Association of the Republic of Moldova
1992 – 1995	Member of permanent Commission of the Parliament of the Republic of Moldova for implementation of the Concept of the Legislation’s Reform

VII. Publications and other works

Methodical manual on the Civil Law Study (Co-authored), Universitas, Chisinau, 1981
Commentary on the Civil Procedure Code of Moldova (Co-authored), Universitas, Chisinau, 1992
Articles regarding legal aspects of private entrepreneurship

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– Romanian	X			X			X		
<i>b. Official languages:</i>									
– English	X			X			X		
– French	X				X			X	
<i>c. Other languages:</i>									
– Russian	X			X			X		

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

In the event that I do not meet the level of language proficiency required for the post of judge in an official language, I hereby confirm my intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, my term of duty if elected a judge on the Court

X. Other relevant information

Married, one daughter

Computer literacy : MS Office

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

I confirm that I will take up permanent residence in Strasbourg if elected as judge at the European Court

Vladimir GROSU

CURRICULUM VITAE*

I. Personal details

Name, forename	GROSU, Vladimir
Sex	Male
Date and place of birth	21 June 1975, Chisinau, Republic of Moldova
Nationality/ies	Republic of Moldova

II. Education and academic and other qualifications

2006	Associate Professor of Law
2003	Doctor Degree in Law, Moldova State University, Chisinau. Republic of Moldova
1999-2000	Master's degree in Law, Moldova State University. Chisinau, Republic of Moldova.
1992-1997	License degree in Law (specialization: International Law), Law Faculty, Moldova State University, Chisinau, Republic of Moldova

The most important international trainings:

February 2011	Attended the seminar on " <i>The independence of judges and prosecutors: perspectives and challenges</i> ", held in Trieste. MIB School of Management. (LJNIDEM CAMPUS, Legal Training for Civil Servants. Venice Commission)
October 2008	Attended the international cycle of specialization in public administration " <i>Pratique de la negociation diplomatique</i> " (<i>Diplomatic negotiation practice</i>), held in Paris, Ecole Nationale d'Administration, France.
October-November 2006	Participated at an international workshop on " <i>Intellectual Property System in developing countries</i> ". Qingdao. China
September 2003	Training for law professors in the universities and other legal bodies of State of Minnesota. USA (Supreme Court of Minnesota, Federal District Court. University of State of Minnesota, University of State of Minnesota Human Rights Center, Domestic violence preventing center, W.Mitchell Law school, etc.)
March-July 2000	Training and studies for law professors at the Bordeaux IV University (France), Public University of Navarra (Pamplona, Spain), Comparative Law Institute (Paris, France)

III. Relevant professional activities**a. Description of judicial activities**

n/a

b. Description of non-judicial legal activities

June 2011 to date	<u>Vice-minister of Justice of the Republic of Moldova</u> ; representation of the Government before the Constitutional Court, participation at drafting and presentation in the Parliament of many legal acts (ex. <i>Law on special operative measures</i> - in order to enforce <i>lordachi and others v. Moldova</i> judgment, amendments to the Civil Procedure Code, amendments to the Criminal Procedure Code, Law no. 87 -
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* Underlined text indicates posts or missions held at present.

institution of national remedies for 'length of procedure' and 'non(late)-enforcement' cases, in order to enforce *Olaru and others v. Moldova* pilot judgment etc.).

December 2006 - June 2011	Agent for the Government of the Republic of Moldova before the European Court of Human Rights (representation of the Government before the ECHR. enforcement of ECHR judgments and decisions, including through the regular contacts with the Execution Service of the CM of the CoE etc.);
August 1997 - to date	<u>Associate Professor of Law</u> (lecturer - 1998-2006, assistant-lecturer - 1997-1998)) teaching Criminal law, Comparative criminal Law and International Criminal law. Law Faculty of Moldova State University;
March 2006 - December 2006	Director. Department of Copyright and related rights. State Agency on Intellectual Property of Republic of Moldova;
August 2004 - March 2006	Deputy-Dean, Law Faculty, Moldova State University;
October 2003 - November 2004	Lawyer at "Subervin"SRL (Negotiation and making up of contracts, legal assistance in business; representation in the courts of all levels (tribunals, supreme court), before public administration bodies etc.)).
August 2001 - August 2003	Head of the Legal Department, S.A."Euromor (Negotiation and making up of contracts; registration of enterprises at state bodies and drawing up of foundation documents (charter of the company, contract of constitution); legal assistance in business; assistance to foreign citizens in registration at competent state bodies (migration department etc.), representation in the courts of all levels (tribunals, supreme court), before fiscal bodies, public administration bodies etc.)
October 1999 - March 2000	Head of the Legal Department, "Chisinau-Gaz"S.R.L. (Negotiation and making up of contracts, legal assistance in business; representation in the courts of all levels (tribunals, supreme court), public administration bodies etc.)).
October 1997 - October 1999	Lawyer at "Moldova-Gaz"S.A. (Negotiation and making up of contracts, legal assistance in business; representation in the courts of all levels (tribunals, supreme court), public administration bodies etc.)).
October 1996 - October 1997	legal adviser at Botanica district Court, Chisinau, Rep. of Moldova (preparation of the Court hearings, selection and analysis of materials and legal texts for considering the cases, analysis of the case-law. drawing up of the minutes during court sessions etc.);

c. Description of non-legal professional activities

2007 - to date	<u>Member of the Qualification body of judges by the Superior Council of Magistrates</u> (assessment of the level of qualification of judges, promotion or transfer of judges in other courts etc.);
2007 - to date	<u>Formateur, National Institute of Justice</u> (presentation of communications to judges and prosecutors on different legal issues, especially on human rights and ECHR case-law issues);
2008 – 2010	Member of the Scientific Council by the Constitutional Court of the Rep. Moldova.

IV. Activities and experience in the field of human rights

December 2006 - June 2011	Agent for the Government of the Rep. of Moldova before the European Court of Human Rights;
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2007 - to date	<u>Formateur, National Institute of Justice</u> (presentation of communications to judges and prosecutors on different legal issues, especially on human rights and ECHR case-law issues);
2011-2012	Head of delegation of the Rep. of Moldova in the framework of the "Dialogue on human rights" - format of discussions and changes of opinions with the EU counterparts regarding the evolution of the human rights situation in the Rep. of Moldova;
October 2011, March 2012	Head of delegation of the Rep. of Moldova sustaining the country report on human rights in the framework of the Universal Periodic Review process (UPR). Human Rights Council. United Nations (country report approved by the HRC)
April 2011	Head of delegation of the Rep. of Moldova at the High Level Conference « The future of the ECHR », Izmir, Turkey;
February 2010	Member of the delegation of the Rep. of Moldova at the High-level Conference «The future of the ECHR », Interlaken, Switzerland;
November 2009	Member of the delegation of the Rep. of Moldova, presentation of the country report on the respect of human rights for the period 2003-2009, 43 rd session, Committee against torture, UN; Geneva, Switzerland;
2007-2011	Expert. Steering Committee for Human Rights (CD-DH) and the Committee of Experts for the improvement of procedures for the protection of human rights (DH-PR). CoE;
2007-2011	Member of the governmental committee for supervising the enforcement of the ECtHR judgments (hearing of the competent authorities responsible for the enforcement of the ECtHR judgments, urging national authorities to undertake necessary measures of general and individual character, recommendation/direction of concrete measures etc.);
2004 – 2005	Expert. Institute for Penal Reform, project " <i>The respect of the rights of under aged people in detention. The Implementation of the Code of criminal penalties</i> ".

V. Public activities

a. Public office

June 2011 – to date	<u>Vice-Minister of Justice of the Republic of Moldova;</u>
December 2006 – June 2011	Agent for the Government of the Republic of Moldova before the European Court of Human Rights;

b. Elected posts

n/a

c. Posts held in a political party or movement

n/a

VI. Other activities

2011 - to date	<u>Member of the Moldovan team mandated to negotiate the Association Agreement with the EU delegation;</u>
2011 – to date	<u>Head of the working group, mandated to discuss with the Transnistrian Representatives issues related to civil status acts;</u>

2007, 2008	Chairperson of the admission committee to the National Institute of Justice;
Permanent	Participation at numerous human rights, civil society related events (courses, seminars, round tables)

VII. Publications and other works

16 publications (including co-author of two textbooks on Criminal Law) on the topics: *Civil and Criminal liability in the Republic of Moldova*, *Corporate criminal liability in the Draft Criminal Code of Republic of Moldova*; *Corporate criminal liability - criminological and criminal policy view*; *The Defendant and Criminal Law* etc. Recently, together with other co-authors, I finished the drafting of the 2nd edition of the textbook "*Criminal Law. General Part.*", to be published in 2012.

List of the most significant publications

V.Grosu, S.Botnaru, M.Grama, A.Savga " *Criminal Law. General Part.*" Chişinău 2005.

V.Grosu, S.Brînză, V.Stati, X.Ulianovschi "*Criminal Law. Special Part.*" Chişinău 2005.

V.Grosu, *Legal entity and the problem of the defendant in criminal law* / Revista naţională de drept.-2001.-Nr.3 (6).- P.32-34. 2001, p.276-278.

V.Grosu, *Legal entity and the criminal sanction* // Revista naţională de drept.-2002.-Nr.4 (19). P.37-44.

V.Grosu, *Criminal and civil liability in the Republic of Moldova: current status* //Analele ştiinţific ale Universităţii de Stat din Moldova. Seria „Ştiinţe socioumanistice”. Vol.I.- Chişinău: CE USM,

V.Grosu, *Toward a universal criminal jurisdiction* //Analele ştiinţifice ale Universităţii de Stat din Moldova. Seria „Ştiinţe socioumanistice”. Vol.I.- Chişinău: CE USM, 2002, p.197-201.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i>									
– Romanian	X			X			X		
<i>b. Official languages:</i>									
– English	X				X		X		
– French	X			X			X		
<i>c. Other languages:</i>									
– Russian	X			X	X		X		
– Spanish		X				X			X

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I, hereby, confirm my availability if there would be the case and it also would be of a great pleasure for me to improve my knowledge of requested language in this way.

X. Other relevant information

Married, two children

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

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

List and curricula vitae of candidates submitted by the Government of the Russian Federation

PERMANENT MISSION
OF THE RUSSIAN FEDERATION
TO THE COUNCIL OF EUROPE

75, allée de la Robertsau,
F-67000 STRASBOURG
Tél. (+33) (0) 3 88 24 20 15
Fax (+33) (0) 3 88 24 19 74

Mr Wojciech SAWICKI
Secretary General of the Parliamentary Assembly
of the Council of Europe

Strasbourg, August 2, 2012

Dear Mr. Sawicki,

Following your letter dated 22 June 2012, I have the honour to forward herewith the curricula vitae of Ms Olga VEDERNIKOVA, Judge of the Supreme Court of the Russian Federation, who replaces Ms Liudmila NOVOSYOLOVA in the list of candidates seeking election to the European Court of Human Rights in respect of the Russian Federation.

Alexander ALEKSEEV
Ambassador,
Permanent Representative

Strasbourg, 22 June 2012

Dear Ambassador,

I would like to inform you that, on 20 June 2012, I received a letter from Ms Lyudmila Novosyolova informing me that she has decided to withdraw her candidacy for the post of judge at the European Court of Human Rights in respect of the Russian Federation.

In these circumstances, and in accordance with the Assembly's applicable rules (Appendix to Resolution 1432 (2005), paragraph 2), which stipulates that the Assembly must interrupt the procedure if one of the candidates on a list withdraws before the first ballot, I would be grateful if you could ask your Government to put forward the name of a third candidate so as to complete the list. This should reach me by 17 August 2012 in order to allow the Assembly to proceed to the election of a judge in respect of the Russian Federation during the Assembly's fourth part-session (1-5 October 2012).

Yours sincerely,

Wojciech Sawicki

Mr Alexander ALEKSEEV
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Russian Federation
to the Council of Europe
75 allée de la Robertsau
67000 STRASBOURG

PERMANENT MISSION
OF THE RUSSIAN FEDERATION
TO THE COUNCIL OF EUROPE

75, allée de la Robertsau, F-67000

STRASBOURG

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24 19 74

Mr Wojciech SAWICKI
Secretary General of the Parliamentary Assembly
of the Council of Europe

Strasbourg, 12 April 2012

Dear Mr Sawicki,

Following your letter dated 30 June 2011, I have the honour to forward herewith the list and the curricula vitae of the following candidates seeking election to the European Court of Human Rights chosen by my Government:

Mr Andrei BUSHEV, Associate Professor at the Business Law Department of the St. Petersburg State University;

Mr Dmitry DEDOV, Judge at the Supreme Commercial Court of the Russian Federation;

Ms Liudmila NOVOSYOLOVA, Judge at the Supreme Commercial Court of the Russian Federation.

I would be grateful to you if the interviews with the candidates by the Sub-Committee on the Election of Judges to the Court could be scheduled for 15 June 2012.

Alexander ALEKSEEV
Ambassador, Permanent Representative

Russian procedure of national selection of candidates seeking election to the ECHR

Following the instruction of the President of the Russian Federation of 24 May 2011 no. Pr-1474 the legal basis for the national selection of candidates for the post of judge of the European Court of Human Rights from the Russian Federation was set up by the two acts of the Ministry of Justice of the Russian Federation which outlined the overall sequence of the selection procedure and defined the bodies involved in it. Besides, these acts made specific references to the relevant provisions of the Convention, as well as to the resolutions and recommendations of the Parliamentary Assembly which set the criteria to be taken into consideration in course of the selection procedure.

A public call for candidatures was made on 1 July 2011 through the specialized press, *i.e.* *Rossiyskaya gazeta*, the daily federal newspaper which is the source of the official publication of all the laws and subordinate acts on the whole territory of the Russian Federation. Furthermore, the relevant information materials were simultaneously published on the website of the Ministry of Justice of the Russian Federation (www.minjust.ru).

A call for applications described not only the qualifications required but the details of the selection procedure as well, so that the public could learn in advance all appropriate data regarding the organization of the selection.

The information concerning the beginning of the national selection, which had been initially published in *Rossiyskaya gazeta* and on the website of the Ministry of Justice, was promptly disseminated by the other mass media. Therefore, the nomination process was widely known in the professional and academic circles among the potentially suitable candidates.

As the competition was open to public, anyone interested could take part in it by submitting the documents indicated in the call for applications until 1 August 2011. When applying for taking part in the contest, the candidates were asked to present documents proving that they possessed qualifications required, *inter alia*:

- curriculum vitae in Russian as well as one of the two official languages of the Council of Europe (Appendix to Parliamentary Assembly Resolution 1646 (2009));
- documents confirming the candidates' education, qualification and practical experience (certificate of degree, PhD diploma, service record, etc.) which could allow the commission to consider the applicants' professional competence and their potential if elected to the post of judge at the European Court.

No excessive requirements as to the list of the necessary documents were established. No official certification or apostille were required.

The initial examination of the candidates' applications was entrusted to the Competition commission composed of 9 members: 4 representatives from the Russian Ministry of Justice, 3 representatives from the Ministry of Foreign Affairs, 1 representative of the All-Russian Non-Commercial Organization "Association of Lawyers of Russia" and 1 professor of the European Studies Institute at the Moscow State Institute of Foreign Relations, *i.e.* the officials and independent experts with relevant proficiency in international law and human rights.

13 candidates applied. The Commission, at its first meeting on 16 August 2011, having examined the documents submitted by the candidates with view to the requirements set out by the Convention and the relevant Parliamentary Assembly resolutions and recommendations, short-listed 10 of them and assigned the date of its second meeting when personal interviews, also including language assessment, were to be held. The rejected 3 candidates obviously did not meet the established requirements as they did not possess a thorough experience in legal profession. Therefore, the Commission decided not to interview them.

At the second meeting of the Commission, the applicants were asked to translate an extract from a random European Court's judgment within a certain time-limit and were subsequently personally interviewed by the members of the Commission in English or French on issues relating to their legal experience and knowledge of the Convention. During this meeting the Commission was also assisted by 2 professional translators from the Russian Diplomatic Academy. In assessing the candidates' language abilities the Commission sought to assure that the shortlisted persons possessed a very good knowledge of at least one of the official languages of the Council of Europe.

As a result of the personal interviews during which the professional capacity and language skills of the 10 candidates were evaluated with view to the requirements established by the Convention and the Parliamentary Assembly resolutions and recommendations, the Competition commission finalized a list containing 6 names of the applicants whose candidatures seemed to correspond best to the functions of the post.

A shortlist containing the said 6 candidates was then approved by the Interdepartmental Commission at its meeting on 29 September 2011 and then forwarded to the President of the Russian Federation, who

chose on 7 February 2012 the final 3 among them to be presented to the Advisory Panel of Experts and to the Parliamentary Assembly: Mr Andrey Bushev, Mr Dmitry Dedov and Ms Lyudmila Novosyolova. The final list of the applicants was made public and widely discussed in the national press.

In all, the Competition commission and other bodies in charge of the selection process assessed the candidates on the basis of the qualifications specified in the Convention and the relevant documents of the Parliamentary Assembly. The described procedure closely followed the requirements established in the Parliamentary Assembly resolutions/recommendations and responded to the principles of democratic procedure, transparency, non-discrimination, fairness and consistency.

Besides, this procedure was described by the Russian authorities in course of the work of the CDDH-SC group in September-January 2011-2012. Furthermore, the Russian selection was referred to, in several key points, as an example of best practice in the Reports of the CDDH-SC and in the Guidelines of the Committee of Ministers on the selection of candidates for the post of judge of the European Court of Human Rights (see document CM(2012)40).

Andrei Yurievitch BUSHEV

CURRICULUM VITAE*

I. Personal details

Name, forename: BUSHEV Andrei Yurievitch
 Sex: male
 Date and place of birth: 12 February, 1966; Leningrad, USSR (currently – St Petersburg, Russia)
 Nationality/ies: Russian

II. Education and academic and other qualifications

- (i) Master of Law (1988), PhD in Law (1997) - Leningrad (St. Petersburg) State University Law Faculty;
- (ii) *professional trainings* both in Russia and abroad on legal and MBA courses, in particular (but not limited to) :
 - Faculty of Law of the University of East Anglia (1999), (ii) University of Leiden (the Netherlands), Institute For East-European Law And Russian Studies - doctoral research devoted to the subject of law and policy in the field of securities regulation in Russia and the CIS (2002-2006),
 - international law firms - Alen&Overy (London, 1994) and Gide Loyrette Nouel (Paris, 1995),
 - multinational corporations - Carlsberg A/S (Helsinki, 1996-2000; Copenhagen, 1999-2000); International Paper Inc. (Memphis, USA, 2009 - 2011),
 - international governmental organisation - International Finance Corporation, the World Bank Group (Moscow, Tbilisi, 2003-2004).

III. Relevant professional activities

a. Description of judicial activities

- Investigator in the military prosecution office (1988-90):
 Compulsory (statutory) military service; Chitinskaya oblast (Siberia): investigation and filing with the court cases vs. suspects, wide range of criminal offences by military staff (thefts, murders, excess of authority, blows causing injuries, illegal operation of armed forces, etc.); cross-examination, detention and other procedural actions, numerous trips and investigations around countries - members of the former USSR.
- European Court of Human Rights, *ad hoc* judge - since October 2009: case of *Neftyanaya Kompaniya Yukos v. Russia*, application no. 14902/04 – before Section 1; case of *Kotov v. Russia*, application no. 54522/00 – before Grand Chamber; in 2010 appointed as an *ad hoc* judge in accordance with Rule 29-1 paragraph 1(b) of the Rules of the Court.

b. Description of non-judicial legal activities

- (i) Academic (since 1996 – present). Associate Professor (since 2000), lecture (1996-2000) at the Business Law Department of the St. Petersburg State University. Lecture /Visiting Professor in many foreign Law schools. Lectures and classes on Comparative Law, International Law, Legal Methodology, Business Law, Arbitration; Legal Risks Management, Law & Economics, Public Law and Protection of Human Rights.
- (ii) Arbiter in Arbitration Tribunals: Stockholm Chamber of Commerce, *ad hoc* arbiter (since 2010 - present): a dispute with the public authorities on protection of a foreign investor rights; St Petersburg CCI, Leningrad oblast CCI and others (since 1999 - present).
- (iii) Private law practice (last 20 years):

* Underlined text indicates posts or missions held at present.

- senior associate in French (international) law firm branch in St. Petersburg - Gide Loyrette Nouel (1993-1996): Research Studies and Memorandums on Protection of French investors and foreign citizens' rights in Russia, on Evolution of Russian Law in a transition period, litigation;
- a regional general counsel and corporate secretary for multinational corporations, as well as for domestic organizations: Investment project of the European Bank for Reconstruction and Development with Finish company and Danish company in Russia; Investment project of the Belgium company and American company (NYSE) in Russia, etc.; intensive litigation practice in national courts on disputes with public authorities; adaptation of international standards and best practices in legal work to Russia specifics, integration of Russian team of lawyers into international legal environment;
- International Public Organization (2003-2005): a team leader in a regional branch of the International Finance Corporation (member of the World Bank Group), project on corporate governance: Research Studies and trainings on international best practices in risk management, transparency and information disclosure, decision making and control, codes of ethics and behaviour, and the like;

private practise included also counselling on protection of Human Rights and Fundamental Freedoms with a focus on a property right, right to a fair trial, right to life, right to liberty and security, freedom of thought, conscience and religion, freedom of assembly and associations.

- (iv) Membership in professional organizations: member of the scientific group for the Advisory Council to the NW Federal Circuit Commercial Court (Since 1998); member of Association of Corporate Counsels Europe (since 2007).

c. Description of non-legal professional activities

N/A

IV. Activities and experience in the field of human rights

- (i) European Court of Human Rights, *ad hoc* judge - since October 2009: *Yukos* case before Section 1, prepared the dissenting opinion; *Kotov* case before Grand Chamber; in 2010 appointed as an *ad hoc* judge in accordance with Rule 29-1 paragraph 1(b) of the Rules of the Court.
- (ii) Development of criteria for positive obligation of the state: ECHR and the Constitutional Court of RF practice:
 - Lecturing in Russia and abroad on the rights provided by the Convention, as developed by ECHR: Association of Corporate Counsels Europe, Munich, 2007; Law Faculty of the St Petersburg State University, since 2009, University of Incheon, South Korea, 2009; University of Helsinki, Finland 2010, Branch of University of Tartu, Tallinn, 2011; Naples, 2011; Brussels, 2011; Speaker on the Conference by Association of Corporate Counsels and the Constitutional Court of RF, St Petersburg, 2011); Moderator and speaker in the roundtable on the topic of "Universalization of Legal Instruments and Problem of Extraterritoriality of Jurisdictions" at St Petersburg 1st International Legal Forum, May 2011, High School of Economics, St Petersburg, 2012; St Petersburg City Prosecutor office, 2012.
- (iii) Joint Cross-functional Research Project (St Petersburg State University and High School of Economics) on a legal doctrine of the risk management on the base of just and fair allocation of risks in horizontal relationships.
- (iv) TASIC Project No HRRU 9801: Contributor to a manual on protection of the entrepreneurs' property rights and freedoms in the course of bankruptcy in Russia.
- (v) Participation in Judicial Clinic at the Law Faculty of the St Petersburg State University on consulting the population on the issues of protection the Human Rights and Fundamental Freedoms with a focus on a right to education, right to free elections, freedom of movements, property right.

- (vi) Private legal practice (refer to item III sub-item b (iii) above).
- (vii) Scientific publications on the Human Rights related topics: on international public order and international organizations; on non-discrimination on a ground of sex in governing organizations; on striking a balance between minority and majority stockholders, on legal families, etc. (please refer to item VII below).
- (viii) Contributor to scientific opinions for the Constitutional Court of the RF on protection of property rights and striking a balance between private and public interests.
- (ix) Centre For International Legal Studies (CILS), an Honorary Fellow of the Association of Fellows and Legal Scholars.

V. Public activities:

N/A

VI. Other activities

a. Fields: Sport and fitness; Cynology & training; Cross-cultural cooperation.

VII. Publications and other works

Over 60 publications (including abroad) on private and comparative law, development of risk management legal doctrine:

- Monography on legal approach to risk management at financial markets: assessment of legal institutions is based on the criteria for state interference into private relationships, as well as performance of the active obligation by the state in the light of the case law by ECHR and Constitutional Court of RF (2012-2013).
- Articles on the topic of criteria for state interference into private relationships, in Russian and in English (2012 - to be published).
- Chapters in textbooks on Business Law (2001, 2010), Comparative Business Law (2003, 2005, 2012 – work in progress), Housing Law (2006) ; International commercial law (2004); International trade law (2005), Bankruptcy Law (2003, 2011); (Главы в учебных пособиях и учебниках по Коммерческому праву, Коммерческому праву зарубежных стран, Международному коммерческому праву, Международному торговому праву, комментарии к Жилищному кодексу, Закону о несостоятельности (банкротстве)).
- On Fundamentals of risk management in law (Основы управления рисками в праве // Арбитражные споры. 3 (43) 2008).
- *Hans-Joachim Schramm, Andrei Bushev*, Protection of the shareholders through the regulations of the securities markets / Investor Protection in the CIS Legal Reform and Voluntary Harmonization, ed. Rilka Dragneva. Koninklijke Brill NV, Leiden. 2007, 149-192.
- *A. Bushev, V. Popondopulo*. On Striking the Balance of Shareholder Interests During the Consolidation of Shares //Review of Central and East European Law 31 (2006), 259-290.
- *A.Iu. Bushev, D.V. Khohlov and O. Iu Skvortsov*, The Theoretical Underpinnings of Commercial Law: A Russian View on Bankruptcy and Securities // Review of Central and East European Law. Volume 30, # 2-4, (2005).
- Public order in international trade / International trade law. Textbook. Ed. Prof Popondopulo, 2005 (Публичный порядок в сфере международного торгового оборота \ Международное торговое право. Учебное пособие. Под ред. В.Ф. Попондопуло. М., 2005).
- On the issue of legal doctrine of risks // Comprehensive matters of theory and practice in commercial law. V. 5, 2005 (К вопросу о правовой доктрине рисков // Актуальные проблемы науки и практики коммерческого права. Сборник научных статей. Выпуск 5. М., 2005).

- On main Legal Families (Основные правовые системы в сфере коммерческого права \ Юрист и бухгалтер. СПб., 2004. № 1(14). С. 72-77.
- Main concepts of English contract law // Comprehensive issues of theory and practice in commercial law. V. 4 (2002) Основные институты договорного права Англии \ Актуальные проблемы науки и практики коммерческого права. Сборник научных трудов. Выпуск 4. 2002. С. 43-64.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	Fair
<i>a. First language:</i> – Russian.	X"	"	"	X"	"	"	X"	"	"
<i>b. Official languages:</i> – English	X"	"	"	X"	"	"	X"	"	"
– French	"	"	"X	"	"	"	"	"	"
<i>c. Other languages:</i>									

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention to follow intensive language classes of the French language prior to, and if need be also at the beginning of, my term of duty if elected a judge on the Court.

X. Other relevant information

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

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

Dmitry DEDOV

CURRICULUM VITAE

I. Personal details

Name, forename: DEDOV Dmitry
 Sex: Male
 Date and place of birth: 22 February 1967, Zhitomir oblast, USSR
 Nationality/ies: Russian

II. Education and academic and other qualifications

High legal education - 1984-1991 – Moscow State University, Law school,
 Diploma with honours

PhD – 1994 - Moscow State University, Law school, on collective bargaining, labour conflicts and strikes in
 Russia and overseas.

Docent at the Moscow State University since 2004

Doctor of law – 2006- on “principle of proportionality and limitation of economic freedom”.

Professor at the Moscow State University since January, 2011.

Professor at the Center for Transnational Legal Studies, London, since 2010.

III. Relevant professional activities**a. Description of judicial activities**

Judge of the Russian Supreme Commercial Court, since April, 2008.

Supervising over lower courts on all types of civil and administrative cases regarding, inter alia, protection of property rights, commercial reputation, compensation of harm to the environment, retrospective application of law minimizing administrative sanctions for minor offences, administrative disputes between business and state, corporate actions, bankruptcy procedures, protection of right to a fair trial, protection of fair competition.

In general - realizing the task of the Court to protect “human rights in accordance with recognized principles of international law, to protect rights of unlimited number of persons or any other public interests” (Art. 304 of the Russian Procedural Arbitration Code).

b. Description of non-judicial legal activities

- *teaching at* Business law school of the Moscow State University since 1994 on business law, including corporate governance, competition, bankruptcy and labour force, on the European Community law, labour market, protection of economic freedom in court, transnational corporate governance (at the Center for Transnational Legal Studies, London);

- *academic research:*

in the area of philosophy and legal methodology – general principles of law (proportionality, conflict of interests, legal certainty, rule of law, general good, systemic approach, protection of rights against actions influenced by bad faith based on conflict of interests; protection of economic freedom and personal dignity; systemic ties between shareholder value and sustainable development;

when the results of the research were published, conceptions of general good and conflict of interests became very popular among Russian practical and academic lawyers, including legislators;

application of the above academic research as an expert of the Russian Constitutional Court, the Russian Government, and also in the Russian Parliament as a representative of the Russian Supreme Commercial Court;

research and popularization of conceptions of legal state and constitutional economy within the Moscow-Petersburg Philosophy Club

having a personal blog at www.pravo.ru discussing the social order issues (since April, 2011)

Expert at the Russian Constitutional Court and the Russian Government, 2000-2005

membership at the Moscow-Petersburg Philosophy Club

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

1) As an expert at the Constitutional Court of the Russian Federation:

- advised to the Court in relation to wider implementation of general principles of law (i.e. the proportionality principle, the conflict of interest problem and the good administration) into the practice of the court (by providing a legal analysis to the court in connection with concrete cases, including
 - limitation of huge tax penalties to prevent termination of right to provide an economic activity;
 - protection of shareholders' right to their capital investments in connection with mandatory repurchase of shares in Russian biggest oil stock companies (Yukos, TNK-BP, etc.) after «consolidation» of shares by the board of directors – via, inter alia, application of Article 1 of Protocol № 1 to the Convention;
 - protection of a minority shareholder's rights («Priargunskoye» company) to challenge a transaction with conflict of interest in the court;
 - preventing courts from automatic liquidation of a company if the total amount its obligations exceed the book value of its assets (in case of Gusinsky's «Most» company) without checking whether there are evidences of an insolvency of the company and whether its founders are not willing to rescue their business.
 - giving the idea that the public interest to protect cultural values could be violated in connection with proposed construction of Gazprom Tower in Saint Petersburg;

- (as an expert to the Russian Ministry of Economic Development) advised to the Ministry on draft takeover law in public companies and other draft laws to protect minority shareholders, including the corporate government code;

2) As a lawmaker (head of the legislative department at the Russian Supreme Commercial Court)

- realised the principle of good administration in the Tax Code during the reform of tax administration (generated ideas related to taxpayer's procedural rights including the rights to fair and oral hearings, the right of objection which should be seriously considered by the tax authority and the right to appeal to a supervising tax authority; possibility to challenge the decision of authority on the basis of substantial procedural omissions which lead to a wrong decision);
- generated the idea of «pilot judgements» to unload the Presidium of the Court (originally in order to minimise the number of cases brought before the Presidium and to give more powers to committees consisted of three judges to implement the existing positions of the Court in other similar cases, - and ultimately to trigger case law or precedent practice in Russia);
- created standards of the Court in dealing with alleged abusive tax advantages (implemented the concepts of the reasonable economic decision and the real economic activity and the presumption that a tax payer is acting in good faith unless otherwise proved by the tax authority; also the other positions of the EC Court of Justice in this sphere were accepted);
- participated in creating standards of the Court in dealing with transactions violating the public order (implementing idea of violation of general principles of law and constitutional values);
- proposed to integrate a class action procedure into the Russian Arbitration Procedural Code (participated in preparing a draft law) in connection to conflicts in the sphere of corporate law and financial markets;

3) As a judge (wider implementation of the principles of proportionality and legal certainty):

- protection of property rights including the following:
 - protection of business organisations' rights to their principal assets against alienation of property by the state after expiration of up to 20 years period after privatisation and after renovation of old Soviet assets by the companies (the largest investment of about 1 billion US Dollars was made by owners of the Domodedovo airport, the biggest in Europe);

- development of the Court's positions relating to transactions with conflict of interests (using different technics including application of law by analogy) and unlawful takeovers (through the concept of loose of corporate control);
- development of the Court's positions relating to protection of investor's rights (re quality of security provided to bondholders);
- development of the Court's positions relating to violation of public order by arbitration tribunals in property cases (violating third persons' ownership rights and preventing proportional satisfaction of creditors' claims to insolvent company);
- dissent opinions
 - (to develop the rule of law approach in bankruptcy procedures;
 - to protect the reputation of a liquidator who avoided the application of administrative sanctions only due to the expiry of limitation period;
 - to provide a shop owner with legal certainty because the Court upheld the judgment to demolish a shop constructed as a real property without permission of local authority notwithstanding that it was included into the master plan for the city 19 years ago (local administration permitted to create a «temporary building» only);
 - to defend my position that the Russian Federation should be considered as an affiliated person of companies under the state control;
- finding the balance of interests between a successor of the dead partner and the existing partners of a closed corporation;
- finding the balance between the rights of local administration to develop the city parks and a private person' interest to locate a commercial property on the territory of the park;
- to provide compensation (in respect for pecuniary and non-pecuniary damage) to small businesses who lost their property due to unlawful actions or arbitrary decisions of authorities (local administrations, bailiffs, customs offices);

V. Public activities

a. Public office

Head of the Legislation department at the Russian Supreme Commercial Court, 2005-2008

b. Elected posts

none

c. Posts held in a political party or movement

none

VI. Other activities

None.

VII. Publications and other works

About 100 publications, including books on
Legal Method (WoltersKluwer, 2008)
Conflict of Interests (WoltersKluwer, 2004, 2009)
Concept of General Good (Moscow University Press, 2003)
Principle of proportionality and limitation of economic freedom (Jurist, 2002)

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	Fair	very good	good	fair
<i>a. First language:</i>									
– Russian	+"	"	"	+"	"	"	+"	"	"
<i>b. Official languages:</i>									
– English	+"	"	"	+"	"	"	++	"	"
– French	"	++	"	"	+"	"	"	+"	"
<i>c. Other languages:</i>									
– Italian	"	++	"	"	"	+"	"	"	++
– Spanish	"	"	++	"	"	+"	"	"	+"

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm.

X. Other relevant information

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

I confirm.

Olga VEDERNIKOVA

CURRICULUM VITAE

I. Personal details

Name, forename: VEDERNIKOVA Olga
 Sex: female
 Date and place of birth: 2 September 1957, Anzhero-Sudzhensk (USSR)
 Nationality/ies: Russian

II. Education and academic and other qualifications

1980: Law degree, “with distinction”, Tomsk University

1982-1987: Post-graduate course, Moscow State University, Candidate of law degree

1991-92: Course of instruction in American law, The American law center in Moscow under the auspices of Emory University, diploma in American law Emory University (USA) “with distinction”

2002: Doctor of law degree

2008: Professor of criminal law and criminology academic rank

III. Relevant professional activities

a. Description of judicial activities

2009 - present: Judge of the Supreme Court of the Russian Federation, the Judicial Panel on criminal cases

b. Description of non-judicial legal activities

1980-1982: lecturer of criminal law and criminology, Kemerovo State University

1988-1989: lecturer of law, Teacher’s training institute, Moscow

1991 -1992: leading researcher, the department of foreign experience of legal regulation, the Law academy of the Ministry of Justice of the USSR

1992-1998: leading researcher, the department of foreign experience of legal regulation, the Russian law academy of the Ministry of Justice of the Russian Federation

1998-2004: head of the department of criminal and comparative law, the Russian law academy of the Ministry of Justice of the Russian Federation

2004-2006: professor of constitutional, international and European law department, the Russian law academy of the Ministry of Justice of the Russian Federation

2006-2009: professor of criminal law and criminology department, the Russian law academy of the Ministry of Justice of the Russian Federation, the special course “international and foreign criminal law”

2007-2008: Member of the Council of experts for promoting the implementation of the conditions of the United Nations Convention against corruption (2003) and the Criminal law convention on corruption of the Council of Europe (1999), Moscow, Russia

2009 -present: professor of criminal law department at the Moscow State Linguistic University (part-time job)

IV. Activities and experience in the field of human rights

1994: participation in Human Rights Law and Practice Programme, The University of Birmingham, Institute of European law (United Kingdom)

2009 - present: re-examining the inferior criminal court's decisions further to the judgments of the European Court of Human Rights and international law

2009: review of the judicial practice of the Russian Federation on cases, connected with human trafficking, at the anti-human trafficking conference, supported by UNODC and European Council in Ashgabad, Turkmenistan.

2010: report "Legal mechanism of combating torture in Russia" at the meeting of the Chief Justices of the Supreme Courts of the member-states of the Shanghai Cooperation Organization, Dushanbe, Tajikistan

V. Public activities

a. Public office

1990-1991: specialist, the department of international cooperation, Ministry of Justice of the USSR

VI. Other activities

a. Field social

b. Duration 1995-present

c. Functions

member of the Russian Association for Criminology, the Russian Academy of Law Science, International Law Association/Russian Branch, taking part in scientific research, conferences, seminars, publications

VII. Publications and other works

More than 100 publications, devoted to the international, foreign and Russian criminal law and procedure, criminology, criminal justice, domestic and European judicial systems

Books and text-books:

2001: "Theory and practice of combating crime in Great Britain", Moscow;

2005: "Constitutional rights and freedoms in the Russian Federation" (collective work), Moscow;

2006: "International criminal law on combating organized crime, terrorism and corruption (special course of lectures)", Saratov.

2008: "International Criminal Court: Discussions, Problems and Solutions", (collective work), Moscow, European Commission.

2009: "International criminal justice: contemporary problems" (collective work), Moscow, European Commission.

2010: «Course of Russian Criminal Law. General Part» (collective work), Moscow;

2012: «Criminal Procedure Law» (collective work), Moscow.

Articles:

1994: "Problems of Constitutional Jurisprudence and the Formulation of a "Rule of Law" State in Russia (in cooperation with N.T. Vedernikov)" // Saint Louis University Law Journal. – Summer 1994. – Vol. 38, No. 4;

2002: "Problems of combating crime in practice of the European Court of Human Rights" in "Criminal law", No. 3, Moscow;

2004: "Legal positions of the European Court on the problems of human rights protection in the criminal jurisprudence" (contribution) in "Generally recognized principles and norms of the international law in the practice of constitutional jurisprudence", Moscow, 2004;

2011: "The European Court of Human Rights: historical reforms, modern state and unprecedented decisions" in "The State and Law", No 3, Moscow.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<i>a. First language:</i> – Russian	x	"	"	x	"	"	x	"	"
<i>b. Official languages:</i> – English	x	"	"	"	x	"	"x	"	"
– French	"	"	"	"	"	"	"	"	"

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm that I will follow intensive language classes of French prior to, and if need - also at the beginning of my term of duty if elected a judge on the Court.

X. Other relevant information

1994: gratitude from the Council of judges of the Russian Federation for the substantial contribution to the elaboration of the Code of Honour of the judge of the Russian Federation, 1993

2006: winner of award prize of the Russian competition of publications "Stop - corruption - 2006" for the article "Anticorruption policy of Russia: with what we need to begin?" in "Social sciences and modernity", Moscow, 2005, №3

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

I confirm that I will take up permanent residence in Strasbourg if elected a judge at the court