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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Doc. 12346
15 July 2010

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 Estonia, Greece and Portugal

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Contents

Page

List and curricula vitae of candidates submitted by the Government of Estonia 3

Mai HION 10
Allar JÕKS 13
Julia LAFFRANQUE 15

List and curricula vitae of candidates submitted by the Government of Greece 21

Linos-Alexander SICILIANOS 24
Petros STANGOS 30
Maria TSIRLI 43

List and curricula vitae of candidates submitted by the Government of Portugal 47

Anabela Maria Pinto de Miranda Rodrigues 51
João Manuel Da Silva Miguel 65
Paulo Sergio Pinto de Albuquerque 69

Permanent Representation of Estonia
to the Council of Europe

Strasbourg, 29 June 2010
No 1-8.7/536

Dear Mr Sorinas,

With reference to your letter of 12 May 2010 I take great pleasure in forwarding our Foreign Minister, Mr Urmas Paet's letter of 25 June 2010, by which the Government of Estonia submits three candidates for the position of the Estonian judge in the European Court of Human Rights.

Yours sincerely,

Sulev KANNIKE
Ambassador
Permanent Representative

Mr Mateo SORINAS
Secretary General of the
Parliamentary Assembly
Council of Europe
STRASBOURG

ASUTUSESISESEKS KASUTAMISEKS
Märge tehtud 25.06.2010 Välisministeeriumis
Juurdepääsupiirang kehtib kuni 25-06-2015
Alus AvTS § 35 lg 1 p 3

Välisministeerium
Ministry of Foreign Affairs
Republic of Estonia

Mr Mateo Sorinas
Secretary General of the Parliamentary Assembly
Mr Philippe Boillat
Director General for Human Rights and Legal Affairs
Council of Europe
F-67075 Strasbourg Cedex

25 June 2010 No 08.3-1/7723

Dear Sirs,

With reference to your letter of 12 May 2010 concerning the resignation of Mr Rait Maruste, judge at the European Court of Human Rights, from the Court that takes effect on 31 December 2010, I have the pleasure to inform you that Estonian Government has approved the following candidates (in alphabetical order) for the position of the Estonian judge:

1. Ms Mai Hion
2. Mr Allar Jõks
3. Ms Julia Laffranque

Mai Hion is working as a deputy head of Permanent Mission of Estonia to the OSCE; previously she has been the government agent before the European Court of Human Rights and a member of the Court's predecessor European Commission of Human Rights.

Allar Jõks is working as a specialist council for Law Firm Sorainen; previously he has been Chancellor of Justice of the Republic of Estonia and he also has been a judge.

Julia Laffranque is working as a judge at the Supreme Court of Estonia; previously she has worked in Tartu University and in Ministry of Justice.

The detailed biographical information on all three candidates is included in the *curricula vitae (*in English and in French) of the candidates that are attached to this letter and will also be sent electronically.

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Please also find attached the description of the selection procedure of the candidates to the European Court of Human Rights.

Yours sincerely,

Urmas Paet
Minister of Foreign Affairs

Appendices:

1) Description of the selection procedure of the candidates
2) Order No 500 of the Government of Estonia of 26 November 2009
3) Acceptance of the Government of Estonia of 03 June 2010
4) *Curricula vitae* of Mai Hion in English and in French
5) *Curricula vitae* of Allar Jõks in English and in French
6) *Curricula vitae* of Julia Laffranque in English and in French

ASUTUSESISESEKS KASUTAMISEKS
Märge tehtud 25.06 20.10. Välisministeeriumis
Juurdepääsupiirang kehtib kuni 25.06.2015
Alus AvTS § 35 lg 1 p 3

Appendix 1

Description of the selection procedure of the candidates to the European Court of Human Rights

First of all it should be noted that Estonia first submitted the list of candidates to the Court in December 2009. On 3 March 2010 Estonia was informed that due to the entering into force of Protocol No 14 on 1 June 2010, the procedure launched on the basis of the letter of Mr Philippe Boillat of 17 September 2009 was no longer valid as it was no longer necessary to proceed with the election of a judge in respect of Estonia in 2010.

Thereafter the letter of Mr Mateo Sorinas of 12 May 2010 was received and it was noted that due to the resignation of the Estonian judge, Mr Rait Maruste, the election of a new Estonian judge is again required and Estonia should submit a list of three candidates to the European Court of Human Rights.

As Estonia had organised a public competition for the mentioned post and made its selection only a few months earlier, all the three candidates on the list submitted to the PACE in December 2009 (i.e. Mai Hion, Allar Jõks, Julia Laffranque), were asked whether they agreed to continue to be set up as candidates also under the new conditions (i.e term of office as of 1 January 2011 and for the term of 9 years). All three candidates confirmed in writing their will to be set up as candidates also under the new conditions.

The Ministry of Foreign Affairs submitted the same list of candidates (as was presented in December 2009) with further explanations about the new conditions to the Government for approval. On 03 June 2010 the Government took note of the information submitted to it and agreed that the same list of three candidates to the European Court of Human Rights that was approved by 26 November 2009 Government order No 500 will be submitted to PACE.

Please find below the description of the selection procedure that took place in October – November 2009.

According to article 9 (9) of the Foreign Relations Act of Estonia, the Minister of Foreign Affairs with the approval of the Minister of Justice and after having considered the opinions of the Chief Justice of Supreme Court, the Chancellor of Justice and the State Secretary, shall submit the candidates for judges to international courts to the Government for approval. According to the referred law the Ministry of Foreign Affairs is also responsible for organizing the selection of the candidates for judges to the European Court of Human Rights.

On 5 October 2009 the Ministry of Foreign Affairs published an announcement for public competition to find candidates of judges to the European Court of Human Rights. Competition announcements were published in two national daily newspapers (Eesti Päevaleht, Postimees), in electronically published publication "Ametlikud Teadaanded" ("Official Announcements"), on the Internet web-pages of Ministry of

Foreign Affairs, Ministry of Justice and the Supreme Court of Estonia as well as on the web-pages of the organisations gathering lawyers – on the Internet web-pages of the Estonian Bar Association and the Chamber of Notaries. In the announcement published on the web-page of Ministry of Foreign Affairs there were references to all documents related to the competition mentioned in the Council of Europe Directorate General of Human Rights and Legal Affairs letter of 17 September 2009 as well as model *curriculum vitae* in English and in French. In all other announcements there were references to the web-page of the Ministry of Foreign Affairs.

The conditions of the competition were in full compliance with the articles 21 and 22 of the Convention, as well as with conditions set forth in Council of Europe Parliamentary Assembly recommendation No 1649(2004) and Council of Europe Parliamentary Assembly resolution No 1646(2009).

The announcement was published on 5 October 2009, candidates had to submit an application, *curricula vitae* in Estonian, in English and in French (last two in model form), copies of documents proving education and if possible copies of documents proving the level of knowledge of foreign languages to the Ministry of Foreign Affairs by 31 October 2009. Public competition was open for 4 weeks. Applicants were allowed to submit documents either by mail or electronically.

Simultaneously the Minister of Foreign Affairs formed a committee for review of the submitted applications and selection of the candidates. Members of the committee were the Minister of Foreign Affairs (chairman), the Minister of Justice, the Chief Justice of the Supreme Court, the Chancellor of Justice and the Secretary of State. All members of the committee were entitled to consult with the institution they were representing.

After the competition was closed the committee reviewed the applications that were submitted (six applications) and selected three candidates. When selecting the candidates the committee proceeded from the criteria for the judges set forth in the convention and in the above mentioned documents of the Parliamentary Assembly of the Council of Europe. The committee also verified that all the selected candidates fulfilled the criteria set forth for the judges in Estonia, especially criteria set forth in article 47 of the Courts Act, incl. requirements to the education and requirements not to be convicted of criminal offence etc (these requirements were published in the announcement of the public competition as well). The committee was unanimous in its decision of selecting three candidates.

The committee presented the list of three selected candidates (in alphabetical order) – Ms Mai Hion, Mr Allar Jõks and Ms Julia Laffranque – to the Government for approval.

On 26 November 2009 the Government by order No 500 approved the list of three candidates to the European Court of Human Rights – Ms Mai Hion, Mr Allar Jõks and Ms Julia Laffranque. The Government also appointed the Ministry of Foreign Affairs to organise the submission of the list of nominated candidates to the Council of Europe.

Appendix 2

ESTONIAN GOVERNMENT ORDER

Tallinn, Toompea 26 November 2009 No. 500

Approval of candidates for the position of judge at the European Court of Human Rights in respect of Estonia

Pursuant to Article 8, paragraph 1, point 10 of the External Relations Act and in accordance with Article 22, paragraph 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms,

1. Approval is given regarding the following candidates for the position of judge at the European Court of Human Rights in respect of Estonia (in alphabetical order): Ms Mai Hion, Mr Allar Jôks and Ms Julia Laffranque.

2. The Ministry of Foreign Affairs shall submit the candidates for the position of judge at the European Court of Human Rights in respect of Estonia to the Committee of Ministers of the Council of Europe.

Andrus Ansip
Prime Minister

Heiki Loot
State Secretary

Appendix 3

Acceptance of the Government of Estonia of 3 June 2010

Heading: Information on candidates for the position of judge at the European Court of Human Rights in respect of Estonia

Meeting date: 3 June 2010

Meeting report number: 23

Agenda item: 13

Agenda item heading: Information on candidates for the position of judge at the European Court of Human Rights

Submitted by: Mr Urmas Paet, Minister of Foreign Affairs

Introduced by: Mr Urmas Paet

Speaker(s): Mr Andrus Ansip

Result of vote: unanimity

Text of decision: The Minister of Foreign Affairs submitted information concerning the candidates for the position of judge at the European Court of Human Right. It was agreed that the persons referred to in Government Order No 500 of 26 November 2009 “Approval of candidates for the position of judge at the European Court of Human Rights” shall be submitted as candidates for the position of judge at the European Court of Human Rights in respect of Estonia.

Minutes of the Estonian government meeting: 20100603.23

Ms Mai HION

CURRICULUM VITAE

I. Personal details

Forename, name: Mai Hion
Sex: female
Date and place of birth: 30 November 1966, Tartu, Republic of Estonia
Nationality: Estonian

II. Education

Higher education:

Tartu University Faculty of Law	1987-1992

Additional professional education:

Birmingham University, United Kingdom	1992
European University Florence, Italy	1994
US Department of State International Visitors Program	2003

III. Relevant professional activities

Legal activities

Counsellor, Deputy Head of Mission Permanent Mission of Estonia to the OSCE (including responsibility for human dimension)	from 2008
First Secretary, Counsellor and Director of Division, Division of Human Rights, Legal Department, Ministry of Foreign Affairs,	2000-2008
Agent of the Government before the European Court of Human Rights	2000-2008
Member of the European Commission of Human Rights	1996-1999
Advocate, Member of the Bar Association	1993-1996
First Secretary, Division of Human Rights, Legal Department, Ministry of Foreign Affairs,	1992-1993

IV. Activities and experience in the field of human rights

Member of the delegation of the Republic of Estonia at the OSCE human dimension implementation meeting (2008-2009), rapporteur (2009)

Member of the steering committee for human rights (CDDH) of the Council of Europe (2000-2008), member of the bureau of CDDH (2005-2007)

Member of the committee of experts for the improvement of procedures for the protection of human rights (DH-PR) of the Council of Europe (2000-2008)

Member of the delegation of the Republic of Estonia presenting the initial and periodic reports to the following UN treaty bodies: Human Rights Committee (HRC); Committee on the Elimination of Racial Discrimination (CERD); Committee on the Elimination of Discrimination against Women (CEDAW); Committee against Torture (CAT); Committee on the Rights of the Child (CRC); Committee on Economic, Social and Cultural Rights (CESCR)

Member of the delegation of the Republic of Estonia at the meetings of the UN Commission on Human Rights and Council of Human Rights in different years

Expert of Council of Europe in Ukraine (2007), Serbia and Montenegro (2005), Serbia (2007)

Expert participating in the work of the Nordic-Baltic Task Force against Trafficking in Human Beings (2005-2007)

Member of the working group promoting gender equality (2004-2005)

Member of the Board of the Integration Foundation (2004-2005)

Member of the working group for the preparation of the ratification of the European Convention on Human Rights and its Protocols (1994-1996)

Member of the working group for the preparation of the translation into Estonian of the European Convention on Human Rights and its Protocols (1995-1996)

Lectures about human rights at different seminars and conferences in Estonia and abroad

Participation in different human rights seminars and conferences in Estonia and abroad, participation in organisation of different seminars and conferences on human rights in Estonia

V. Public activities

Estonian Academic Law Society, since 1988

VI. Publications and other works

Compatibility of Estonian law with the requirements of the European Convention on Human Rights. Council of Europe, Directorate of Human Rights, 1997 (co-author)

Right to life. Abolition of death penalty. Human rights and their protection in Europe, compiled by Uno Lõhmus, Iuridicum Foundation, Tartu 2003 (co-author)

Prohibition of torture, inhuman treatment and punishment. Human rights and their protection in Europe, compiled by Uno Lõhmus, Iuridicum Foundation, Tartu 2003

Prohibition of forced labour. Human rights and their protection in Europe, compiled by Uno Lõhmus, Iuridicum Foundation, Tartu 2003 (co-author)

VII. Languages

Language	Reading			Writing			Speaking		
	Very good	good	fair	Very good	good	fair	Very good	good	fair
a. First language: Estonian	**x**			**x**			**x**		
b.Official languages: - English **-** French	 **x** **x**			 **x**	 **x**		 **x**	 **x**	
c. Other languages: - Russian - German	 **x**	 **x**			 **x**	 **x**	 **x**		 **x**

I confirm of being aware that it's necessary to take up permanent residence in Strasbourg if elected a judge to the Court.

Mai Hion
27 October 2009

Mr Allar JÕKS

CURRICULUM VITAE

I. Personal details

Name, forename: Jõks, Allar
Sex: Male
Date and place of birth: 18.03.1965, Tartu, Estonia
Nationality: Estonian

II. Education and academic and other qualifications

1986-1991 Tartu University, Law faculty, Master's degree
1996 Legal traineeship in the Academy of Judges, Sankelmark, Germany
1996 Courts and Prosecutor's Office, Schleswig-Holstein, Lübeck, Flensburg, Germany
1997 Legal traineeship in the Academy of Judges, Sankelmark, Germany

III. Relevant professional activities

a. Description of judicial activities

1991-1995 Läänemaa County Court, Estonia, judge and chairman of the court
1995-2001 Judge of the Administrative Chamber of Tallinn Circuit Court (Court of Appeal), Estonia
2001-2008 Chancellor of Justice of the Republic of Estonia (parliamentary ombudsman)

b. Description of non-judicial legal activities

1995-2001 Chairman of the Association of Judges of Estonia.
1997-2000 Member of the Central Council of the International Association of Judges (IAJ)
1997-2001 Lecturer of administrative procedure at the Institute of Law, University of Tartu
2002-2008 Member of the Highest Council for Administration of Courts
2008 May-November Adviser to Public Defender of Georgia (authorized by UNDP)
April 2009- Specialist counsel, Law firm Sorainen

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

As Chancellor of Justice (parliamentary ombudsman) of Estonia, I have had seven years of extensive practice in the field of protecting and improving human rights. The Chancellor of Justice has two functions in Estonia: to defend the human rights and to defend the constitutional state and legal order. As Ombudsman I have applied various means to protect human rights, including put forward proposals to government agencies to eliminate violations and recommendations to shape the general administrative practice as well as launched campaigns to improve the attitude and values of the society. Regarding the protection of the constitutional state and legal order, I have made hundreds of proposals to bring legislation into conformity with the constitution and, in case of necessity, appealed to the Constitutional Court. By means of constitutional review, the Chancellor of Justice has supported the process of humanizing the legal order and strengthening the democratic system of governance.
I have participated, as an expert, in the creation of the Ombudsmen institution in Jordan and modernisation of the institution of the Public Defender in Georgia. In the period between 2003 and 2008, I trained Regional Ombudsmen of the Russian Federation in St. Petersburg.

V. Public activities

a. Public office
b. Elected posts
c. Posts held in a political party or movement

VI. Other activities
2008-ongoing Member of the supervisory board of the Network of Estonian Nonprofit Organizations
2008- ongoing Member of the board of the Estonian Lawyers Union

VII. Publications and other works
How the Legal Chancellor Protects the Legitimacy of the Legal System. – Riigikogu Toimetised, 2001, No. 4.
The Chancellor of Justice's Role in Protecting the Constitution and Balancing the Legislature's Activity: Is the Chancellor of Justice Only a Prosecutor of the Supreme Court? – Juridica International, 2007, no.2, pp.14-21
The Role of Chancellor of Justice in defending the Constitution. – Riigikogu Toimetised, 2008, No.17.
Numerous articles in the European Ombudsmen Newsletter and Estonian media concerning protection of fundamental rights and strengthening of democracy.

VIII. Languages
(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Langue	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a.* First langue:**									
- Estonian (*Please specify*)	X	..	..	X	..	..	X	..	..
***b.* Official languages:**									
– English	X	..	..	X	..	..	X	..	..
– French	..	..	X	..	..	X	..	..	X
***c.* Other languages**									
-Russian	X	..	..	..	..	X	X	..	..
- German	..	X	..	..	..	X	..	X	..
.....	..	..	..	..	..	..	..	..	..

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

X. Other relevant information

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

Ms Julia LAFFRANQUE

CURRICULUM VITAE

I. Personal details

Name, forename: Laffranque (born Vahing), Julia
Sex: F
Date and place of birth: 25.07.1974 Tartu, Estonia
Nationality/ies: Estonian

II. Education and academic and other qualifications

- Litchfield High School, Connecticut, USA, 1991 (outstanding honours, including participation at the Washington Workshops, seminar on diplomacy and global affairs, Washington, D.C)
- Tallinn Õismäe Classical (humanities) Gymnasium 1992 (gold medal)
- Studies at the Faculty of Law, University of Hamburg (Copernicus scholarship) 1994-1995
- Participation at Telders International Law Moot Court competition, The Hague, 1994
- Summer workshop on Human rights, University of Salzburg, 1994
- B.A., (*baccalaureus artium*) Faculty of Law, University of Tartu, 1997
- LL.M., (*magistra legum*) Faculty of Law, University of Münster, Germany (DAAD (Deutscher Akademischer Austauschdienst) grant), 1998 (*summa cum laude*)
- Research at the Faculty of Law, University of Kiel, Germany (City of Kiel scholarship) April-June 2002
- Research at the European University Institute, Florence, Italy (EUSSIRF fellowship, European Commission) September 2002
- *Doctor iuris*, Faculty of Law, University of Tartu, 2003
- Docent (associated professor) of European law, 2006-current

III. Relevant professional activities

a. Description of judicial activities

Justice at the Supreme Court of Estonia (2004-current):

- Member of the administrative law chamber (2004-current) and
- of the constitutional review chamber (2007-current) of the Supreme Court of Estonia.

Deciding cases and writing judgments in matters on administrative law as a court of cassation: protection of individual rights and the rule of law, review of administrative acts and actions, review of the good functioning of the administration and administrative procedure, application of general principles of administrative law, review of the administrative court procedure of the courts of lower instances, cases concerning: tax and customs law, law on public subsidies and structural aid of the European Union (EU), complaints of detainees and prisoners against the prison authorities, the rights of detainees and prisoners, civil service law, application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights, citizenship and migration issues, environment law, planning and construction law, European Community (EC) law, state liability law, law on public procurement, law on social security and health insurance, cases concerning the property reform in Estonia, competition law, law of the local authorities, claims on damages against the state.

Deciding cases and writing judgments in matters of constitutional review and in the general assembly of the Supreme Court (Supreme court *en banc*): protection of human rights, individual rights, fundamental rights and freedoms and the rule of law, application of the ECHR and the EC law, complaints against the decisions of electoral committee of the Republic of Estonia, matters concerning the unlawfulness of a political party, review of constitutionality of legislative acts, application of principles of proportionality and equal treatment, cases of all the different chambers of the Supreme Court that will be heard by the Supreme Court *en banc*.

In addition representing the Supreme Court of Estonia at various international and European institutions: International Judicial Conference, Consultative Council of European Judges, Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union.

- *ad hoc* judge at the European Court of Human Rights (2006)

b. Description of non-judicial legal activities

- Expert in European law, EU Law Division, Ministry of Justice of the Republic of Estonia, 1996–1999
- Lecturer in European law, Institute of Law, Tallinn 1999–2002
- Lecturer in European law, Estonian Public Service Academy, Tallinn 1999–2002
- Head of EU law Division, Ministry of Justice of Estonia, 1999-2001
- Head of EU law and Foreign Relations Division, Ministry of Justice of Estonia, 2001-2002
- Deputy Secretary General on Legislative Drafting, Ministry of Justice of Estonia, 2002-2004
- Lecturer in European law, Faculty of Law, University of Tartu 2002-2006
- Training of civil servants, lawyers and judges in European law, in particular in EU law (1999-2007)
- Docent (associated professor) of European law, Faculty of Law, University of Tartu, (2006-current)

Description of the work at the Ministry of Justice:
Preparation of Estonia to join the European Union including participation in working groups of accession negotiations, approximation of Estonian legislation to European law (preparing draft laws including constitutional amendments), co-ordination of the legislative drafting of the Ministry of Justice and other ministries, codification and consolidation of Estonian laws, conducting the work of the public, private and criminal law departments of the Ministry of Justice, participation in the creation and development of legal policy of Estonia. Serving as member of several governmental commissions on European affairs in Estonia (e.g. Council of Senior Civil Servants) and as Estonian Member in the European Committee on Legal Co-Operation (Comité européen de coopération juridique, CDCJ), Council of Europe. As a deputy secretary general *ex officio* member of the editorial board of the Publishing house AS Juura (2002-2004), member of the editorial board of the Estonian Law Review: Juridica (2003 - 2004), member of the editorial board of the journal “Legal language” (2003 – 2004).

Description of the academic work:
Research, articles and conference papers, lectures in European law, seminars in selected areas on recent developments in the EU law, supervisor of several bachelor and master thesis in European law, member of the jury of the Estonian law students moot court competition (2005), member of the jury of the Central and Eastern European Moot Court competition (2006), member of the committee evaluating the research papers presented during the competition “15 Years of the Estonian Constitution.”

c. Description of non-legal professional activities
(Please underline the post(s) held at present)

- Member of the board of the Centre for Policy Studies: PRAXIS (the first independent non-profit think tank in Estonia) 2000-2004

IV. Activities and experience in the field of human rights

- Member of human rights expert group of Open Estonia Foundation (1999).

- Member of the European Committee on Legal Co-Operation (Comité européen de coopération juridique, CDCJ), Council of Europe (2003)

- Presentations at various conferences concerning the protection of human rights, gender equality and the Charter of Fundamental Rights of the European Union (e.g. speech on the gender equality laws in Europe and approximation of Estonian legislation with European law at the international conference: "Estonian women as future citizens of the EU" organized by the Estonian Women's Studies and Resource Centre in Tallinn, 24.03.2000; organization and chair of the European Conference "Protection of Human Rights in Europe and Estonia" organized by the Ministry of Justice, Information and Documentation Centre on the Council of Europe in Tallinn and the TAIEX Office of the European Commission, in Tallinn, 6.04.2001; introducing the Charter of Fundamental Rights of the European Union at the meeting of the contact group of the association of the Estonian Civil Society at the Convention on the Future of Europe, in Tallinn, 14.08.2002; speech: « Implications of the Charter for Estonia," at an international round table on the "Charter of Fundamental Rights in the Treaty establishing a Constitution for Europe", organized by the Open Estonia Foundation, in Tallinn, 12.11.2004)

- *ad hoc* judge at the European Court of Human Rights (2006)

- Member of the Consultative Council of European Judges (*Le Conseil consultatif de juges européens CCJE*), Council of Europe (since 2004), vice-president of the CCJE 2006-2007, president of the CCJE (2008-current)

- Regular practice in administering justice at the administrative law chamber and constitutional review chamber of the Supreme Court of Estonia

- Teaching regularly courses in European law (in particular the EC/EU law and the Fundamental Charter of the EU) at the Faculty of Law, University of Tartu

V. Public activities

a. Public office

- Civil Servant at the Ministry of Justice of Estonia (1996-2004): expert in EU law, Head of EU Law and Foreign Relations Division, Deputy Secretary General on Legislative Drafting.

- Lecturer in EU Law (1999-2006), docent (associated professor) in EU law (2006-current)

- Justice at the Supreme Court of Estonia (2004-current)

b. Elected posts

- President of the Consultative Council of European Judges (CCJE) (2008-current, Vice-president 2006-2007)

- President of the Estonian Association of European Law (FIDE (*Fédération Internationale pour le Droit Européen* - Estonia) (2004-current)

- Member of the Board of the Estonian Academic Law Society (2004-current)

- Member of the Board of the Estonian Lawyers Union (2005-current)

c. Posts held in a political party or movement
(Please underline the post(s) held at present)

None

VI. Other activities

a. Field
Legal Service of the European Commission
b. Duration
3 months, 1997
c. Functions
(Please underline your current activities)
Traineeship

a. Field
Ministry of Justice of France
b. Duration
1 month, 2000
c. Functions
Traineeship

a. Field
Ministry of Justice of Sweden
b. Duration
1 week 2000
c. Functions
Traineeship

a. Field
German Federal Administrative Court
b. Duration
1 week, 2005
c. Functions
Traineeship

a. Field
French Council of State (*Conseil d'Etat*)
b. Duration
1 month, 2007
c. Functions
Traineeship

a. Field
Expertise on the Constitution of Estonia; principle of subsidiarity and the Treaty establishing a Constitution for Europe
b. Duration
2005
c. Functions
Expert, written expert opinion

a. Field
Expertise on the Accordance of the Estonian Code of Administrative Court Procedure with European law
b. Duration
2007
c. Functions
Expert, written expert opinion

a. Field
The Constitution of the Republic of Estonia Amendment Act
b. Duration
2002
c. Functions
Co-author

a. Field
Gender Equality Act
b. Duration

2000
c. Functions
(Please underline your current activities)
Member of the Drafting Working Group

VII. Publications and other works
(You may indicate the total number of books and articles published, but mention only the most important titles (maximum 10))

Total number of articles published: 67 (Mainly on the relationship between the European Union law and Estonian law. In Estonian, in English, in German and in French, in following journals: Juridica, Juridica International, Riigikogu Toimetised, Õiguskeel, Diplomaatia, Aakdeemia, Eesti Majanduse Teataja, European Law Review, The International Lawyer, Baltic Yearbook of International Law, International Journal of Legal information, Legal Information Management, European Business Law Review, Rechtstheorie, Revue Française de droit administrative, Revue d'études politiques et constitutionnelles est-européennes)

Some important publications:

- Textbook:" European Union and European Community. Institutions and Law," Tallinn: Estonian Public Service Academy, 1999 (author).
- Collection:" Most important cases of the European Court of Justice (ECJ)," Tallinn: Justiitsministeerium, AS Juura, 2001 (Composer of the book, author of the introduction concerning the functioning of the ECJ).
- Article: Euroopa Liidu põhiõiguste harta – ühineva Euroopa (sh Eesti) loomulik areng? (Charter of Fundamental Rights of the European Union: a Natural Development in a Uniting Europe?), in: Riigikogu Toimetised (RiTo) 3/2001, pp.221-231.
- Dictionary: "French Estonian French Legal Dictionary," Tallinn: Juura, 2002 (co-author together with Rodolphe Laffranque)
- Handbook:" On Legislative Drafting", Tallinn: Juura, 2003 (co-author of the team of authors)
- Handbook: "References to the European Court of Justice (ECJ)", Tartu: Estonian Law Centre, 2005.
- Book: "The Legal System of the European Union and Estonian Law", Tallinn: Juura, 2006.
- Article: "Ratification of the European Constitution in Estonia: A New Constitution for Estonia?" In: Anneli Albi, Jacques Ziller (eds.), The European Constitution and National Constitutions: Ratification and Beyond, The Netherlands: Kluwer Law International, 2007,pp. 79-88.
- Article in the book: „Der Beitritt und die neuen Mitgliedstaaten. Estland" (Franz Merli, Stefan Huster (Hrsg.), Die Verträge zur EU-Osterweiterung. Kommentar mit systematischen Erläuterungen, Berlin: BWB Berliner Wissenschafts-Verlag, Neuer Wissenschaftlicher Verlag (Österreich), 2008, pp. 521-547.
- Commentary: "Constitution of the Republic of Estonia", Tallinn: Juura, 2.ed, 2008 (co-author of the book with team of authors)

VIII. Languages
(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
..Estonian	X	¨	¨	X	¨	¨	X	¨	¨
(*Please specify*)									
***b*. Official languages:**									
– English	X	¨	¨	X	¨	¨	X	¨	¨
– French	X	¨	¨	¨	X			X	¨
***c*. Other languages:**									
- German	X		¨	X	¨	¨	X	¨	¨
- Russian	¨	X	¨	¨	¨	X ¨	¨	X	¨
- Finnish	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 [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.

X. Other relevant information

Decorations:

- Chevalier de l'Ordre National du Mérite of the French Republic (2004)
- 4th class Order of the White Star of Estonia (2005)

Hobbies and community work:

- Member (as alumna), student organization Filiae Patriae, 1993–current
- Amateur actress at the Vilde Theatre in Tartu (2006-current)

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

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

Permanent Representation of
Greece
to the Council of Europe

Strasbourg , 09 June 2010
No.: 6703/30/AS 670
Ref.: 6703/10/AS 74/20.01.10

Dear Secretary General of the Parliamentary Assembly,

Following your letter, dated March 2, 2010, I wish to bring to your knowledge that we maintain the list of the three candidates nominated by the Government of the Hellenic Republic, for the office of the judge of the European Court of Human Rights, as presented in the letter in reference.

Yours sincerely,

Athanassios Dendoulis
Ambassador
Permanent Representative of Greece
to the Council of Europe

To: Mr Matteo Sorinas
Secretary General of the Parliamentary Assembly
Council of Europe
Strasbourg

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

PERMANENT REPRESENTATION OF GREECE
TO THE COUNCIL OF EUROPE

Strasbourg, 20 January 2010
Ref. 6703/10/AS.74

Dear Secretary General of the Parliamentary Assembly,

Further to the letter of the Director General for Human Rights and Legal Affairs, Mr. Boillat, dated 17 September 2009, concerning the expiry of the term of office of Mr. Christos Rozakis, Judge at the European Court of Human Rights, I have the honor to submit herewith the names of three candidates nominated by the Government of the Hellenic Republic, with a view to the election of a new judge in respect of Greece by the Parliamentary Assembly of the Council of Europe.

The names of the three candidates are the following:

Mr. Linos-Alexander SICILIANOS
Mr. Petros STANGOS
Ms. Maria TSIRLI

Please also find in your email the curricula vitae of the above three candidates nominated by the Greek authorities, submitted in accordance with the model curriculum vitae adopted by the Parliamentary Assembly.

With regard to the domestic procedure followed for the selection of the candidates, I would like to inform you that the Minister for Foreign Affairs and the Minister of Justice, Transparency and Human Rights issued on 4 December 2009 a joint public call for expression of interest, which was published on the website of the Ministry of Foreign Affairs. The above call referred inter alia to the criteria for the election of judges at the European Court of Human Rights as set out both in the European Convention on Human Rights and the relevant Resolutions of the Parliamentary Assembly, in particular Resolution 1646(2009). The documents annexed to the letter of Mr. Boillat, were also posted on the abovementioned website. Moreover, the call for expression of interest was transmitted to the Presidents of Greece's Supreme Courts (Supreme Civil and Criminal Court, Council of State, Court of Auditors) as well as to the Deans of Greece's Law Schools, for further dissemination to all the members of the judiciary and law faculty members, respectively. Furthermore, an announcement of the Ministry of Foreign Affairs on the above call for expression of interest was published in two different editions of two widely circulated newspapers.

In total, thirteen (13) candidatures were submitted to the D3 Council of Europe and OSCE Directorate of the Ministry of Foreign Affairs. As provided for in the public call for expression of interest, a three-member Committee, composed of the Secretary General of the Ministry of Foreign Affairs, the Secretary General of the Ministry of Justice, Transparency and Human Rights and the President of the Legal Council of State, examined thoroughly the candidates' applications and made relevant recommendations to the Minister for Foreign Affairs and the Minister of

Justice, Transparency and Human Rights, taking into account the above criteria. By joint decision of 20 January 2010, the abovementioned Ministers selected the three candidates to be included in the list which is herewith submitted to the Parliamentary Assembly.

Yours sincerely,

Athanassios Dendoulis
Ambassador, Permanent Representative of Greece to the Council of Europe.

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

Mr Linos-Alexander SICILIANOS

CURRICULUM VITAE

I. Personal details

Name, forename: Sicilianos, Linos-Alexander
Sex: male
Date and place of birth: 9 May, 1960, Athens, Greece
Nationality: Greek

II. Education and academic and other qualifications

- Law degree, University of Athens (1983, distinction),
- Masters degree in International Law, University Robert Schuman, Strasbourg (France) (1984, distinction),
- *Doctor iuris*, University Robert Schuman, Strasbourg (1990, *laureatus* of the Faculty),
- Authorization to direct scientific research (*habilitation à diriger des recherches*), University Robert Schuman, Strasbourg (1990).

- Prizes: prize of the Faculty of Law of the University Robert Schuman, Strasbourg, for his doctoral thesis (1990); international *Paul Guggenheim* prize (Geneva, 1992); *George Tenekides* prize (1992), prize of the *Bodossakis Foundation* (1996).

- Seminars: Court of Justice of the European Communities (1982); Hague Academy of International Law (scholarship of the Academy, 1985); European Commission of Human Rights (scholarship of the Council of Europe, 1986).

III. Relevant professional activities

- Assoc. Professor Dr., Faculty of Law, University of Athens
- Former member (2002-2009), Vice-chairman (2004-2005) and Rapporteur (2008-2009) of the United Nations Committee on the Elimination of Racial Discrimination (CERD)
- Member of the Administrative Board since 2007 and currently member of the Executive Board of the Fundamental Rights Agency of the European Union
- Member of the Working Group of the UN Human Rights Council on Peoples of African Descent (2009-)
- Member since 1997 and former Chairman (2003-2004) of the Committee of experts of the Council of Europe for the Improvement of Procedures for the Protection of Human Rights
- Vice-chairman of the Greek National Commission for Human Rights
- Former Vice-chairman of the International Institute of Human Rights (2000-2009, Strasbourg),
- Member of the EU Network of independent experts in the field of fundamental rights (2002-2006)
- Member of the Athens Bar, Supreme Court lawyer. In this capacity, he introduced individual applications before the former European Commission of Human Rights and the European Court of Human Rights. He has been legal counsel and subsequently scientific director of the Marangopoulos Foundation of Human Rights (MFHR) (NGO with consultative status at the Council of Europe and the UN Economic and Social Council).

University Teaching Activities

- Faculty of Law, University of Athens:
  • *International Protection of Human Rights*: undergraduate and postgraduate studies, with particular emphasis on the system of protection of human rights of the Council of Europe and the United Nations.
  • *Public International Law*: undergraduate and postgraduate studies
  • *International Organizations* : undergraduate studies

- Invited as Visiting Professor by the following institutions (by chronological order):

  • International Institute of Human Rights (Strasbourg, 1994, 2001, 2003, 2006, 2008, 2010),
  • Hague Academy of International Law (co-director of studies, 1996),
  • Graduate Institute of International Studies (Geneva, 1997),

- Faculty of Law, University Robert Schuman (Strasbourg, 1998, 2006),
- Temple University, USA (joint programme with the University of Athens, 1998-2001),
- Institute of Advanced International Studies of the University of Paris-II (1999),
- Hague Academy of International Law (co-director of the Centre for Studies and Research, 2000),
- Diplomatic Academy, Ministry of Foreign Affairs (Greece, 2001, 2002, 2004),
- Faculty of Law, University *Panthéon-Sorbonne* (Paris-I, 2003),
- Faculty of Law, University of Aix-Marseille (2003-2004),
- Faculty of Law, University *Panthéon-Assas* (Paris-II, 2004),
- National University of Ireland (Galway, May 2005),
- Hague Academy of International Law (course, 2005, external session in Lima (Peru), 2005),
- University of Oxford (St Peter's College, 2006),
- Bancaja de derecho internacional (Castellon, Spain, 2007),
- University of Geneva, Academy of International Humanitarian Law and Human Rights (2008),
- University *Montesquieu* (Bordeaux IV, 2007, 2008, 2010).

IV. Activities and experience in the field of human rights

A) At the United Nations

- Former member (2002-2009), Vice-chairman (2004-2005) and Rapporteur (2008-2009) of the United Nations Committee on the Elimination of Racial Discrimination. In those capacities, represented the Committee on various occasions and was appointed “country rapporteur” for the examination of the periodic reports of Hungary, the Czech Republic, Slovakia, France, Sweden, Iceland, Botswana, Ukraine, India, New Zealand, United States of America, Russian Federation and China[1]. He was also appointed co-rapporteur on the General Recommendation XXXII, concerning the « Significance and scope of special measures in the International Convention on the Elimination of Racial Discrimination » (2009).

- Member of the Working Group of the UN Human Rights Council on Peoples of African Descent (2009-).

B) In Europe

- Since 1995, invited as an expert of the *Council of Europe* to participate in a number of official missions on the compatibility of national legislation with the European Convention on Human Rights (ECHR) and in seminars on the ECHR for high ranking judges and lawyers held in Slovenia (1995), Bulgaria (1995), Czech Republic (1996), Greece (1996), Ukraine (2 missions, 1996, 1997), Moldova (2 missions, 1997, 1998), Estonia (1998), Azerbaijan (1999), the Russian Federation (2000) and Albania (2003).

- General co-rapporteur at the Conference of the *Council of Europe* and the *French National Consultative Commission on Human Rights* on the subject: *The combat against racism and xenophobia: Priorities and means for a European harmonization* (Strasbourg, November 1994).

- Member of the drafting Committee of the draft Declaration of the *Council of Europe* on the notion of "pluralist democracy" (Finland, Strasbourg, 1995).

- Rapporteur invited by *UNESCO* at the International Conference on *Central and Eastern Europe: Problems of Human Rights and Democracy* (Moscow, Diplomatic Academy, 1995).

- Organiser of an International Conference in cooperation with the Human Rights Directorate of the Council of Europe on *The Protection of Minorities in Europe* (Athens, Greece, May 1996). The proceedings of the Conference have been published with a Foreword by H. E. D. Tarschys, former Secretary General of the Council of Europe.

- Member since 1997 and former Chairman (2003-2004) of the Committee of Experts of the Council of Europe for the improvement of procedures for the protection of human rights (DH-PR). In this last capacity, has been member of the drafting committee of the draft Protocol No. 14 to the ECHR and its explanatory report. He has also presided over the negotiations within the DH-PR leading to the adoption of a series of recommendations and resolutions of the Committee of Ministers of the Council of Europe on 12 May 2004 (Recommendation Rec (2004) 4 of the Committee of Ministers to Member States on the European Convention of Human Rights in university education and professional training ; Recommendation Rec (2004) 5 of the Committee of Ministers to Member States on the verification of the compatibility of draft laws, existing laws and administrative practice with the standards laid down in the European Convention on Human Rights; Recommendation Rec (2004) 6 of the Committee of Ministers to Member States on the improvement of domestic remedies; Resolution Res (2004) 3 on judgments revealing an underlying systemic problem)[2].

[1] Cf. Annexes 12-24.
[2] Cf. Annexes 1 and 2.

- Rapporteur at the opening Conference of the series of international conferences on the *Universal Declaration of Human Rights (1948-1998)* organized by the French Government and the French National Consultative Commission on Human Rights (Paris, Sorbonne, September 1998).

- Rapporteur at the *European Union Human Rights Forum* organized by the French Presidency (Paris, December 2000).

- Member of the EU Network of independent experts in the field of fundamental rights (2002-2006). In this capacity, he submitted annual reports on the situation of human rights in Greece[3].

- Head of the Greek delegation during the negotiation (2006-2007) of the Regulation 168/2007of the Council of the European Union, establishing the EU Fundamental Rights Agency.

- Co-organiser on behalf of the MFHR of an international conference on «Anti-terrorist measures and Human Rights», in co-operation with the Sub-Committee on crime problems and the fight against terrorism (of the Committee on legal affairs and human rights of the Parliamentary Assembly of the Council of Europe), Athens, March 2008.

- Member of the Management Board since 2007 and currently member of the Executive Board of the Fundamental Rights Agency of the European Union.

C) In Africa

- Rapporteur at the international Conference organized by the University of Abidjan (Ivory Coast) and AUPELF-UREF on *International Observation of Elections and Human Rights*, (May 1995).

- Rapporteur at the Fifth International Atelier of National Institutions for the Promotion and the Protection of Human Rights, Rabat (Morocco), (April 2000).

D) In Asia

- Participant, on behalf of Greece, in the human rights dialogue between the European Union and Iran (2002-2004).

- Participant, on behalf of Greece, in the human rights dialogue between the European Union and China (2002-2004).

E) In Greece

- As legal counsel (since 1991) and scientific director (since 1996) of the Marangopoulos Foundation of Human Rights (MFHR) (NGO with consultative status with the Council of Europe and the UN Economic and Social Council), has organized more than 60 conferences, colloquies and seminars in Greece and other European States, regarding a vast scope of human rights issues, with particular emphasis on the rights guaranteed by the European Convention of Human Rights and its Protocols. Since 1994, he supervises the series of publications of the Foundation by Pedone publisher, in Paris. He has also supervised the complaint of the *Marangopoulos Foundation of Human Rights v. Greece* (2006) before the Committee on Social Rights of the Council of Europe, on the basis of the Protocol on collective complaints to the European Social Charter.

- As member of the Greek National Commission for Human Rights since its establishment, in 2000, until today, has submitted numerous reports, five of which are related to the execution of groups of judgments of the European Court of Human Rights at the national level, concerning freedom of religion, legal aid, “reasonable time” of judicial proceedings and related effective remedy, conditions of detention, as well as the issue of the execution by the administration of domestic judgements[4].

[3] Cf. Annexes 25-27.
[4] Cf. Annexes 3-11.

V. Public activities

a. Public office
- Assoc. Professor Dr., University of Athens (see *supra)*
- Special Counsel to the Minister of Foreign Affairs (1996-1997).

b. Elected posts
- Elected Vice-chairman of the Greek National Commission for Human Rights in 2006, re-elected in 2009

c. Posts held in a political party or movement
Non applicable
(Please underline the post(s) held at present)

VI. Other activities

Participation in international conferences and intergovernmental bodies

- Helsinki Summit of the CSCE (OSCE) (Helsinki, 1992),
- World Conference on Human Rights (Vienna, 1993),
- Member of the Greek delegation at the 26th General Conference of UNESCO (1993),
- World Summit on Social Development (Copenhagen, 1995),
- Greek delegate at the international Seminar on the Elimination of Racial Discrimination (UN Office in Geneva, 1996),
- Member of the Greek delegation at the 51st, 52nd, 53rd, 54th, 55th and 56th sessions of the UN General Assembly, 3rd and 6th Committees (New York, 1996-2001),
- Ministerial Conference and Commemorative Ceremony of the 50th Anniversary of the European Convention on Human Rights (Rome, 2000),
- World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, South Africa, 2001),
- Member of the Greek delegation at the 61st session of the former UN Commission on Human Rights (2005),
- Representative of the Committee on the Elimination of Racial Discrimination at the 2nd, 5th and 6th inter-committee meetings, Office of the UN High Commissioner for Human Rights, Geneva, 2003, 2006 and 2007 respectively,
- Representative of the Committee on the Elimination of Racial Discrimination at the Conference of the Human Dimension of the OSCE, Warsaw, September 2005,
- Representative of the Committee on the Elimination of Racial Discrimination at the "brainstorming" on the Reform of the UN Treaty Bodies in the field of Human Rights, organized by H. E. the UN High Commissioner for Human Rights, Malbun-Liechtenstein, July 2006.

Organisation of and/or participation in conferences

- Since 1987, has organized and/or participated in conferences and colloquies in Greece, Belgium, France, the Netherlands, Portugal, Switzerland, Italy, Ireland, Russian Federation, Denmark, USA, Tunisia, Ivory Coast, Morocco, etc.

Other Activities

- Member of the Scientific Committee of the International Human Rights Moot Court Competition "René Cassin" (Strasbourg, 1989-1999).
- Secretary General of the Greek Society of International Law and International Relations (1997-1999), Member of the Administrative Board (1993-2001, 2007-).
- Member of the French Society of International Law.
- Member of the Administrative Board of the Greek Branch of the International Law Association (2002)
- Member of the European Society of International Law.
- Member of the Scientific Committee of the *Revue trimestrielle des droits de l'homme*
- Member of the Scientific Advisory Board of the *European Journal of International Law*.

VII. Publications and other works
(You may indicate the total number of books and articles published, but mention only the most important titles (maximum 10))

- Author, co-author, editor or co-editor of about 70 books, articles and reports on the international protection of human rights and general international law, published in Greek, French and English, including five monographs and twelve collective books. Articles in *Revue hellénique de droit international*, *Hague Yearbook of International Law*, *Annuaire français de droit international*, *European Journal of International Law, Revue générale de droit international public*, *Revue belge de droit international, Revue trimestrielle des droits de l'homme,* as well as in various Greek legal reviews and in a number of collective publications published by Presses universitaires de France, Pedone (Paris), Montchrestien (Paris), Kluwer Law International, Martinus Nijhoff, Brill (The Hague), Bruylant (Brussels), Publications of the ILO, etc. Among those publications, please note the following:

Monographs

1. *L'ONU et la démocratisation de l'Etat: systèmes régionaux et ordre juridique universel*, Paris, Pedone, 2000 (321 pp.), foreword by H. E. Boutros Boutros-Ghali, former Secretary General of the United Nations.

2. *The Coherence of the International System: Interactions between Human Rights and General International Law*, Athens, A. N. Sakkoulas, 2010 (approximately 500 pp., forthcoming).

Articles

1. « L'expulsion des immigrés: à la recherche d'un cadre normatif international », in L.-A. Sicilianos (Ed.), *New Forms of Discrimination*, Message by H. E. Federico Mayor (former Director General of UNESCO), Paris, Pedone, 1995, pp. 83-109.

2. « The Protection of the Environment and the European Convention on Human Rights: the Evolution of Case-Law up to the Case *Lopez Ostra* », in *Law and Nature*, Athens, 1996 (in Greek), pp. 33-57.

3. «The Protection of Minorities in Europe: Collective Aspects of Individual Rights», in A. Bredimas and L.-A. Sicilianos (Eds), *The Protection of Minorities in Europe: The Framework Convention of the Council of Europe for the Protection of National Minorities*, foreword by H. E. Daniel Tarschys (former Secretary General of the Council of Europe), Athens, A.N. Sakkoulas, 1997, pp. 93-129 (in Greek).

4. « La portée de la Déclaration universelle des droits de l'homme - Rapport de séance », Proceedings of the International Conference on: *La Déclaration universelle des droits de l'homme 1948-1998, Avenir d'un idéal commun*, Paris, Sorbonne, 14-16 September 1998, Paris, La documentation française, 1999, pp. 321-341.

5. “General Conclusions”, in L.-A. Sicilianos (Ed.), *The Prevention of Human Rights Violations*, Message by H.E. Mary Robinson, International Human Rights Series, The Hague/Athens, Martinus Nijhoff/A.N. Sakkoulas, 2001, pp. 279-293.

6. «La liberté de diffusion des convictions religieuses», in International Institute of Human Rights, J.-F. Flauss (Ed.), *La protection internationale de la liberté religieuse*, Bruxelles, Bruylant, 2002, pp. 205-229.

7. « The Supervision of Execution of the Judgements by the European Court of Human Rights – Recent Developments», in *Essays in Honour of A. Marangopoulos*, Athens/Brussels, Legal Library/Bruylant, 2003, pp. 1205-1234 (in Greek).

8. « La ‘réforme de la réforme’ du système de protection de la Convention européenne des droits de l’homme », *Annuaire français de droit international*, 2003, pp. 611-640.

9. « L’actualité et les potentialités de la Convention sur l’élimination de la discrimination raciale. À propos du 40^{e} anniversaire de son adoption », *Revue trimestrielle des droits de l’homme*, 2005, pp. 869-911.

10. « La réforme des organes des Nations Unies chargés du contrôle de l’application des traités relatifs aux droits de l’homme », in G. Politakis (Ed.), *Protecting Labour Rights as Human Rights: Present and Future of International Supervision*, Geneva, ILO Publications, 2007, pp. 151-166.

VIII. Languages
(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**	×			×			×		
Greek.....	..	..	..	..	..	..	..	..	..
.....									
(*Please specify*)									
***b*. Official languages:**									
– English	×	..	..	×	..	..	×	..	..
– French	×	..	..	×	..	..	×	..	..
***c*. Other languages:**									
.....	..	..	..	..	..	..	..	..	..
.....	..	..	..	..	..	..	..	..	..
.....	..	..	..	..	..	..	..	..	..

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.

X. Other relevant information

Chevalier de l'ordre des palmes académiques of the French Republic (2006)

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

I hereby confirm this.

Mr Petros STANGOS

CURRICULUM VITAE

I. Personal details

Name, forename: Stangos Petros
Sex: Male
Date and place of birth: December 9, 1952; Thessaloniki, Greece
Nationality: Greek

II. Education, academic and other qualifications

- Degree in Law, Faculty of Law, Aristotle University of Thessaloniki, Greece (1974).
- Postgraduate diploma (Diplôme d'Études Supérieures) in public law, Faculty of Law and Political Science, University of Bourgogne, Dijon, France (1975).
- Doctorate degree (Doctorat d'État) in law, Faculty of Law and Political Science, University of Bourgogne, Dijon, France (1979).

III. Relevant professional activities

a. Description of judicial activities

i. *Judge of the Supreme Special Court (Article 100 of the Greek Constitution), nominated for judicial years 2006 and 2007 (Athens)*

The Supreme Special Court of the Hellenic Republic is a judicial organ that shares a lot of the privileges of Constitutional Courts. It lacks the legal remedy that forms the originality of Constitutional Courts, namely the individual appeal, amparo remedy, for the protection of an individual's constitutional rights. However, the SSC also deals, amongst its other functions, with the resolution of conflicts in the case law of a large number of national courts, as well as the lifting of contestations regarding the unconstitutionality of a law, regarding which contradictory judgments have been ruled by the Court of Cassation (Areopagus), the Council of State and the Chamber of Accounts. Two of its 13 members are appointed (all others are Supreme Court judges), by rotation, from the faculties of two of the Law Schools in Greece.

I was appointed a member of the Special Supreme Court by a decree of the Minister of Justice (Gov. Gazette, issue B', n° 1959, 30.12.2005) for a two year term, nominated by the Law School of Aristotle University of Thessaloniki. In the course of my appointment, I actively participated in all meetings of the Court, which resulted to a total of forty four (44) judgments in the course of these two years (cf. detailed description below, under n° xv.).

ii. *Judge of the Special Court for actions of miscarriage of justice (article 99 of the Greek Constitution), nominated for the judicial year 2002 (Athens).*

In compliance with article 99§1 of the Greek Constitution, two of the members of this Special Court are faculty members from the Law Schools of Greek Universities. I was appointed member of this Court by the decree of the Minister of Justice (published in Gov. Gazette, issue B', n° 352, 21.3.2002) for a one-year term and participated in all six (6) meetings of the Court in the course of my appointment. None of the actions for the miscarriage of justice that were brought before the court was successful during this period. This included also the most interesting of the miscarriage of justice actions that was put on trial and for which I have written several proposals for the sessions of the Court. My proposals were in line with the view ultimately adopted by the Court in its final and definite ruling on the matter.

This miscarriage of justice action, ultimately and definitely rejected by the Court (DAK n° 11/02), regarded the rejection by the competent Greek courts of a series of actions by individuals against Germany, who claimed the payment of compensation for the rectification of the material, ethical and psychological damage they suffered from the massacre committed by Wehrmacht soldiers in 1943 in the city of Kalavryta, during the German occupation of Greece in World War II. The rejection had been ordered by the Greek courts on the grounds that they are not competent to rule on the degree by which the Defendant State, which is sovereign, enjoys the privilege of immunity from jurisdiction.

iii. *Attorney of the Greek Government to the European Court of Justice (Luxembourg, 1994), for the case "Opinion n° 1/94 on the competence of the European Co mmunity to conclude international agreements concerning services and the protection of intellectual property".*

The opinion issued by the European Court of Justice in this case, relating to the distribution of competence between the European Community and the Member States, in the field of international agreements governing certain aspects of international trade, is of capital importance for the endogenous dynamics of European integration to project itself in the international sphere, against the autonomous national authorities. The conclusions drawn from Opinion n° 1/94 by ECJ may be useful, at some point, for the regulatory work that will precede the accession of the European Union to the European Convention on Human Rights. The essence of the arguments which I developed before the ECJ for this case, for which opinion n° 1/94 was issued, comprised in the preven tion of the contingency that the shared competence between the European Union and Member states in certain folds of international commerce, which appeared at the time to be the one to have been proposed by ECJ, would hurt simultaneously both the autonomy of national judgments and the unity of the international representation of the Community. In my proposals to the ECJ, I recommended for a "Code of Conduct" for the EU and the Member States to be enacted, and the Court, in its report on the hearing, devoted a distinct mention to this proposal (ECJ, *European Court Reports*, 1994, p. I-5385).

iv. *Professor at the National School of Judges (Thessaloniki), from 1997 to 2004.*

Although it is evident that this activity does not fall under the scope of judicial activities, I feel that teaching EC Law and the Law of the European Union, which I undertook throughout the term of my appointment as a professor at the National School of Judges in Thessaloniki, demanded an intellectual endeavour firmly resting on an essentially juridical logic. My objective was to help the future national judges successfully confront the challenge they believed, and continue to believe, was posed by community law. Their attitude towards community law was not dictated by "legal nationalism" - which would have been, in any case, out of context - but by a purely juridical logic: the Constitution, which represents the "gate of entry" for '*droit venu d'ailleurs'*- to paraphrase Dean Vedel - cannot be subsumed to community law, since it is the Constitution which governs the conditions for the accession and implementation of community law in internal legal order.

This way of thinking on legal matters was common during my tenure as a Professor in the National School of Judges, and was dealt with by enhancing my teaching methods with the suitable methodology and appropriate content. The methodology comprised in the comparative study of ECJ rulings and – as a rule – those by supreme national courts, for the implementation of community law in national legal orders, where I had put the emphasis on the points of convergence of the jurisprudences, rather than the points of divergence. The content of my lectures revolved around the notion of 'judicial management', the managing, that is, of the relations between community and national law, the juristic techniques of the direct effect and the supremacy of community law, as well as of the "relativized" procedural autonomy of the Member state with respect to community law, the procedure for the submission of a request by a national judge to ECJ for the issuance of a preliminary rule, the compensatory actions lodged by individuals with national courts for the rectification of damages suffered due to the violation of community law by another Member state.

b. Description of non-judicial legal activities

v. *Member of the European Committee of Social Rights, Council of Europe (Strasbourg), elected in November 2008 for a six (6) years mandate (2009-2015).*

My candidacy for one of the four (4) member posts of the European Committee of Social Rights which were vacant since January 2009, was presented by the Greek government in September 2008. I was elected member of the Committee, by the Committee of Ministers of the Council of Europe in November 2008 and made my solemn declaration for the Committee on 9.2.2009.

The duties of the members of this Committee are allocated to the two principal fields of the Committee's regulatory activities: the elaboration of Conclusions based on the national reports regarding the implementation of the provisions in the European Social Charter (1961) or the Revised European Social Charter (1996), which had already been accepted; and the issuing of decisions, initially on the admissibility and then on the merits with regard to collective complaints lodged against one State party of the Charter, whose subject was the ascertainment of the violation of one or more provisions in the ESC or the RESC.

Already from the first meeting of the Committee in which I participated (February 2009), I actively took part in the various initiatives and actions for the implementation of the activity of the Committee in the two principal fields outlined above. Thus, I was immediately appointed a '*shaddow rapporteur*' (due to the fact that the 'regular' reporters had already been allocated prior to my becoming a member of the Committee) for the implementation of Article 11 of the Charter (right to the protection of health), having contributed to the

drawing up of the Conclusions for the implementation of this provision by 32 State parties to the Charter. I also participated in the assessment of various drafts for decisions on the merits, presented before the Committee by other members, acting as reporters for the corresponding collective actions. In total, I participated in the examination and assessment of ten (10) such draft decisions.

For one of the decisions that was actually adopted by the Committee (the decision on the merits of the collective action n° 48/2008 *European Roma Rights Center v. Bulgaria,* 18.3.2009) I filed a dissenting opinion regarding the violation of Article 13§1 of the Charter (right to social and medical assistance) combined with the violation of Article E (non discrimination), also subscribed by one more member of the Committee (J.M. Belorgey). For the next turnover of examining national reports regarding the implementation of the Charter, I was appointed a 'regular' reporter for the implementation of Article 28 of the Charter (the right of workers' representatives to protection in the undertaking and facilities to be accorded to them). In March 2009, I was also appointed reporter regarding a new collective complaint filed with the Committee by the European Council of Police Trade Unions v. France (n° 57/2009) regarding the violation of Article 4§2 of the Charter (the right to a fair remuneration).

Another of the Committee's practices comprised in the endeavour – by the members and the Secretary of the Committee – to convince Member states to subscribe to those provisions in the Charter which they had not, up to that point, accepted. Such an endeavour included delegations by the Committee, which visited the capitals of the interested nations, in order to engage in dialogue with the authorities and the social partners. I have already participated in one such delegation (in Austria, November 2009) and I am currently preparing to participate in one more, which will visit Bulgaria in March 2010. Finally, as the European Social Charter is a living legal tool, which demands its constant adjustment to the social and political reality which is evolving on all levels of public life in Europe (national, supranational and pan-European ones), I participated in the effort undertaken by the Committee to introduce new and constructive interpretations of the Charter and, to this extend, I proposed interpretative acts for the Charter regarding its territorial implementation (Doc. 275, 30.6.2009) and the implementation of Article 11§1 of the Charter (according to which, all States have the obligation to remove as far as possible the causes of ill-health) for the case of the poorest State parties (Doc. 280, 28.8.2009).

vi. *Off councel, Law office « G. Ktenidis and partners" (Thessaloniki), from 1997 up today.*

Provision of legal opinions on behalf of individuals, collective entities and companies, regarding issues for the interpretation and implementation of European and national law for human rights, community economic and social law and international commercial law.

vii. *Legal councillor at the Hellenic Permanent Representation to the European Union (Brussels), from May 1994 to June 1996.*

In the course of my appointment as a Legal Councillor at the Hellenic Permanent Representation to the European Union, my duties included the following:

a) From May until December 1994,
   - Head of the HPR/EU department for issues belonging to the third pillar of the EU (cooperation on the field of justice and home affairs) and the implementation of Schengen agreements;
   - Responsible for legal issues relating to the common commercial policy;

b) From January 1995 until June 1996,
   - Responsible for the processing of complaints for the violation of community law by the Hellenic Republic, especially relating to the entrusting of state procurements and the award of "major works" contracts.
   - Participation in the deliberations of the national and community authorities for the harmonization of Greek legislation with community law.
   - Representative in the Work Group "Legal Councillors" of the EU Council;
   - Representative in the Work Group "RELEX" of the EU Council (legal matters pertaining to the international relations of the Community);
   - Representative in the Work Group "Trade Councillors" of the EU Council, whose subject was the collaboration between the Community and member states in the context of World Trade Organization.

viii. *Member of the Special Preparatory Law Committee on the subject of the international commercial arbitration (Athens), from November 1997 to December 1998.*

This Special Preparatory Law Committee, in which I was one of a total of seven (7) members, was established by a decree by the Minister of Justice (Gov. Gaz., issue B', n° 2004, 7.11.1997) and was commissioned with the drafting of the law and its explanatory report for the incorporation to the Greek legal order of UNCITRAL's model law regarding international commercial arbitration. This Committee produced the draft for the law on international commercial arbitration, that was voted by the Greek Parliament and became Law n°2795/99 (Gov. Gaz., volume A, n°167/ 99). The work that I have personally produced for this Special Law Preparatory Committee was included, together with other essays on Law, to the book I have edited, entitled: *International Commercial Arbitration: Documents and Commentaries* [in Greek, Thessaloniki, 1999], the publication of which was co-financed by the Aristotle University of Thessaloniki and the Commercial Bank of Greece.

c. Description of non-legal professional activities

ix. *Member of the Working Group (Task Force) of the Ministry of Foreign Affairs (Athens), on the EU-Turkey relationship (1997, 1998).*

This Task Force, which comprised of academics, diplomats and representative of the civil society, was established by a decree by the Deputy Minister of Foreign Affairs (7.3.1997). During the first phase of my participation in this consultative unit (March – June 1997) I collaborated in the drafting of the key working paper, entitled "*An upgraded relation between the European Union and Turkey*" [in Greek] (restricted use document). In the second phase of my participation, I contributed to the preparation of the final draft that was produced by the Task Force, which, then, became the subject of a wide ranging deliberation both within the Government and in the House of Parliament.

x. *Representative of the Ministry of Foreign Affairs to the Multilateral Trade Negotiations of the GATT Uruguay Round (Geneva), on the issues of the disputes settlement procedures (Negotiating group n° 13), from June 1987 to November 1988.*

The transubstantiation of GATT's system for the resolution of disputes, from a system for the political-diplomatic resolution of international disputes that fall within the multilateral regulations governing international commerce to a system for the judicial resolution of such disputes, was one of the major stakes for the Round of Multilateral Trade Negotiations, known as "Uruguay Round" (1986-1994). In my capacity as the representative of the Hellenic Republic, I participated in a mixed committee (comprising, that is, of representatives by Member states and the European Committee) which represented the European Economic Community in the negotiations, and which carried all of EEC's political weight for the establishment of a new system for the resolution of WTO disputes (WTO, the World Trade Organization succeeded GATT), the main characteristics of which would facilitate its balancing between the political and juridical way for the resolution of disputes. The activity I had developed for one and a half year as a member of this committee for the representation of EEC in the multilateral trade negotiations were, I feel, acknowledged by both Greece and the European Committee who jointly appointed my, after the end of the Uruguay Round, as a member of the Indicative List of "Panelists" for the WTO (that is of the list of potential members for the ad hoc bodies for the resolution of such disputes) for the period 1995-1998.

IV. Activities and experience in the field of human rights

xi. *Senior legal expert of the network of legal experts for the EU Agency for Fundamental Rights (FRALEX senior expert), Vienna, 2007-2011*.

I participate in this body of the EU Agency for Fundamental Rights, which stands on the verge of being a consultative and an operational unit of the Agency. I was appointed the principal legal expert upon the recommendation of the Greek organization which acts as the Agency's "correspondent" for Greece, that is of the Center for European Constitutional Law (CECL) in Athens (Themistocles & Demetrius Tsatsos Foundation). My duties as a member of the network of legal experts may be analyzed as follows:

- I supervise the drafting, for quality control and assurance as demanded by the guidelines compiled by the Agency, of the quarterly *Information Bulletin* on the state of all fundamental rights in Greece, which is drawn up by external experts upon the Agency's request.

- I supervise the drafting, for quality control, of the national surveys-studies that are drawn up by external experts upon the European Agency's request and analyze the prevailing, in Greece, state for specific fundamental rights for a given period. Such studies are classified as either Thematic Legal Studies or – when they are required to be more concise – Flash Reports.
- I am one of the 27 members of the FRALEX network and participate in the conferences that take place at the headquarters of this European institution with the objective of assessing the reports for the state of specific fundamental rights in the Union (such reports are based on the national Thematic Legal Studies and Flash Reports), as well as the compilation of the annual working schedule regarding the national studies and composition surveys.
- In the course of my first three years with the FRALEX network (2007-2009), I supervised the compilation and quality of seven (7) quarterly Information Bulletins for the state of fundamental rights in Greece. Furthermore, I participated in five (5) meetings of the FRALEX network. But my work for FRALEX network essentially comprises in the supervision and evaluation of the Thematic Legal Studies and Flash Reports regarding the prevailing, in Greece, state for specific fundamental rights. To be more accurate, I have so far worked on six (6) Thematic Legal Studies and three (3) Flash Reports, which regarded:
    - Homophobia and Discrimination on Grounds of Sexual Orientation (Thematic Legal Study, 2007).
    - Racial Equality Directive Impact (Thematic Legal Study, 2007).
    - Data Protection (Flash Report, 2008).
    - National Human Rights Institutions (Thematic Legal Study, 2008).
    - Rights of Irregular Immigrants in Voluntary and Involuntary Procedures (Thematic Legal Study, 2008).
    - Child Trafficking (Thematic Legal Study, 2009).
    - Situation of Roma EU Citizens Moving to and Settling in other EU Member States (Flash Report, 2009).
    - Mental Health and Fundamental Rights (Flash Report, 2009).
    - Update of the Thematic Legal Study on Homophobia and Discrimination on the Grounds of Sexual Orientation (2009-2010).

xii. *Member of the National Commission for Human Rights (Athens) (2006-2009) & Chairman of the 2nd Section of the NCHR (Economic, Social and Cultural Rights) (2009-2012).*

I became a member of the National Commission for Human Rights, serving a three year term, initially in 2006, as the representative of the Law School at Aristotle University of Thessaloniki. Pursuant to law 2667/98 by which NCHR was incorporated, the Law Schools and Political Sciences Departments of home, Greek, universities are represented in the Commission based on a mixed selection system, by rotation and draw. My term was renewed in 2009. Upon the commencement of my second term (March 2009), I was elected president of the 2nd Section of the Commission, which deals with economic, social and cultural rights.

Throughout the course of my term at NCHR so far, I have actively contributed to the processing of reports and rulings relating to the state of various human rights and fundamental freedoms in Greece, which were proposed by other members of the Commission. These were texts that were adopted by NCHR's plenary session, which focused, among other things: on the limitation for the freedom of assembly and the protection of personal information, that were introduced by a law passed on the aftermath of the December 2008 riots in Athens and the other major urban centres in Greece; religious freedom and the issue of the separation of the Church from the State; personal and political rights of prisoners in Greek prisons; men-women equality in employment and access to services; the amendment of the Greek Citizenship Code; the amendment and modification of family law, specifically with respect to the acknowledgement of the agreement for the free living together between people of different sex; the treatment of illegal immigrants by the Coast Guard; the glitches in the national procedures for the granting of asylum; the right to decent housing for the Roma, etc.

In the course of the first period of my term, I was the reporter on the issue of the effects on personal and political rights of law n° 3251/04, which incor porated in Greek legal order EU's framework decision for the European arrest warrant. My critical remarks and specific proposals for the amendment of the law were adopted by NCHR in November 2007 and published in the *Human Rights Review* (Athens), n° 39/2008, pp. 887-911 (in Greek). I was also appointed reporter, by the plenary session of NCHR, for the subject of the necessary amendment of Law n° 3304/05, which establ ished the application of equal treatment, irrespective of ethic origin, religious or other convictions, disability, age or sexual orientation, in order for said law to be compliant to the directives of the EU Council n° 43/2000 and 78/2000 (cf. below under n ° xv) which the law typically introduces to interior legal order. The observations and the NCHR action plan I prepared, will be discussed by the plenary session of the Committee in January 2010.

In June 2008 I took the initiative to propose to the Committee the adoption of an action plan for the stabilization of the law of the European Convention on Human Rights in the context of the law applicable by the Greek courts, essentially in the context of the Greek system for judicial protection. This initiative was called for by the objectives of the intergovernmental bodies of ECHR (the Committee of Ministers of the Council of Europe, as expressed by its Recommendation Rec(2002)13, and the Group of Wise Persons set up to assess the long-term effectiveness of the ECHR, expounded in its interim report of 2006), which comprise in the propagation of EurCourtHR case law, which is produced annually by all Member states and internally in their judicial systems. The action plan I provided for the following: the establishment of a group of language proficient jurisprudents for the translation to Greek, under the aegis of NCHR, of the most significant of EurCourtHR rulings that are published each year; the annual compilation of said translated rulings to a volume, which shall be distributed free of charge to all Greek judges; the creation of 3-4 working groups, comprising of academics, lawyers and ex-judges, who will organized, at the seat of each court of appeals in the country, intensive seminars for rank and file judges on the rulings contained in each volume. The NCHR accepted my proposals and adopted the action plan, while it sought financing from the apropos public authorities. Despite the assurances given by some of these authorities with respect to the resources requested (Greek Ministry of Foreign Affairs, National School of Judges, Ministry of Justice of the Republic of Cyprus), notable limitations which were introduced to the budget of the Greek Ministry of Justice, the party most directly interested in this endeavour, block, until today, the requisite funding and, therefore, the success of this enterprise.

Since January 2009 I participate, together with NCHR's president and three other Committee members, in a Work Group assigned with the organization and implementation of an action plan for the systematic and in depth education of Hellenic Police personnel in human rights. The action plan that was drawn up, and which was approved by the plenary session of NCHR was inspired by similar experiences in other European countries (Netherlands, Austria, U.K.). The initiative and specific NCHR proposals were positively received by Hellenic Police Staff. For the time being, there is nothing else to be done and the matter is pending the decision by the Ministry of the Interior for the financing of the action plan, thus setting it to motion, for the benefit of all interested parties.

xiii. *Professor of the Jean Monnet Chair "Human Rights Protection within the European legal order" at the School of Law, Aristotle University of Thessaloniki (2000 et seq.).*

I became the holder of the title for one of the "Jean Monnet Actions" by the European Committee in 1998: of a "Standing Jean Monnet Class" with the subject: "Protection of Human Rights in Community Legal Order". This class was included in the undergraduate curriculum of the Law School at Aristotle University of Thessaloniki up until 2000, when the European Commission, in response to a candidacy I filled, awarded to my person and the academic institution I serve, the "Jean Monnet" Chair with the subject "The Protection of Human Rights in European Legal Order".

In 2000-2003, when the Jean Monnet Chair was exclusively financed by the European Commission, I had the opportunity to organize various academic activities, which went beyond the strict context of academic teaching. My teaching duties included five (5) different courses: "Protection of human rights in European legal order", the content of which was identical to that of the class that will be analyzed in the coming paragraph, which was taught – and is still being taught – as an elective course in undergraduate and postgraduate programmes; "European citizenship", also an elective course in the aforementioned programmes of study; "Protection of democracy, the rule of law and human rights in the framework of he international activity of the European Community and the European Union", which was an elective course strictly for postgraduate students. Furthermore, as has been noted above, during this period I invited professors from European universities (five different fellow professors) to deliver lectures in the Law School in Thessaloniki; I have also organized visits by postgraduate students to EurCourtHR and ECJ. I had also organized groups of postgraduate students who, under my supervision, collected community case law for the fundamental rights and analyzed the main relevant rulings by the two courts in the EU and published three (3) years of community case law regarding human rights in the Greek legal Press: in the *Human Rights Review*, volumes n°33/2007, pp. 225-267, 27/2005, pp. 861-947 and 1 1/2001, pp. 829-887.

From 2003 and until today, the Jean Monnet Chair in the Law School at Aristotle University of Thessaloniki, that I hold, has been wholly subsumed under the aegis of the Aristotle University. Two courses are offered, under the same title (Protection of human rights in European legal order) but with different content, one for the undergraduate programme of studies and one for the postgraduate one. The first course focuses on the teaching of the processing by the community judge of the general principles of community law. The second course revolves around the teaching of the protection of human rights on a comparative basis, by EurCourtHR, ECH and the Court of First Instance of the European Union, the supreme courts in Greece, France, Belgium and Germany (for this last case teaching is limited to only those judgments which have been translated to English or French). The two courses offered attract a significant number of students and, as a rule, high calibre ones. Since 2000 fourteen (14) post-graduate dissertations and two (2) doctorate theses have been elaborated, while two further doctorate theses are under preparation.

xiv. *Exercise of my duties as judge of the Special Supreme Court for the judicial years 2006 and 2007, on the benefits of human rights.*

Roughly for one third of the judgments that were issued by SSC during the period for which I was one of its members (a total of 14 cases were put on trial, cf. above under no. i), I persistently advocated, in the sessions of the Court, the implementation of the European Convention on Human Rights, in order to serve and facilitate a fair trial in these particular cases. I feel that my argumentation for the issuance of ruling AED n° 4/2006, regarding the implementation of rules which introduce deadlines for the initiation of an action (implementation of Article 6§1 ECHR and the case law by EurCourtHR *Zvolsky & Zvolska*, 2002, *Miragall Escolano and others,* 2000 and *Melin*, 1993) and judgments AED n° 3, 4 and 5/2007, regarding the retributive or non retributive nature of social provisions as a condition for asset-related claims by the beneficiaries (implementation of Article 1 of the First Protocol and the case law of EurCourtHR *Stec* – ruling on the admissibility of 2005) was of critical importance. The first of these SSC judgments was commented – with specific referenced to my own argumentation – by assistant professor at the Law School in Thessaloniki C. Gogos in *Armenopoulos* [in Greek], 2007, n° 3, pp. 443-446. The aforementioned 2007 judgments were also analyzed in my paper [in Greek], "The application of the human rights European law to the contractual claims for social allowance. Remarks on the judgments n° 3, 4 and 5/2007 of the Special High Court in the cases of the 'minimum ratio' of the lump sum allowance to the Banks employees", in *Journal of Social Security Law. (A) Monthly Legal Review*, n° 8/596, August 2008, pp. 617-630.

xv. *Member of the Management Board of the European Union Monitoring Centre against racism and xenophobia (EUMC) (Vienna) from 1998 to 2004, elected Vice-chairman of the Management Board of the EUMC for the years 2001-2004.*

The European Union Monitoring Centre against racism and xenophobia (EUMC) is the European institution which was incorporated in 1998 and which, in 2004, evolved to the EU Agency for Fundamental Rights (cf. above under n° xi).

I was appointed a member of the Board of Directors of the Observatory before the European Commission in 1998, proposed by the Greek Government, for a three (3) year term. My term was renewed in 2001 and, immediately upon the commencement of my new term I was elected Vice-President of EUMC's Board of Directors (with 9 votes out of a total of 17).

During my first term as a member of the Board of Directors (1998-2001), besides my *stricto sensu* administrative and managerial duties, I became involved with the processing of the proposals of the Monitoring Center, for the drafts to the first two European Community directives grounded on article 13 of the EC Treaty. These drafts became, in 2000, the Council Directive 2000/43/EC of 29.6.2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ n° L *180/19.7.2000)* and the Council Directive 2000/78/EC of 27.11.2000 establishing a general framework for equal treatment in employment and occupation (OJ n° L 303/2.12.2000).

As Vice-President for EUMC's Board of Directors (2001-2004), I was a member of the Executive Office. The main mission of the Executive Office was to manage the NGO network under the name RAXEN network, which supplied the Observatory with information regarding the state of affairs in each Member State with respect to racism and xenophobia. This information was used by EUMC to draft its annual report or to offer opinions and recommendations to the issues posed to it by the institutional bodies of the Union regarding its field of competence. Furthermore, I participated and represented the Observatory in the delegation of the European Community in the European Committee against racism and intolerance (ECRI) of the Council of Europe (the EC had an observer status in ECRI, while the other member of its delegation to the ECRI was the representative of the European Committee). I have also represented EUMC in many international scientific conferences relevant to its field of competence. Let me, only indicatively, cite the international conference organized in Brussels on 20-21.3.2002 by the European Committee and entitled *Intercultural Dialogue-Dialogue Interculturel*, where my introduction related to "*La contribution de*

l'Observatoire européen des phénomènes racistes et xénophobes à la promotion du caractère multiculturel des sociétés européennes", and the conference «*Empires et Etats nationaux en Méditerranée: la frontière entre risques et protection*» organised by IFAO (Institut Français d'Afrique Orientale) in Cairo on 6-8.3.2004, where my paper regarded "*L'espace Schengen et la difficile gestion politico-juridique des frontières de l'Union européenne*".

In the course of my term as EUMC's Vice President, I directed, in 2002-2003, the Monitoring Center's Working Group assigned with the task of formulating the positions and proposals of the Center for the Convention on the Future of Europe, on the provisions of the future Constitutional Treaty that regarded the prevention and fighting of racism and xenophobia. Since in the Constitutional Treaty draft that the *praesidium* of the Convention had presented in 2003 all references to this field had been erased, the Work Group of the Observatory and I personally exercised great efforts to convince the members of this Convention that such erasure was spurious. My personal contribution (drafting of documents and letters, meetings with the *praesidium* of the Convention and presence in the Convention itself) was finally rewarded, by the introduction in the final draft of the Constitutional Treaty of the reference we were interested in. But, even prior to this, a letter by European commissioners and members of the Convention, M. Barnier and A. Vitorino to the Observatory's General Director testifies my personal confluence to the outcome of this issue. Since the curriculum vitae template provided for the present procedure does not cater for the attachment of documents, I cite here the whole of the letter by the two commissioners (dated 15.5.2003 and under doc. n° 24451) in its original language, French: "*Nous vous remercions pour votre lettre du 25 ars 2003 par laquelle vous nous avez transmis, ainsi qu'à nos collègues du praesidium de la Convention européenne, un courrier de M. Stangos sur la prévention et la lutte contre le racisme et la xénophobie. Nous partageons le souci exprimé dans la note de M. Stangos en ce qui concerne la disparition de la mention explicite du racisme et de la xénophobie à l'article 17, partie II du projet de Traité constitutionnel, qui traite du rapprochement en matière de droit pénal substantiel. En effet, la référence, dans le commentaire de l'article 17 deuxième tiret, à l'article 13 TCE n'est pas suffisante et risque de donner lieu à des interprétations divergentes quant à l'existence d'une compétence de l'Union à agir en matière de rapprochement du droit pénal contre le racisme et la xénophobie. Nous serions donc en faveur de mentionner explicitement le racisme et la xénophobie au premier tiret de l'article 17. Suite au débat lors de la session plénière du 3 avril, il nous semble que cette question mérite d'être à nouveau examinée et dans ce contexte nous nous félicitons de la contribution de l'Observatoire européen.*"

xvi. *Member of the Group of experts of the European Public Law Center (Athens) on the European Constitution (2002).*

Professor S. Flogaïtis, Director of European Public Law Center, proposed to me to participate in the Center's Group of experts for the European Constitution. This Group of experts, presided over by Guy Braibant, head of the Center's Scientic Council, had undertaken the task of presenting the principles, based on which the representatives of the Center could participate in the public discourse for the European Constitution which was encouraged by the Convention fro the future of Europe. During 2002 I participated in all of the meetings of the Working Group, which took place in Athens, Paris and the island of Spetses. My personal contribution to the Group of Experts of the Center is detailed and analysed in my paper entitled "Rule of Law" and included in the publication *European Public Law Center – Centre Européen de Droit Public: Group of Experts on European Constitution – Groupe d'experts sur la Constitution européenne. Contributions. Spetses 11-12.9.2002,* pp. 27-31.

xvii. *Member of Consultative commission of the EU Council against racism and xenophobia (Brussels), 1994-1997.*

I was appointed member of the Consultative commission against racism and xenophobia by the EU Council following the proposal of the Greek government in September 1994, serving a one year term. Since then my incumbency was renewed twice, with the same procedure. During the second year of my term (1995-96) I was elected president of the sub-committee to the Consultative commission, which was assigned to formulate proposals for the legal and institutional particulars for the establishment of a European agency, the Building Institution competent to fight racism and xenophobia; an organization which was, indeed, established two years later, in the form of EUMC (cf. below under n° xv).

xviii. *Manager or Academic supervisor of research projects and vocational training projects in the area of human rights (2000-2001, 2004-2006).*

In the course of my academic career I directed or was the academic supervisor for various research programmes, which sometimes included of a vocational training aspect, while others they did not. Two (2) of a total of eight (8) such programmes related to human rights, these were:

a) A European programme for the vocational training of judges and lawyers from Maghreb (Tunisia and Morocco) on issues of the Rule of Law and the respect for human rights. I was the director of this programme, which took place in academic year 2000-2001 at the Law School in Thessaloniki and was financed and supported by the European Commission (DG1) in the context of the action "MEDA for democracy". The results of this programme, which also include the findings of the academic research relating to the conditions for the stabilization of the values of the Rule of Law and human rights in the nations of Southern Mediterranean, were published in the volume I edited: *La formation des professionnels du droit dans le cadre du programme "MEDA pour la démocratie". Approches issues d'un séminaire de formation en matière d'Etat de droit et de libertés fondamentales. Publication réalisée avec l'assistance financière de la Communauté européenne, Faculté de droit, Université Aristote de Thessaloniki, Thessaloniki 2001, 143 pp.*
b) The European research programme "*Combating discrimination from the University: an idea of research and education*" (2004-2006), for which I was the academic supervisor, on behalf of the Law School at the Aristotle University of Thessaloniki. This programme was coordinated by Italian NGO UCODEP and the partners for the programme included three (3) European universities (University of Florence, Aristotle University of Thessaloniki and University College of London) and three (3) NGOs (an Italian, an Austrian and a Spanish one). The programme was financed and supported by the European Commission (DG1) in the context of "*Action Programme 2000-2006 against discriminations*". The findings of the research were published in the volume: Ch. Favilli (ed.), *Anti-discrimination law as a new subject of law?* UCODEP, Firenze, 2006, where one can find also my contribution for the department of scientific research, realized under my supervision in Greece (pp. 16-21).

xix. *Delegate of Greece at the 1st Mediterranean Conference of National Institutions for the Protection and the Promotion of Human Rights, Marrakesh, Morocco, 27-29.4.1998.*

This Conference was organized jointly by the French Republic and the Kingdom of Morocco, implementing the so-called "Paris principles" of the United Nations with respect to the establishment by all Nations of public institutions for the promotion and protection of human rights. I participated in this international conference representing the Greek Ministry of Foreign Affairs (specifically as the representative of deputy minister Yiannis Kranidiotis), at an era when Greece was in the preparatory stages for similar institutions. The reports I filed with the ministry after the conference furnished further support for the arguments that the Ministry of Foreign Affairs put forth in the governmental process, already set in motion, for the establishment of such institutions; a process that was completed one year after with the establishment of the institutions of the Ombudsman and the National Commission for Human Rights (cf. above under n° xii)

V. Public activities

a. Public office

xx. *Professor of European Law at Aristotle University of Thessaloniki, Law School, Department of International Studies (1997 et seq.).*

I have started my academic carrier at the School of Law of the Aristotle University of Thessaloniki in 1982 as a Lecturer, while in 1985 I became Assistant Professor, in 1992 Associate Professor. I became Professor in 1997, having, therefore, advanced through the whole spectrum of posts in my department.

As Professor, I am teaching both in the undergraduate and postgraduate programs offered by the Law School at Aristotle University of Thessaloniki. I teach EU institutional law, the law of the internal market and the EU judicial system, while performing all of my other academic duties (supervision of postgraduate dissertations and doctoral theses, participation in research projects and in the national and international scientific dialogue).

xxi. *Director of studies for the interdisciplinary postgraduate studies program "*The legal area of the Unified Europe*" offered by the Law School, Aristotle University of Thessaloniki (2001-2003).*

xxii. *Academic coordinator, on behalf of the Law School at Aristotle University of Thessaloniki, of the "Erasmus" European academic collaboration program, in the context of which we have established an exchange and mobility program for both students and professors with the Law Schools of the universities of Cork, Nottingham, Rennes and Stuttgart (1992-1994).*

xxiii. *Invited professor on EEC commercial policy and EEC antidumping law at the National School of Public Administration (Athens) in 1988, 1992 and 1997.*

xxiv. *Lecturer in the postgraduate seminar on International economic relations in the Mediterranean Area, at the Greek Centre of Mediterranean and Arab-Islamic Studies, Panteion University of Social and Political Sciences (Athens), 1981-1982.*

xxv. *Senior Research Fellow at the Center of International and European Economic Law, Thessaloniki, 1980-1988.*

b. Elected posts

xxvi. *Member of the Committee of the Aristotle University of Thessaloniki on the European aspects of the education, appointed by the Senate of the University in November 2008, for a 4 years term.*

xxvii. *Director of the Department of International Studies, School of Law, Aristotle University of Thessaloniki, in 2007-2008, 1998-1999 and 1993-1994.*

xxviii. *Member of the Hellenic Society of International Law and International Relations since 1983, elected 1st Vice-chairman of the Management board of the Society in 1998 and 2000, each time for a 2 years mandate.*

xxix. *Member of the Hellenic University Association for European Studies (the Greek branch of ECSA) since its foundation in 1986, elected member of the Management Board of the Association in 1989 for a 3 years mandate.*

c. Posts held in a political party or movement

I have never held any post in a political party or movement. However, I have been actively involved in the public sphere of the civil society. Specifically:

xxx. *I am member and the Scientific Supervisor of the Non Governmental Organization* "ANTIGONE-Information Centre on Racism, Ecology, Peace and Non Violence " *(Athens, Thessaloniki) since 2000.*

xxxi. *I was member of the Steering Committee for the* "Charter of the European political parties for a non racist society" *(from February 1998 to November 1999), established by the European conference* "A code of good practice: political parties and non-discrimination" *held in Utrecht (The Netherlands), 25-28.2.1998, under the auspices of the EC Commission and with the participation of most than 40 political parties of all the EU Member States.*

VI. Other activities

xxxii. *Member of the Aristotle University of Thessaloniki delegation to the Founding Conference of the Euro-Mediterranean University (EMUNI), held in Barcelona, 27-28.11.2008.*

xxxiii. Member of the Scientific committees of the Human Rights Review (Athens) since 2005, the International and European Politics Review (Athens) since 2006 and of the review Europoliteia (Athens) since 2007.

xxxiv. *Member of the Société Européenne de Droit International - European Society of International Law (SEDI-ESIL) since 2004.*

xxxv. *Member of the Academic Council of the School of Political Sciences, Aristotle University of Thessaloniki, 1999 to 2001.*

xxxvi. *Member of the « Société Française pour le Droit International » (SFDI) since 1994.*

xxxvii. *Member of the Editorial Committee of the* Hellenic Review of European Law, *Thessaloniki, 1980-1989.*

xxxviii. *Visiting Appointments:*
- 2007: National Centre for Hellenic Studies and Research, Latrobe University of Melbourne, Australia.
- 1994: Institut Universitaire International de Luxembourg, Luxembourg.
- 1991-1992: Institut d'Études Européennes, Université Libre de Bruxelles, Belgium.
- 1990: Europees Instituut, Universiteit Gent, Belgium.

xxxviii. *Fellowships – Scholarships:*
- 1994: Research Fellowship of the Scientific Committee of the Aristotle University of Thessaloniki, for a research project implemented within the Legal service of GATT (Geneva).
- 1993: Research Fellowship of the Flemish Community of Belgium, for a research project implemented within the European Institute of Gent University.
- 1988-1989: Research Fellowship of the European Commission (DG 1), for a research project on the EEC membership to the disputes settlement procedures of GATT.
- 1975-1979: Scholarship of the French Government for the research of my doctorate thesis.

VII. Publications and other works

Author or co-author of eleven (11) books, editor or co-editor of three (3) volumes, author or co-author of sixteen-nine (69) articles or book contributions and author of four (4) forthcoming papers, written in Greek, French, or English in the thematic areas of the EU law (institutional or economic), European and Greek law of fundamental rights, European and National anti-discrimination law, International economic law and Public international law.

Indicatively, some of the most prominent of my works are:

Books

1. *The judicial protection of fundamental rights within the EU legal order. Its relationship with the constitutionalisation process of the EU* (in Greek), preface: Christos Rozakis. Athens-Thessaloniki: Sakkoulas Publishers, 2004, 665 pp.
2. *The Turkish Straits* (co-author: Chr. Rozakis). Dordrecht / Boston / Lancaster, Martinus Nijhoff Publishers, collection : International Straits of the World, vol. 9, J. Mangone (General Editor), 1987, 200 pp.
3.

Articles

4. *L'engagement européen contre le terrorisme international. Questionner l'impact de cet engagement sur la protection communautaire des droits fondamentaux.* Annuaire International des Droits de l'Homme*,* II/2007, pp.161-179.
5. *Le droit communautaire à l'épreuve des réalités du droit international : Leçons tirées de la jurisprudence communautaire récente relevant de la lutte contre le terrorisme international*. Cahiers de Droit Européen, n°3-4, 2006, pp. 429-481.
6. *The Fight Against Racism, Xenophobia and Discrimination in Greece Today. The Normative Framework, Public Actions, and the European Challenge.* D. Papadimitriou & J. Cavounidis (eds.), Managing Migration : The Greek, EU, and International Contexts*,* Hellenic Migration Policy Institute (IMEPO), Athens 2006, pp. 159-175.
7. *Combating Drugs in the European Union. In Quest of an Enemi or in Search of the European Citizen?* Drug Addiction, Treatment and Prevention in a United Europe: Diversity and Equality, 10th European Conference on Rehabilitation and Drug Policy, 10th-14th May 2005, Book of proceedings, Athens, Kethea, 2006, pp. 36-41.
8. *The legality of the restrictions on consolidated interests under the law of the European Convention of Human Rights* (in Greek). Law of Enterprises and Companies, issue 116, 2005, pp. 651-659.
9. *La conditionnalité politique, en termes de protection des droits de l' homme, de démocratie et de l'État de droit, des relations économiques extérieures de la Communauté et de l' Union européenne.* H. Ruiz-Fabre et al. (éds.), L'effectivité des actes des organisations internationales. Mécanismes de suivi et de contrôle, Paris, Pedone, 2000, pp. 273-321.
10. *La jurisprudence récente de la Cour de Justice des Communautés Européennes concernant les travailleurs migrants, ressortissants de pays tiers.* Revue des Affaires Européennes*,* n° 1-2, 2000, pp. 107-117.
11. *Les ressortissants d'Etats tiers au sein de l'ordre juridique communautaire.* Cahiers de Droit Européen, n°3-4, 1992, pp. 306-347.

VIII. Languages
(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Language	Reading			Writing			Speaking		
	very good	good	Fair	very good	good	fair	very good	good	fair
***a*. First language:** Greek (mother tongue)									
***b*. Official languages:**									
– French	+			+			+		
– English	+			+			+		

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.

X. Other relevant information

I devoted the essence of my professional life – without, however, compromising the integrity of my personal and family life – to the contemplation of the legal universe, drawing upon the available jurisprudential sources with the help of the tools – my career was academic, after all – of empirical research and critical approach to the sources.

My commitment to the European law on human rights is more than a specialization that I have acquired, additional or supplementary to the others which compose my profile as jurisprudent-international law expert (community institutional and economic law, public and economic international law). It was initially prescribed as an antidote to the painful experience that my generation has gone through: we have lived our best years, our youth, under an oppressive political regime. This commitment was further nurtured by the thinkers on human rights with whom I had the privilege and honor of working and, at the same time, studying under: Demetrius Evrigenis, Professor of International Law at Aristotle University of Thessaloniki and Member of the European Parliament, with whom we worked together at the Law School and the Center for International and European Economic Law in Thessaloniki. I collaborated with Prof. Evrigenis closely in the drawing up of the first European acts (of non-regulatory, of course, character) which punished racism (in the report and resolution of the European Parliament in 1985-86 for the rise of fascism and racism in Europe), for which he was the rapporteur. I had also the honor of working with Guy Braibant, honorary Vice-President of Conseil d'État and Vice-President of the Assembly which, in 2000, drew up the Charter of fundamental rights in the EU and who honored me by initiating me to the powerful signification of the Rule of Law, in which he firmly believed, fact that guided my academic and professional orientation, especially during the second phase of my appointment at the European Monitoring Center against racism in Vienna. But, above all, my commitment to the European Law for Human Rights was, and continues to be, the road that facilitates my descent to the every-day life of the world of law, to legal practice.

In the course of the last fifteen years of my career, I was elected or appointed to various European and national bodies which, due to their composition, realize that old requirement of political theory: to propagate and consolidate the vigilance for the respect of human rights to all society; due to their function, such bodies belong to the category of the institutions supervising the upholding of human rights by entities of authority (supranational, pan European, of the individual states), which are under the obligation, in the context of such institutions, to act, to be informed, to adjust their policies and to learn.

My arsenal being the positivism in human rights, which is an integral part of my intellectual inheritance, the reality I have experience in the course of the activities I had, every time, developed in the context of such institutions may be summarized in the statement that there no "good" governments (or "good" legislators, or "good" public administrations) which, in the framework of their powers, believe and protect human rights. Such a consideration of reality would deliberately shut its eyes to the natural tendency of all people, including those who man these mechanisms for public decisions, to hoard authority and power. Acting as counter-weight to this reality I have experienced in legal practice, is the compulsory "passage" of the protection of human rights through one specific public institution, the court.

Such a claim does not stem from a sincere faith that judges are better people than the members of the government or the legislative body. My trust in the judge rests firmly in the institution of court itself, which is "tailored", more than any other institution, to fit the average citizen. Experience has demonstrated that this institution, even if manned by mediocre people, is the one less exposed to the influence exercised by those interests closely related to power and authority, since such interests stand alienated both with respect to the institution as well as to the procedures available for this institution. A judge is not a recognizable figure of authority only inasmuch as he justifies his judgment on rational thinking, in other words, only inasmuch as his judgment is intelligible and comprehensible by others. The impartiality that characterizes a judge will by necessity lead him to decide which of the arguments presented by the parties to a dispute are more convincing.

This deeply felt insight has led me to focalize, in a 650 pages volume which I published in 2004, my analysis on human rights protection in Europe, exclusively in their judicial safeguard. The same insight has guided my teaching at the university and the National School of Judges, and it never fails to attract the audiences' attention. Finally, this is the utmost reason for which I submit my application for the appointment of the Greek judge at the European Court of Human Rights, initially with my government, and now before you, hoping and aspiring that my candidacy will be received positively by you, in your final decision for the fulfilment of this vacancy.

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

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

Ms Maria TSIRLI

CURRICULUM VITAE

I. Personal details

Name, forename **TSIRLI Maria**

Sex **Female**

Date and place of birth **20/10/1967 Thessalonica, Greece**

Nationality/ies **Greek**

II. Education and academic and other qualifications

Faculty of Law of the University of Athens (1985-1989) Master's in law – first class honours

Robert Schuman University (Strasbourg III) (1990-1991) Post-graduate diploma (D.E.A.) in public law (constitutional law, administrative law, public finances, law of international organisations) – lower second class honours

Robert Schuman University (Strasbourg III) (1991-1994) Doctorate in comparative constitutional law ("The rules governing telephone tapping" – comparative law study) – summa cum laude

III. Relevant professional activities

a. Description of judicial activities

Secretariat of the European Commission of Human Rights (01/03/1994 – 01/11/1998) *Legal secretary*

Registry of the European Court of Human Rights (01/11/1998 – 01/03/2004) *Legal secretary*

Registry of the European Court of Human Rights (01/03/2004 – present) *Legal secretary – Head of Division*

b. Description of non-judicial legal activities **Member of the Athens Bar (not currently practising)**

c. Description of non-legal professional activities **None**
(Please underline the post(s) held at present)

IV. Activities and experience in the field of human rights

See III. a) above

V. Public activities

a. Public office **None**

b. Elected posts **None**

c. Posts held in a political party or movement **None**
(Please underline the post(s) held at present)

VI. Other activities

a. Field **Administrative Tribunal of the Council of Europe**

b. Duration **19/01/2004 to present**

c. Functions **Deputy Registrar**

(Please underline your current activities)

VII. Publications and other works
(You may indicate the total number of books and articles published, but mention only the most important titles (maximum 10))

– Προδικαστικά ζητήματα του άρθρου 26 της Ευρωπαϊκής Σύμβασης των Ανθρωπίνων Δικαιωμάτων, Νομικό Βήμα, 1997, τεύχος 1
("Preliminary rulings under Article 26 of the European Convention on Human Rights", Nomiko Vima, 1997, vol. 1)

– Προϋποθέσεις παραδεκτού της ατομικής προσφυγής, Το Σύνταγμα, 2002, τεύχος 2
("Conditions of admissibility of the right of individual petition" – To Syntagma, 2002, vol. 2)

– Η ανεξαρτησία και η αμεροληψία του Συμβουλίου της Επικρατείας κατά το άρθρο 6 της ΕΣΔΑ, εις Τιμητικό Τόμο του ΣτΕ – 75 χρόνια, εκδ. Σάκκουλα, Αθήνα-Θεσσαλονίκη, 2004
("The independence and impartiality of the Council of State in accordance with Article 6 of the European Convention on Human Rights" - *in* Collection to commemorate the 75th anniversary of the Council of State, Sakkoulas Publishing, Athens-Thessalonica, 2004)

– Απόρρητο επικοινωνίας, Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου, Τα Δικαιώματα στην Ελλάδα 1953-2003. Από το τέλος του εμφυλίου ως το τέλος της μεταπολίτευσης, επιμέλεια Μιχάλης Τσαπόγας, Δημήτρης Χριστόπουλος, εκδ. Καστανιώτη, Αθήνα, 2004
("Secrecy of communications" *in* Hellenic League for Human Rights, Rights in Greece 1953-2003, Kastanioti Publishing, Athens, 2004)

– Το Ευρωπαϊκό Δικαστήριο Δικαιωμάτων του Ανθρώπου και οι προδήλως απαράδεκτες προσφυγές : η αθέατη πλευρά του παγόβουνου, Νομικό Βήμα, 2007, τεύχος 3
("The European Court of Human Rights and manifestly unfounded applications: the hidden part of the iceberg" – Nomiko Vima 2007, vol. 3).

– Ατομική προσφυγή στο ΕΔΔΑ, Νομικό Βήμα, 2007, τεύχος 7
("Individual petition before the European Court of Human Rights" – Nomiko Vima, 2007, vol. 7)

– Οι αναχρονισμοί στην ερμηνεία των δικονομικών κανόνων από τα εθνικά δικαστήρια και ο διορθωτικός ρόλος του ΕΔΔΑ, εις Τιμητικό τεύχος του Δικηγορικού Συλλόγου Αθηνών για τα 50 χρόνια λειτουργίας του Ευρωπαϊκού Δικαστηρίου Δικαιωμάτων του Ανθρώπου (προς έκδοση)
("Anachronisms of national courts in the interpretation of procedural rules and the corrective role of the European Court of Human Rights" – to be published in miscellanies of the Athens Bar to mark the fiftieth anniversary of the European Court of Human Rights)

VIII. Languages
(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a.* First language:**									
– Greek (mother tongue)	**x**			**x**		..	**x**		
(*Please specify*)									
***b.* Official languages:**									
– English	**x**			**x**			**x**		
– French	**x**			**x**			**x**		
***c.* Other languages:**									
– 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.

–

X. Other relevant information

None.

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

I confirm that I will do so.

No. 58

Permanent Delegation of Portugal
to the
Council of Europe

Strasbourg, 17 June 2010

Dear Sir,

Further to letter No. 162 of 18 December 2009 and with reference to your letter of 2 March 2009, I have the honour to submit the new list of candidates for the election of the judge in respect of Portugal to the European Court of Human Rights:

- Ms Anabela Maria Pinto de Miranda Rodrigues
- Mr João Manuel da Silva Miguel
- Mr Paulo Sérgio Pinto de Albuquerque

Please find enclosed the curriculum vitae of Mr Pinto de Albuquerque.

Yours faithfully,

(signed)

Américo Madeira Bárbara
Permanent Representative

Mr Mateo SORINAS
Secretary General of the Parliamentary Assembly
of the Council of Europe

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

No. 59

Permanent Delegation of Portugal
to the
Council of Europe

Strasbourg, 18 June 2010

Dear Sir,

Further to letter No. 58 of 17 June, I have the honour to submit additional details regarding the domestic procedure for the selection of the candidates for the election of the judge in respect of Portugal to the European Court of Human Rights.

Yours faithfully,

(signed)

Américo Madeira Bárbara
Permanent Representative

Mr Mateo SORINAS
Secretary General of the Parliamentary Assembly
of the Council of Europe

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

DESCRIPTION OF THE DOMESTIC PROCEDURE FOR THE SELECTION OF CANDIDATES FOR THE ELECTION OF THE JUDGE IN RESPECT OF PORTUGAL TO THE EUROPEAN COURT OF HUMAN RIGHTS

ADDITIONAL INFORMATION

Following the entry into force of Protocol No. 14 to the European Convention on Human Rights on 1 January 2010, the Parliamentary Assembly of the Council of Europe asked the Portuguese authorities to confirm whether Portugal wished to maintain the list of candidates for the election of the judge in respect of Portugal to the European Court of Human Rights or submit a new list.

The Ministry of Justice of Portugal deemed it appropriate to maintain the list of candidates submitted on 18 December 2009. The three candidates on the list were consulted as to whether they were still available given the changes which had occurred in the timetable for the election and the term of office of judges following the entry into force of Protocol No. 14 to the European Convention on Human Rights.

Although two of the said candidates – Ms Anabela Miranda Rodrigues and Mr João Manuel da Silva Miguel – confirmed their availability, the third candidate – Mr Sebastião Coutinho Póvoas – indicated that he wished to withdraw.

Because of this withdrawal, the Ministry of Justice reopened the procedure with a view to selecting a fresh candidate from among the candidatures previously submitted.

The independent panel set up before (comprising four members appointed respectively by the Judicial Service Commission, the Administrative and Fiscal Tribunals Commission, the Office of the Principal State Prosecutor (Procuradoria Geral da República) and the Bar Council of Portugal) was consulted.

On the basis of the assessment by the panel and in line with its proposal, the Portuguese Government chose Mr Paulo Pinto de Albuquerque.

The list of the three candidates for the election of the judge in respect of Portugal to the European Court of Human Rights is accordingly, in alphabetical order:

- Ms Anabela Maria Pinto de Miranda Rodrigues;
- Mr João Manuel da Silva Miguel;
- Mr Paulo Sérgio Pinto de Albuquerque.

Mrs Anabela Maria Pinto de Miranda Rodrigues

CURRICULUM VITAE

I. Personal details

Name, forename: RODRIGUES, Anabela Maria Pinto de Miranda
Sex: Female
Date and place of birth: 5 December 1953, COIMBRA PORTUGAL
Nationality: PORTUGUESE

II. Education and academic and other qualifications

- Degree in Law, Faculty of Law, University of Coimbra. Course average: 17 (out of 20) (1976).
- Master's Degree in Legal and Criminal Sciences, University of Coimbra. Final mark: 18 (out of 20) (1981).
- Ph.D. in Legal and Criminal Sciences, University of Coimbra, unanimously awarded with distinction (June 1995).
- Concluded examinations in Legal Sciences for the chair of law professor. Approved unanimously (March 2005).
- Full professor of Legal Sciences (from 6 April 2006).
- Lawyer possessing a Professional Practising Certificate.

III. Relevant professional activities

a. Description of judicial activities

b. Description of non-judicial legal activities

Academic Activities

- Lectured at the Faculty of Law, University of Coimbra. Gave lectures and tutorials in various subjects in the Undergraduate Law Degree Programme: Criminal Law, Criminal Procedure Law, Criminal Sciences and European Criminal Law (up to 2003-2004).
- Lectured, at the same University, in postgraduate programmes on: Planning Law, Urban Planning and Environmental Law (from 1995 to 2005); The Protection of Children and Juvenile Delinquency (to the present); Gender Equality Law (2004); Inclusion Law (prison system) (2004); Course on the Production of Legislation (2004).
- Lectures, at the same University, in the Master's Degree Programme in Legal and Criminal Studies on Criminal Procedure Law and European Criminal Law (from 2003 up to now).
- Lectured, at the same University, in the PhD programmes from 2000 (Crime, Environment and Globalization) and from 2002 (the fight against organised crime: from narco-trafficking to terrorism).
- Lectured, at the Faculty of Law, Portuguese Catholic University (Oporto), in the Undergraduate Law Degree Programme, on Criminal Procedure Law, from 1983 to 2003.
- Lectured, in the Undergraduate Degree Programme in Social Work, at the University Institute Bissaya-Barreto (Coimbra), on Family and Child Law (from 1993 to 2004).
- Lectured in the Master's Degree programme in Criminology, at the Faculty of Psychology of the University of Oporto (in 2001 and 2002); and the Master's Degree Programme in Psycho-criminology, at the Instituto Superior de Psicologia Aplicada (in 2009).
- Lectured in the Master's Degree Programme in Legal and Criminal Sciences (subjects: sexual crimes; crimes against the environment; and European criminal law), at the Faculty of Law of the Portuguese Catholic University, Oporto (in 1998, 2000 and 2002).

- Lectured at the Seminar on Child Law, at the Università degli Studi di Firenza, Faculty of Jurisprudence and Political Science, in May 2002; and, at the same University, at the Seminar on Globalization, Crime e Criminal Policy, in 2003.
- -Lectured in the Course on An Area of Freedom, Security and Justice, sponsored by the Instituto Diplomático (Ministry of Foreign Affairs - Portugal).
- Lectured in the PhD Programme in Law, at the Faculty of Law of the Universidade Nova de Lisboa, in 2006 and 2008 (European Criminal Law).
- Member of many master's degree and doctoral degree juries, at various faculties of law, psychology and medicine, at several Portuguese universities.

Activities Related to Legal Reform

- Participated in the preparatory work involved in drafting legislation, namely:
  - the final revision work on the Criminal Code of 1982;
  - the drafting of the Criminal Procedure Code of 1987;
- President of the Commission for the Reform of the Enforcement of Punishments and Measures System (created, by order of the Minister of Justice, in January 1996), within the framework of which two reports were presented to the 13th Government: the First Report, assessing the existing system of protection of children in Portugal and the Final Report, presenting proposals of an institutional and legislative nature towards the institution of an intervention system for children in Portugal. Headed three Portuguese delegations which travelled to Spain (16-19 June 1996), Sweden (25-30 August 1996) and Belgium (11-15 March 1997), to deepen their knowledge of these countries' experiences regarding the enforcement of punishments and measures within the scope of the activity engaged in by this Commission.
- President of the Commission for the Reform of the Legislation on the Educational Guardianship Process (created, in January 1998, by order of the Minister of Justice), within the framework of which two draft bills were submitted to the 13th government: a draft bill on the Educational Guardianship Law and a draft bill establishing the Special Criminal Regime for Young Adults (which gave rise to Bill no. 266/ VII adopting the Educational Guardianship Law and Law no. 166/ 99, of 14 September, adopting the Educational Guardianship Law, and Bill no. 275 / VII establishing Special Criminal Regime for Young Adults).
- Drew up a Bill on the Enforcement of Sentences and Custodial Measures at the request of the Minister of Justice of the 14th Government (submitted February 2001).

National and International Contributions in the Field of Criminal Justice and Human Rights

Participated as a speaker at various conferences and seminars, having presented papers, in various countries, namely:

- "La néo-criminalisation", at the III Franco-Italian-Portuguese-Spanish Criminal Law Days, held in Aix-en-Provence, October 1982.
- "Classic criminal sanctions and alternatives in Portuguese legislation", at the XXXVII International Criminology Course, held in Lisbon, April 1986.
- "Economic Crisis and Crime" (jointly with Professor Jorge de Figueiredo Dias), at the Colloquium on "Criminal Law and Economy", held in Rio de Janeiro, August 1986.
- "La phase décisoire du jugement dans la procédure pénale portugaise" (jointly with Professor Jorge Figueiredo Dias), at the Colloquium on "The Trial Stage of the Criminal Procedure", held in Syracuse, September 1986.
- "The investigation stage in the new criminal procedure code", at the Reflection on the Procedure Code Days in Viseu, organised by the Viseu delegation of the Bar Association, 1987.
- "La phase exécutoire du procès pénal en droit comparé – le droit portugais", at the Colloquium on "the Enforcement Stage of the Criminal Process", held in Syracuse, October 1988.
- "The investigation stage of the Portuguese criminal process", at the École Nationale de Magistrature (Paris), in January 1990.

- "The demands of jurisdictionalization in the enforcement stage", at the International Congress – Un "Codice Tipo" di Procedura Penale per l'America Latina, held in Rome, September 1991.
- "La preuve en procédure pénale comparée – le droit portugais", at the Colloquium on "Proof and Criminal Procedure", held in Syracuse, October 1991.
- "Current Problems resulting from the custody and long-term treatment of delinquents" (jointly with Maria João Antunes), at the Colloquium of the Association Internationale des Criminologues de Langue Française, held in Oporto, April 1994.
- "Towards a new understanding of sex crimes – the 1995 revision of the Criminal Code", at the Colloquium on "The New Criminal Code" organized by the Universidade International, Figueira da Foz Campus,13 May 1994.
- "Sexual criminal offences and the 1995 revision of the Criminal Code", in the Forensic Medicine Course at the Institute of Forensic Medicine of Coimbra, June 1995.
- "La célérité de la procédure pénale au Portugal et son expérience", at the Colloquium on "Speed and Criminal Procedure" held in Syracuse, October 1995.
- "The Portuguese sanctionatory system and amendments to the Criminal Code in 1995", at the Colloquium on Criminal Law sponsored by the Leiria District Legal Association, October 1995.
- "Crimes against the Environment in the Revised Criminal Code" at the Universidade Lusíada's First International Congress of Environmental Law, held in Oporto, 23-25 November 1995.
- "Social Reintegration – what future?", at the cycle of Conferences sponsored by the Universidade Portucalense, Law Course, held in Oporto, April 1996.
- "Marginalities: how can criminal justice intervene?" at the "Marginality" Days sponsered by the Bissaya-Barreto Foundation and by the Instituto Universitário Bissaya-Barreto, held in Coimbra, 29 and 30 May 1996.
- "Expedited proceedings: what solution?", at the Colloquium on Criminal Procedure sponsored by the Leiria District Legal Association, 15 June 1996.
- -"Expeditiousness of the Criminal Process: what perspectives?", at the Conference/Debate on Criminal Procedure, on "The Slowness of the Criminal Process", sponsored by the Appeal Court of Coimbra, 11 July 1996.
- "Is a Criminal Law of the Environment necessary?", at the Colloquium sponsored by Centre of Planning, Urban Planning and Environmental Law Studies, on the topic: "Is a Criminal Law of the Environment necessary?" Coimbra, 20 and 21 September 1996.
- "Special Procedures", at New Criminal Procedure Code Days, held in Macau, 27-31 January 1997.
- "Revision of Organization of the Guardianship of Minors", at the Colloquium "The Protection of Minors – F. M. Pereira Coelho", held in Coimbra, 14 and 15 February 1997.
- "Enforcing Custodial Sentences: some problems", at the Cycle of Conferences organised by the Bar Association (Oporto), in Oporto, March 1997.
- "Prison – from Principles to Practice", at the Second National Meeting of Workers in Education, Professional Training and Support Services for the Social Reintegration of Inmates, sponsored by the General-Directorate of Prison Services, in Coimbra, 14 and 15 April 1997.
- "Rethinking the law of minors in Portugal", at the Colloquium "Jurisdiction of minors – Reform, Revolution, Reaction", organised by the Sindicato dos Magistrados do Ministério Público (national association of Portuguese public prosecutors) and held in Lisbon, 27 and 28 June 1997.
- "Juvenile Delinquency", at the First Criminal Law Days, sponsored by the Faculty of Law of the Universidade Eduardo Mondlane, held in Maputo, Moçambique, 8-10 October 1997.
- "Fiscal crimes and custodial sentences", at the Fiscal Days sponsored by the Mário Soares Foundation and Social Forum, held in Lisbon, 30 October 1997.
- "What criminal policy – the policy of minority and of criminal policy", at the opening session of the Postgraduate course in "Social Reintegration", sponsored by the Universidade International of Figueira da Foz (International Institute of Specialized Studies), in Figueira da Foz, 28 February 1998.

- "The rights of children and young people: new perspectives of intervention", at the II Days on Children at Risk – Children and Justice, sponsored by the Instituto Superior de Serviço Social of Lisbon, in Lisbon, 27 and 28 March 1998.
- "Expeditiousness in criminal proceedings – a comparative law perspective", at the Parliamentary Conference on "The Revision of the Criminal Procedure Code", held in Lisbon, 7 May 1998.
- "Criminal Policy and the policy of minority" at the "Iberian Crimes" Congress organized by the Universidade do Minho, held in Braga, 24-26 September 1998.
- "Rights and Duties of adolescents", at the colloquium "Surviving Adolescence", sponsored by the Gynaecology, Obstetrics e Neonatal Services of Bissaya-Barreto Maternity Hospital, held in Coimbra, 3-5 December 1998.
- "Sexual Abuse of Children", at the Colloquium Violence and Abuse of Children, held in Coimbra, in the Auditorium of the Rectory, 25 and 26 February 1999, sponsored by the Studies Department of the Bissaya-Barreto Maternity.
- "On Doctor-Patient Privilege", at the Master's Programme in Forensic Medicine and the Postgraduate Course on Assessing Bodily Harm, held at the Institute of Forensic Medicine, in Coimbra, 19 March 1999.
- "Violence and the sexual abuse of children and young people", at the Days on Partnerships for Breaking the Silence, held in Vila Nova de Poiares, 22 April1999.
- "Consensualisme et prison", at the Days of the Fondation Internationale Pénal et Pénitentiaire, held in Lisbon, in May 1999.
- "Organised Crime", at the Cycle of Conferences for Trainees of the Security Information Services, Lisbon, 16 July 1999.
- "The role of legal systems and their harmonization in eradicating trafficking networks", at the International Seminar on Trafficking and the Sexual Exploitation of Women, held in Oporto, at the António de Almeida Foundation, 6 and 7 December 1999.
- "Social Reintegration Services – Strategic options and goals at the beginning of the 21st century (2000-2003)", Action sponsored by the Instituto de Reinserção Social (Probation and Minors' Protection Service), at the Centre for Judicial Studies, Lisbon, 15 December 1999.
- "Educational Guardianship Law – an urgent reform", held in Funchal, 7 February 2000, on occasion Commemorations of the 37th Anniversary of the Criminal Police Inspectorate, Funchal.
- "Rights of inmates and the judicial control of the enforcement of prison sentences", at the First European Congress of Penitentiary Law. X Penitentiary Days of Andalucía, held in Jaén, 9-11 March 2000.
- "The Model of Prevention in Sentencing", at the International Criminal Law Seminar on "Fundamental Problems of Criminal Law", held at Universidade Lusíada, Lisbon, 17 and 18 March 2000.
- "The Educational Guardianship Process in light of the new legislation regarding delinquent minors", at the opening session of the Bar Association's 1st Training Course of 2000, Coimbra, 5 April 2000.
- "Organised crime – a criminal policy challenge", at the II Forum on the Prevention of Organised crime, held in Costa da Caparica, 5 and 6 June 2000, sponsorod by the European Union.
- "The preparatory phase in Portuguese criminal procedure", at the III Brazilian Criminal Procedure Days, on Reforming Brazilian Criminal Procedure, held in Brazilia, 23-26 August 2000.
- "The Reform of the Law of Minors and the Educational Guardianship Law", at the Training Days on the Educational Guardianship Law sponsored by the Instituto de Reinserção Social (Probation and Minors' Protection Service), Lisbon, 16 October de 2000.
- "Child Suffering and Legislation", at the Days on Following up on Sick Children, at the Instituto Universitário Bissaya-Barreto, 25 October 2000.
- "The sexual abuse of children – legal aspects", at the Seminar on the Sexual Abuse of minors, organised by the Ministry of Health, in Coimbra, 24 and 25 November 2000.
- "Les nouvelles délinquances des jeunes", at the Forum on Security in Democracy, Naples, Italy, 7, 8 and 9 December 2000.

- "Criminal Policy, Minority Policy – what models?", at the Colloquium on "Delinquency and the Victimization of Minors and the Acts of the Security Forces", Instituto Superior de Ciências Policiais e Segurança Interna (Police University Institute), Lisbon, 13 December 2000.
- "The International Criminal Court and the issue of life sentences", at the Colloquium on the International Criminal Court, held at the Faculty of Law of the University of Lisbon de Lisbon, 15 February 2001.
- "The Trafficking of Women: transnational dimension, regulatory framework and current situation of the fight against the trafficking of women", at the Seminar on Women's Human Rights. Law and Reality. Several viewpoints, held at the University of Coimbra, Faculty of Law, 16 March 2001.
- "Environmental Crimes. What Perspectives?", at the First Portuguese-Brazilian Environmental Law Days, held at the Instituto Lusíada for Environmental Law. Universidade Lusíada, Oporto, 22, 23 and 24 November 2001.
- "Traditional international criminal law: what future?", at the Symposium on International Criminal Law for the Protection of Human Rights, held at the Faculty of Law of the University of Coimbra, 10 and 11 December 2001.
- "The speed and efficiency of criminal justice in Portugal", at the International Seminar on the Speed and Efficiency of criminal Justice (Germany, Portugal, France and Italy), at Universidad Nacional de Educación a Distância (National University of Distance Learning), Madrid, 21 and 22, February 2002.
- "Criminal policy and the new challenges of organised crime", at the Globalization and Law Colloquium marking the 20th Anniversary of the Institute of Portuguese-Brazilian Comparative Law, in Coimbra, 7, 8 and 9 March 2002.
- "Terrorism in the globalized World – a political and criminal perspective", at the Colloquium sponsored by the Academic Center of Christian Democracy (Coimbra), on Terrorism and Humanism in the Globalized World, 16 April 2002.
- "Children in danger –dangerous children – a legal perspective", at the International and Multidisciplinar Symposium on the topic "Children and Young People at Risk: from investigation to intervention", organised by the Centre of Psicopedagogy of the University of Coimbra, in Coimbra, 2 and 3 May 2002.
- -"Juvenile delinquency in light of international principles", at the CEP's Days on Juvenile Delinquency, Ministry of Justice/ Instituto de Reinserção Social (Probation and Minors' Protection Service) held in Lisbon, 27 and 28 June 2002.
- "The defendants defence in the Constitution and in the Law", at the Seminar on the topic "The defendant and his defence", on occasion of the 1st anniversary of the Associação Forense (Forensic Association) of Santarem, in Santarem, 1 July 2002.
- "Juvenile Delinquency – a legal and criminological perspective", at the Seminar on Juvenile Delinquency sponsored by the Faculty of Law of the University of Coimbra and by the Centre for Judicial Studies, held at the Rectory Auditorium of the University of Coimbra, on 16 of July 2002.
- "Principle of Legality and Sanctions (criminal)", at the First Portuguese-Italian Criminal Law Days, held at the Faculty of Law of the University of Coimbra, 20-21 September 2002.
- "Educational Guardianship Law – Portugal", Report presented at the Preparatory Colloquium (AIDP), on "Criminal Responsibility of Minors in National and International Legal Order", held in Viena, Austria, 26-28 September 2002.
- "Organised Crime, criminal policy, new and old directions", at the Colloquium "Organised Crime", held at the Universidade Lusíada, in Lisbon, 6 November 2002.
- "Globalization and organised crime: what criminal policy?" at the International Seminar on "Criminal law in the era of globalization", held at the University of A Coruña, Faculty of Law, 29 November 2002.
- "The European Justice Area", at the Seminar Security, Rights and Justice, at the University of Coimbra, Faculty of Law, 14 February 2003.
- "The emergence of a European criminal policy: the keystone for its definition" (paper presented to the Group on "Institutional Architecture, Subsidiarity, The Role of National Parliaments, Fundamental Rights, Justice and Internal Affairs", at the Congress: Portugal and the Future of Europe), Calouste Gulbenkian Foundation, in Lisbon, 7 and 8 March 2003.

- "Criminal Policy and Globalization", at the International Electoral and Criminal Law of the Amazon, Macapá, Amapá, 10 -12 September 2003.
- "The European Arrest Warrant", at the international Congress on the European Judicial Area, at the University of Castilla-La-Mancha, Faculty of Social and Legal Sciences of Toledo, 29, 30 and 31 October 2003.
- "Protection of witnesses from the perspective of a defendants right to a defence", at the Criminal Procedure Days held at the Universidade Lusíada, Lisbon, 22 November 2003.
- "Of the European Arrest Warrant", at the First Congress on Criminal Procedure, held at the Instituto Superior de Ciências Policiais e Segurança Interna (Police University Institute), in Lisbon, 24 de March 2004.
- "Judicial and Police Cooperation in the heart of the EU: implications of the creation of a European Constitution", at the Seminar on "Human Rights and Citizenship in a European Constitution", sponsored at the Forum "Living Europe", held in Leiria, 27 de March 2004.
- "The Protection of fundamental rights in an area of freedom, security and justice", at the Seminar on "The European Justice Area", within the framework of the forum "Living Europe" and organised jointly with the Oporto District Council of the Bar Association, at the Serralves Foundation, in Oporto, on 6 April 2004.
- "Legitimation, purposes and prerequisites of state intervention regarding children and young people", at the Colloquium on "Child, youth and aging law", held at the Faculty of Law of the University of Coimbra, 2 and 3 April 2004.
- "Criminal Policy: New Crimes, New Challenges", at the Bar Association – Lisbon District Council, 13 April 2004.
- "From inmates' 'affirmation of rights' to their 'protection of rights': the Jurisdictionalism of the implementation of a prison sentence", at the Penitenciary Studies Days held at the Catholic University, Lisbon, 7 May 2004.
- "Sentencing's system of sanctions in the European Union", held at the University of Castilla-La Mancha, Cuenca, at the Seminar on "The fight against Fraude in the European Union", 21-23 July 2004.
- "Criminal Policy: new challenges and old directions", at the 10th International Seminar sponsored by the Brazilian Criminal Sciences Institute, held in S. Paulo (Brazil), 28-1 October 2004.
- "The new Europe and the old democratic deficit", at the International Criminal Law Colloquium, on "Justification and limits on the use of criminal means in the fight against organised crime in globalised times" held at the Faculty of Law of Universidade Lusíada of Lisbon, 20 and 21 October 2004.
- "Judicial and police cooperation in criminal matters", at the Instituto Superior de Polícia Judiciária e Ciências Criminais (Police University Institute), in Lisbon, 13 January 2005.
- "Social reintegration as the purpose of punishment", at the IX Law Week of the Law Students' Association of the University of Minho, held at the Law School of the University of Minho, in Braga, 27 April 2005.
- "Criminal policy and criminal procedure", opening conference of the II Congress of Criminal Procedure, held by the Bar Association, in Lisbon, 12 and 13 May 2005.
- "The promotion of rights and the protection of minors", opening conference at the Colloquium on "Children at risk: is it possible to convert risk into opportunity?", held at the Calouste Gulbenkian Foundation, in Lisbon, 23 May 2005.
- "The role of the ECJ in the area of freedom, security and justice", held at the University of Castilla-La Mancha, Cuenca, at the II International Criminal Law Studies Seminar on "The European Constitution and Criminal Law: a first approximation", 1 and 2 July 2005.
- "An environmental and risk management approach – mechanisms of criminal responsibility", at the International Conference: Investing in Portuguese Forests, University of Coimbra and the Portuguese Agency for Investment, held in Coimbra, 11 July 2005.

- "Towards a European criminal law?", at the Summer Seminar on "The world order and the resolution of conflict", held at the Faculty of Law of the University of Coimbra, 11-14 July 2005.
- "Globalization, democracy and economic crime", Conference on economic crime within the scope of Portuguese Presidency of the Committee of Ministers of the Council of Europe, Octopus Interface Conference, Cascais, 28 – 30 September 2005.
- "Light and shadows on "minority policy"", opening conference at the Meeting to Assess the Activities of the Child and Youth Protection Committees of 2004. Caldas da Rainha, 17 November 2005.
- "Criminal Policy regarding the trafficking of human beings", at the International Seminar on "Organized Crime and volume crime: mutual interferences or interpositions", held at the Instituto Superior de Ciências Policiais e Segurança Interna (Police University Institute), in Lisbon, 14 and 15 February 2006.
- "The Protection of children and young people at risk. Legitimacy of the intervention", at the Erasmus Intensive Week, on Globalization and Social Work, held at the Instituto Universitário Bissaya Barreto, in Coimbra, 6-16 March 2006.
- "Implementing Custodial Sentences: criminal policy problems", National Seminar on "Educating others – issues of gender, human rights and of education in Portuguese prisons", sponsored by A Humana Global – Association for the promotion of human rights, culture and development, held in Coimbra, 8 and 9 March 2006.
- "International Criminal Law", at the Colloquium"The sea approximating peoples. The universalization of Law", with the cooperation of the Faculty of Law of the University of Coimbra at the VIII Cultural Week of the University of Coimbra, "From Sea to Sea", held at the Faculty of Law of the University of Coimbra, 10 and 11 March 2006.
- "The Public Prosecution Service and the investigating judge in Portuguese Criminal Procedure", First Congress on Criminal Investigation, Porto, 16 and 17 March 2006.
- "Sentences and their implementation in the Rome Statute of the International Criminal court", International Conference on "The International Criminal Court and the transformation of International Law", held at the Universidade Católica, Faculty of Law, Lisbon, 24 and 25 March 2006.
- "Eurojust and the building of Europe – between unity and diversity", at the Eurojust Seminar, held in Lisbon, 21 April 2006.
- "Legal Decision", conference held at the Faculty of Psychology and Education Sciences of the University of Coimbra, in Coimbra, 2 June 2006.
- "The future profile of the law graduate", talk given at the Faculty of Law of the Portuguese Catholic University, Lisbon, 14 September 2006.
- "The Public Prosecution Service – the Inquiry in Portugal", at the Seminar on "The procedure reforms in criminal matters within the framework of Europe: El Ministerio Fiscal – Director de la investigacion", held in Madrid (Ministry of Justice), 29 and 30 September 2006.
- "Medico-legal reports – legal perspective", opening conference for the Master's Programme in Forensic Medicine and Forensic Sciences (3rd edition), held at the Lisbon Delegation of the National Forensic Medicine Institute, 13 October 2006.
- "The rights of victims and reparative justice – a complex relations", International Seminar "Cities and Terrorism. Reducing risks and crisis management, Lisbon, 26 and 27 October 2006 (scientific coordinator: Nelson Lourenço – Full Professor of the Universidade Nova of Lisbon and President of Universidade Atlântica).
- "The internationalization and the Europeanization of criminal law – between unity and diversity", III Portuguese-Spanish Legal Days (ad honorem Jorge de Figueiredo Dias), on "The internationalisation of Law in the new century", held at the Faculty of Law of the University of Coimbra, 23 24 November 2006.
- "Training Judges – brief commentary", at the "IV Annual Meeting of the Superior Council for the Judiciary", on "The Functioning of the judicial system and economic development" and "systems for the recruitment and training of judges – situation report on the Portuguese experience and alternative models", Lisbon, 24 and 25 November 2006.

- "Freedom, security and justice – a necessary conciliation at the European level", II National Debate on the Future of Europe, on "Freedom, Security and Justice: fundamental European values", held in Lisbon, 27 February 2007.
- "The Bologna Process and the teaching of Law", in the Debate on "The Bologna Process: teaching Law and work opportunities", held at the Faculty of Law of the University of Lisbon, 8 March 2007.
- "The Public Prosecution Service and the investigating judge in Portuguese criminal procedure or the matrix of a European criminal procedure", Symposium of Criminal Procedure Law, Tribute to Professor Doutor Figueiredo Dias on the occasion of the 20 years of the Criminal Procedure Code, University of Minho, Law School, 23 March 2007.
- "The punishment system. Perspectives of evolution", Colloquium in tribute to the Brazilian Criminal Sciences Institute", on "Portuguese and Brazilian criminal justice: reform trends", held at the Faculty of Law of the University of Coimbra, 13 and 14 April 2007.
- "European Criminal Law", Cycle of Conferences organized by the Universidade Portucalense Infante D. Henrique, Law Department, 23 April 2007.
- "The young citizen through the scope of international law", Crime Prevention Seminar – Youth: anti-social behaviour and crime, CEPOL, Lisbon, 29 May 2007.
- "The Protection of Minors and juvenile delinquency – new directions?" Meeting. Lines and Broken lines in Juvenile Delinquency. Town Hall of Seixal, 31 May 2007.
- "Visions for a European criminal justice system", Visions for Europe: crime, policing and justice in the 21st century, CEPOL, Lisbon, 4 June 2007.
- "Democracy and economic crime. Between impunity and confidence", The XIV International summer courses of Cascais (under the direction of Professor José Tengarrinha), Institute of Culture and Social Studies, Cascais, 15 June 2007.
- "Justice, freedom and the movement of people within the European Union – sentences and non-custodial measures", Seminar on penalties sanctions and non-custodial measures, Lisbon, 24 and 25 September 2007.
- "The European Court of Justice in the Area of Freedom, Security and Justice – in making our way we find our way", Valladolid, 24-26 October 2007.
- "Alternative sanctions", Law and Criminal Procedure Seminar "Criminal Reform Topics", Faculty of Law, Catholic University of Portugal (Oporto), 8 March 2008.
- "The implementation of sanctions from the perspective of social reintegration", workshop on the relations between the Media and the Probation Service, Ministry of Justice – General-Directorate of Reinserção Social (Probation Service), 7 e 8 de Abril de 2008.
- "Constitutional aspects of the guarantees given to the defendant in Portuguese criminal process", 5th Congress of the Federal Judges of São Paulo e Mato Grosso do Sul, Campos de Jordão, Brazil, 18-20 April 2008.
- "Harmonisation and judicial cooperation", Opening conference, Course on Judicial Cooperation, Law and Iberian Cooperation, Guarda, 15 -17 May 2008.
- "Lisbon Treaty, the answer to all problems and deficits of judicial criminal cooperation in European Union?", Toledo, Spain, 22 and 23 May 2008.
- "Integration paths in a globalized world", Intercultural Dialogue, migrations and integration, Faculty of Law of the University of Coimbra, 7-10 July 2008.
- "European Criminal Law", inaugural conference, Specialized Training Course in European Law, University of Minho, Braga, 3 October 2008.
- "Portuguese constitutional jurisprudence and criminal procedure law", Colloquium commemorating the 25th anniversary of the Constitutional Court, Lisbon, 23 and 24 October 2008.
- "The Judge as protagonist in bringing about justice", Seminar on criminal and criminal procedure reform, Instituto Superior de Ciências Policiais e Segurança Interna (Police University Institute), 14 November 2008.
- "Justice and the penitentiary issue", Justice and Globalization, Instituto Superior de Gestão (Management University Institute), 19 November 2008.

- "The trafficking in human beings", First National Congress on the trafficking in human beings, Lisbon, 12 and 13 February 2009.
- "Confinement and reintegration paths", International Seminar, Justice and Society: Views on reintegration, Faculty of Law of the Universidade de Lisbon, 4-6 March 2009.
- "European Criminal Policy", What Post-Lisbon Europe? (Re)Launching the debate, Seminar, European Information Networks of the Central Region, European Documentation Centre of the University of Coimbra and Team Europe, Coimbra, 26 March 2009.
- "European criminal law: some problems of harmonization", Jean Monnet Seminar – European Criminal Law: selected issues, Universidade de Macau, Faculty of Law – Master of Law Seminar Series, 2009-2010, 9 November 2009.
- "Trafficking people for sexual exploitation, procurement of adults and minors, and recourse to the prostitution of minors", Criminal Law Seminar, University of Macau, 10 November 2009.

Also as a speaker, participated in various actions sponsored by the Centre for Judicial Studies, among which are the following contributions:

- "Relatively indeterminate sentences in the Portuguese sanctionatory system. Criminal Law Days, in Lisbon and in Porto, in 1982.
- "The investigation phase in Portuguese Procedure Law". Criminal Procedure Law Days, in Lisbon and in Oporto, in 1987, in Viseu e Portalegre in 1988 and, in Madeira and the Açores, in 1989.
- "Fines in the Portuguese sanctionatory system". Days on the Revision of the Criminal Code, Coimbra, April 1991.
- -"The law governing administrative offences in road traffic". Supplementary training action for Judges and public Prosecutors, held in Oporto, at the Tribunal da Relação (Appeal Court), 23 November 1994.
- "The new crime of pollution in the Criminal Code under revision". Seminar "Access to Justice on Matters regarding the Environment and Consumption", held in Guimarães, June 1994.
- "New Crimes against the environment in the revised Criminal Code". Specialization Course in Environmental Law, held in Lisbon, in the academic year 1994-95.
- "Legitimisation and purposes of sentences – Revision of the Criminal Code of 1995" and "Determining custodial sentences: guilt and prevention" at the Criminal Law days - Revision of the Criminal Code - Amendments to the sanctionatory system, held in Oporto, October 1995.
- "Article 279 of the Criminal Code", as a member of a panel speaking on "Ecological and Consumption Crimes" at the First Portuguese-Brazilian Days – Judicial Protection of the Environment and the Consumer, held in Lisbon, 19-22 June 1996.
- "Rethinking the legitimacy and purposes of state intervention regarding minors" at the Permanent Training Course, on "Youths and criminal law – new views", held in Lisbon, 9 January 1998.
- "Speed and the criminal procedure: summary and abbreviated procedures" at the Criminal Procedure Days – Cycle of Conferences, held in Lisbon, 7 and 8 January 1999.
- "Purposes and Prerequisites of Educational Guardianship Intervention. Formality and consensus in the Educational Guardianship Process": the opening conference at the XVIII Training Course of Judges and Public Prosecutors, on "The Legislative Reform of the Law of Minors", 11 e 12 February 2000.
- "Criminal policy, criminal proceedings and the principles of legality and opportunity": the closing conference at the International Seminar on the principles of legality and opportunity in the European criminal procedure systems – comparative law perspectives held in Lisbon, 23-25 July 2002.
- "General framework for judicial cooperation in criminal matters in the European Union Space": the opening conference at the 21st Training Course for Future Judges and Public Prosecutors on "International judicial cooperation in criminal matters", 10 October 2002.

- "The Council's framework-decision regarding the European arrest warrant and the surrender procedures between Member States of the European Union and Law no. 65/2003, of 23/8". The opening conference. Continuous training on International judicial cooperation in criminal matters. "Legal regime of the European Arrest Warrant" 6 February 2004.

Coordinator and lecturer, jointly with the Deputy Public Prosecutor Luís Silva Pereira, of the Seminar on "Mutual legal assistance – surrender of fugitive offenders" within the framework of cooperation in this legal area between the European Union and Macau. Centre of Legal and Judicial Training of the Special Administrative Region of Macau, 6-9 June 2005.

At the National Training Centre for the Officials of Common Courts of Law and Public Prosecutor's Office (Warsaw – Poland), participated in National Convention of Criminal Proceedings Faculties, having lectured on developments in the careers of legal professionals in Portugal (25-28 September 2008).

c. Description of non-legal professional activities

Carried out university management work:

- At the Faculty of Law of the University of Coimbra:
  - Member of the Governing Board (1983-1984) of the Pedagogic Council (1997/1998 e 1998/1999) and President of the Pedagogic Council 2000-2002.
- At other universities:
  - Member of the Scientific Council of the Law course at the Portuguese Catholic University of Porto, from 1995 to 2002-2003;
  - Member of the Installation Committee of the Instituto Universitário Bissaya-Barreto, in 1994 e 1995; member of the Governing Board of the Instituto Universitário Bissaya-Barreto from 1995-96 to 21 September 2000; member of the Pedagogic Council of the Instituto Universitário Bissaya-Barreto for 1997-98; President of the Pedagogic Council of the Instituto Universitário Bissaya-Barreto for 1998-99; member of the Scientific Council of the Instituto Universitário Bissaya-Barreto from 1997 to 2004.
  - Member of the Consultative Council of Minho University Law School from 2007 to the present
- Director of the Centre for Judicial Studies since 28 October 2004 (National Institute for the initial and ongoing training of judges and public prosecutors). Also President of the Pedagogic Council and member of the General Council presided over by the President of the Supreme Court of Justice.

IV. Activities and experience in the field of human rights

- Lawyer representing the Portuguese State in the case Moreira de Azevedo vs Portugal. Judgement of the European Court of Human Rights of 23 October 1990. A no. 189.
- Member of the Committee of Experts on the Treatment of Young Adult Delinquents (Council of Europe) – order of the Minister of Justice, no. 6, 2 May 1998.
- Member of the Portuguese delegation and participated in the Conference entitled "La justice des mineurs en Europe", within the scope of the French Presidency of the European Union, organized by the French Ministry of Justice, held in Paris, on 19 and 20 October 2000.
- Responsible, with the cooperation of Paula Ribeiro de Faria (University Professor) and Leones Dantas, (Deputy Prosecutor General), for drawing up the Portuguese Report On the European Project coordinated by Profs. Michael G. Faure LL. M. e Günter Heine, of the Maastricht European Institute for Transnational Legal Research. Faculty of Law, Maastricht University and of the Institute for Criminal Law and Criminology, Faculty of Law, University of Berne, on "Criminal Penalties in EU States' Environmental Law".
- Participated in the drafting of the Minimal Rules for Criminal Procedure ("Mallorca Rules"), from November 1990 to February 1992. (drawn up under the auspices of the Council of Europe).
- Participated, as a Representative of Portugal, in the VIII Criminological Colloquium of the Council of Europe, in 1987, on "Disparités dans le prononcé des peines (sentencing)".

- Participated, as an expert selected by the Council of Europe, in discussions on projects regarding the Criminal Code and Criminal Procedure of Ukraine, in Kiev, 13-15 May 1996.
- Member of the Portuguese delegation at the meeting "Justice across the Atlantic II – The Criminal Process in Portugal and the United States: Two Legal Systems in Pursuit of Justice", held em Newport (EUA), 26 -28 October 1998, having participated in the panel entitled "Rehabilitating and Controlling Criminal Offenders Through Probation Supervision".
- Presented final conclusions at the International Seminar: "From prevention and initial intervention to social and family integration", organised by the Ministries of Justice and of the Ministry of Labour and Social Solidarity and by the Centre for Judicial Studies, held in Lisbon, 11 December 2000.
- Participated in the Colloquium: "Die deutsche Strafrechtswissenschaft vor der Jahrtausendwende. Rückbesinnung und Ausblick", held in Berlin, 3 - 6 October 1999.
- Translated from German "Rights of the victim in the criminal process. Duration of the proceedings. Moreira de Azevedo vs Portugal (judgment of 23 Octobro de 1990, A, no. 189)", Case Law of the European Court of Human Rights, Prof. Dr. Stefan Trechsel, member of the European Commission of Human Rights (Strasbourg, France). Published in *Revista Portuguesa de Ciência Criminal* (Portuguese Criminal Science Periodical), 1993, p. 119 s.
- As an author and conference speaker, various topics are approached from a perspective that takes into consideration the necessary balance between the protection of fundamental rights and other purposes that the carrying out of justice strives to achieve.

V. Public activities

a. Public office

- Full Professor of the Faculty of Law of the University of Coimbra
- Director of the Centre for Judicial Studies

b. Elected posts

c. Posts held in a political party or movement

VI. Other activities

a)

1. Superior Council of Criminal Matters (order no. 76, of the Ministry of Justice, 9 July 1998).

2. High Level Conference on the Prevention of Crime, held under the Portuguese Presidency of the European Union, in the Area of Justice and Home Affairs. In this context, a monograph entitled "High Level Conference on the Prevention of Crime", with an "Introduction" by Anabela Miranda Rodrigues and José Luís Lopes da Mota, was edited by the Ministry of Justice and by the International and European Relations and Cooperation Office in 2001.

3. Is a permanent contributor of the *Revista Portuguesa de Ciência Criminal (*Portuguese Magazine of Criminal Science).

4. Is a permanent foreign contributor of the *Revista Brazileira de Ciências Criminais* (Brazilian Criminal Science Magazine).

5. Contributor of the *Comentário Conimbricense do Código Penal* (Coimbra Commentary of the Criminal Code). Special Part (ed. J. de Figueiredo Dias), Coimbra, 1999.

6. Member of the *Association Internationale de Droit Pénal*.

7. Member of the *Société Internationale de Criminologie* and member of its Scientific Committee.

8. Member of the *Fondation Internationale Pénale et Pénitentiaire*. Interim Secretary-General of this foundation, in 1998 and 1999 and Secretary-General from 2000-2005. Organised the Days on "Problèmes pratiques et nouvelles perspectives dans le domaine pénitentiaire", held in Istambul, Turquia, 4-7 of September 2002; the Days on "La sécurité publique dans l'Etat de droit face aux défis de la sociéte du risque", held in Cidade da Praia, em Cabo Verde, on 24-28 September 2003; and the Days on "L'impact des reseaux et des organisations criminelles dans les sociétés démocratiques", held in Manaus, Brazil, 21-25 September 2004.

9. Member and Secretary-General for European Affairs of the *Société Internationale de Défence Sociale*.

10. Member of the *Portuguese Association of European Law*. Chosen to be national rapporteur at the 2004 Congress, of the Irish Presidency of the European Union, having been given the topic: "Criminal Law in the European Union: a giant leap or a small step?"

11. Portuguese Chapter of the Association Internationale de Droit des Assurances – Scientific Council

12. Consultative Council of the Master's Degree Programme in Forensic Studies (Faculty of Law of the Portuguese Catholic University, Lisbon)

13. "National Moot Court for Constitutional Law", sponsored by "The European Law Students' Association – Lisbon Faculty of Law (4th edition)

b. Duration
1. duration: approximately a year
2. duration: approximately 3 days
3. permanent contributor
4. permanent contributor
5. permanent contributor
6. From 1995 to the present
7. From 1998 to the present
8. From 1998 to the present
9. From 2002 to the present
10. From 2003 to the present
11. From 2008 to the present
12. From 2008 to the present
13. In 2008

c. Functions
1. member
2. scientific coordinator
3. contributor
4. contributor
5. contributor
6. member
7. member and member of Scientific Committee
8. voting member
9. member and Secretary-General for European Affairs
10. member
11. member of the Scientific Council
12. member of the Consultative Council
13. Member of the Honour Commission

VII. Publications and other works

- Author of 75 works, and another five that are currently being published. Among these, are two articles, one on "*Fundamental Rights and Criminal Law – "complex" relations in the case law of the European Court of Human Rights*" and the other entitled: "*Constitutional case law and Criminal Procedure Law*." (Colloquium commemorating the 25th aniversary of the Constitutional Court – Constitutional case law). Author of the commentary on five articles of the Criminal Code regarding sexual criminal offences in the "*Comentário Conimbricence do Código Penal"* (Coimbra Commentary of the Criminal Code), Special Part, Vol. 1 Coimbra Editora, 1999. Author of "*Fiscal Criminal Law*" in the VERBO-Enciclopédia Luso-Brazileira de Cultura (Portuguese-Brazilian Encyclopaedia of Culture), 2nd edition. Co-author of *Commentary on the Educational Guardianship Law*, Coimbra Editora, 2000 with A. C. Duarte Fonseca and, jointly with José Luís Lopes da Mota, the work: *Para uma Política Criminal Europeia – Quadro e Instrumentos Jurídicos da cooperação judiciária em matéria penal no espaço da União Europeia* (Towards a European Criminal Policy -– Framework and legal instruments for judicial cooperation in criminal matters in the European Union Área), Coimbra Editora, 2002.

- Three books to highlight:

1. *A determinação da medida da pena privativa de liberdade (os critérios da culpa e da prevenção) (*Determining custodial measures (criteria of guilt and prevention)). Coimbra Editora, 1995.
2. *Novo olhar sobre a questão penitenciária. Estatuto jurídico do recluso e socialização. Jurisdicionalização. Consensualismo e prisão (*A new look at the pentitentiary issue: Legal status of the inmate and socialization. Jurisdictionalization. Consensualism and prison), Coimbra Editora, 1st edition, 2000; 2nd edition revised and enlarged (with the sub-title: Jurisdictionalization. Consensualism and prison. Draft bill on the enforcement of sentences and custodial measures), 2002.
3. *O direito penal europeu emergente* (The emerging european criminal law), Coimbra Editora, 2008.

- Seven important articles:

4. *L'assistant – une curiosité du droit procédural portugais,* article published in the volume "Quelques Aspects des Sciences Criminelles" (Travaux de l'Institut de Sciences Criminelles de Poitiers), 1990.
5. *La preuve en procédure pénale comparée – le droit portugais,* "Revue Internationale de Droit Pénal", 1992, 63 année – nouvelle série, p. 289 s.
6. *La célérité de la procédure pénale au Portugal et son expérience*, "Revue Internationale de Droit Pénal", 1995, 66 année – nouvelle série, p. 623 s.
7. *Universal Criminal Jurisdiction and International Criminal Court* "Sub Judice. Justiça e Sociedade", 19 (special issue), 2000; also published in "Direito Penal Internacional. Para a protecção dos Direitos Humanos" (International Criminal Law. For the Protection of Human Rights), Fim de Século Edições, 2003.
8. *The Defendant's defence: a constitutional guarantee in danger in the amazing new world"*, "Revista Portuguesa de Ciência Criminal" (Portuguese Criminal Science Periodical), 12 (2002).
9. *Confiance mutuelle et contrôle juridictionnel – une liaison nécessaire?,* La confiance mutuelle, Gilles De Kerchove et Anne Weyembergh (dir.), Éditions de l'Université de Bruxelles, Institut d'Études Européennes, 2005.
10. *Relations between the Public Prosecution and the Investigating Judge or the matrix for a European Criminal procedure*. International Criminal Procedure Law Symposium, University of Minho, 2007.

VIII. Languages

Langue	Reading			Writing			Speaking		
	Very good	good	fair bien	very good	good	fair	veryg ood	good	fair
***a.* First language:** Portuguese	X	¨	¨	X	¨	¨	X	¨	¨
***b.* Official languages**									
– English	X	¨	¨	¨	X	¨	¨	¨	X
– French	X	¨	¨	X	¨	¨	X	¨	¨
***c.* Other languages:**									
German	X	¨	¨	¨	¨	¨	¨	¨	¨
Italian	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 [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 interest in following intensive English classes before commencing my term of duty.

X. Other relevant information

- Jurisconsult until October 2004, before commencing her duties as Director of the Centre for Judicial Studies (National Training Institute for Judges and Public Prosecutors).
- Has written several comments on jurisprudence, namely, concerning the determining of custodial sentences and the choice of sentence; the confidentiality of the deliberation process and voting in criminal process; and the substitution of prison sentences for community service.
- Involved in the preparatory work for the new Law regarding the training of judges and Public prosecutors, as director of the Centre for Judicial Studies (Law no. 2/2008, 14 January). In this context, a document regarding this new Law was presented to the Superior Councils for the Judiciary, the Public Prosecution Service, and the Administrative and Tax Courts, as well as to the Minister of Justice and the Bar Association.
- Prepared and carried out a curricular reform concerning the initial training of judges and public prosecutors (the curricular reform of 2005) also within the scope of her activity as Director of the Centre for Judicial Studies. New courses were introduced such as Constitutional Law and Fundamental Rights, Ethics and Deontology, European and International Law and Legal English.
- Also responsible for the conception and drafting of the Study Plans for the initial training of judges and public prosecutors (the first cycle at the Centre ; the second cycle at the courts ; the traineeship at the courts) for 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010. Certain aspects of this Study Plan should be highlighted such as the syllabi of the courses, the teaching methodology geared to the courts and the implementation of training in the courts in accordance with stringent planning designed to develop the personal qualities and professional skills needed to exercise the duties of judge or public prosecutor. The objective is to foster a judicial culture – as can be read in the Study Plan presented in 2009-10 – of independence and autonomy and a commitment to fundamental rights. All the Study Plans were submitted to the Pedagogic Council of the Centre for Judicial Studies and were approved by this council unanimously.
- Also responsible for the conception and drawing up of the Activities Plan of the Centre for Judicial Studies with respect to the same years. As regards these plans, it is important to underline the area concerning the ongoing training of judges and public prosecutors. Indeed, the last plan provides for specialized training courses in line with recent changes to the Statutes for Judges and Public Prosecutors. All the Activities Plans were submitted to the General Council and were approved unanimously.

  In 2009-10 a totally new study plan and activities plan was conceived and drawn up to train Judges for the Administrative and Tax Courts.

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.

Mr João Manuel Da Silva Miguel

CURRICULUM VITAE*

I. Personal details

Name, forename : DA SILVA MIGUEL, JOÃO MANUEL
Sex: male
Date and place of birth: on the 30th of March 1953 at Loulé, Algarve, Portugal
Nationality: Portuguese

II. Education and academic and other qualifications

Law degree (Licenciatura em direito) granted by the Faculdade de Direito (Faculty of Law), University of Lisbon, in 1977.

Examination for access to the Public Prosecution Service in 1978 and subsequent training for public prosecutor at Lisbon (Criminal and civil matters at different courts and tribunals) – 1978-1979.

III. Professional activities

a) Judicial activities

2003 -	Agent of the government at the European Court of Human Rights;
2003 -	Agent of the government at the Committee of Human Rights of the United Nations;
2000 -	Deputy Prosecutor General (Procurador geral adjunto) at the Consultative Council of the Prosecutor General's office;
1989 - 2000	Deputy District Prosecutor and District Prosecutor acting as legal adviser to the Prosecutor General's Office (Delegado do procurador da República e Procurador da Republica no Gabinete do Procurador-Geral da República);
1979 - 1989	Deputy District Prosecutor (Delegado do Procurador da República) at the tribunal of Oeiras (Tribunal Judicial de Oeiras);
1978 -1979	Training for public prosecutor at Lisbon (Criminal and civil matters at different courts and tribunals)

b) Non-judicial legal activities

i. in Portugal

2009 (10)	Jury member, appointed by the Council of Europe, – of the section "Interpretation and application of the European Convention on Human Rights" - of the fourth edition of THEMIS Competition, an international event especially addressed to trainees of all European magistracy training institutions and schools;
2009 (6)	Jury member of the European Prize "The Crystal Scales of Justice". The first edition of the Crystal Scales of Criminal Justice prize took place in 2009. This prize is awarded «with a view to discovering and promoting innovative and effective practices in respect of the conduct of criminal proceedings in the Member States of the European Union and the Council of Europe and concerning court organisation, in order to improve the operation of the public system of criminal justice» ;
2009 (5/6)	Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);
2008 (6/7)	Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);
2007 (10)	Jury member of the section "Interpretation and application of the European Convention on Human Rights" of the second edition of THEMIS Competition;

*Underlined text means posts or missions held at present.

2003 (5) Chairman of examining board for candidates to become judges and prosecutors «Centro de Estudos Judiciários » (National School for magistrates);

2002 (3) Jury member of the international competition held at Lisbon on international humanitarian law "Jean Pictet";

1996 - Member of the editorial board of the legal review "Revista Portuguesa de Ciência Criminal" (Portuguese Review on Criminal Science), as well as the author of a regularly "Chronicle of law" appearing on each issue of the review;

2000 - 2003 Permanent collaborator of the "Boletim do Ministério da Justiça" (Bulletin of the Ministry of Justice), commenting civil and criminal judgements of the High Supreme Court;

1997 - 1998 Member of examining board (criminal law and criminal procedure law) for candidates seeking to become judges and prosecutors;

1985 - 2004 Member of the editorial board of the legal review "Revista do Ministério Público" (Public Prosecutor Review).

ii. at international level

United Nations Organisation

1998 - 2000 Member of the Portuguese Delegation to the Preparatory Commission for the International Criminal Court (New York);

1998 (6/7) Member of the Portuguese Delegation to the United Nations Diplomatic Conference of plenipotentiaries on the Establishment of an International Criminal Court (Rome, 15 June - 17 July 1998);

1996 - 1998 Member of the Portuguese Delegation to the Preparatory Committee on the Establishment of an International Criminal Court (New York).

c) Non-legal professional activities

None

IV. Activities and experience in the field of human rights

a. Council of Europe

2003(2) - Agent of the government to the European Court of Human Rights;

2009 - 2011 Bureau member of the Steering Committee for Human Rights (CDDH);

2009 -2009 Vice-chairman of the committee of experts on Effective Remedies for Excessive Length of Proceedings (DH-RE);

2008 - 2010 Vice-chairman of the Consultative Council of European Prosecutors (CCPE);

2006 - Delegate of the Portuguese Republic to the Consultative Council of European Prosecutors (CCPE);

2003 (3) - Delegate of the Portuguese Republic to the Steering Committee for Human Rights (CDDH);

2003 (3) - Delegate of the Portuguese Republic to the Committee of Experts for the improvement of procedures of the protection of human rights (DH-PR);

2001 - Took part in the Colloquies held in 2001 in Paris, on «Crimes against Humanity», in 2004 in Bucharest on Anniversary Conference of ten years from the into in force of the ECHR for Romania with a presentation on «La durée des procédures au Portugal et la jurisprudence de la Cour européenne des Droits de l'Homme: passé, présent et avenir», 2007 in San Marino on *Future developments at the European Court of Human Rights in the light of the Wise Persons' report*), in 2008, in Bratislava, on *The role of government agents in ensuring effective human rights protection*), and in Stockholm on *Towards stronger implementation of the European Convention on Human Rights at national level*.

1996 - 2000 Chairman of the Committee of Experts on the Role of the Public Prosecution in the Criminal Justice System (PC-PR), which prepared the Recommendation n.º 2000(19) of the Committee of Ministers of the Council of Europe

b. United Nations Organisation

2003 (2) - Agent of the government to the European Court of Human Rights

c. Others

- Regular collaboration with the Portuguese Judicial Studies Centre in the field of "Human Rights", including the supervision and co-ordination of Seminars on these matters, in particular orientation and coordination of seminars on the European Convention of Human Rights and the case law of the European Court of Human Rights, in the context of both initial training and permanent training of magistrates;
- Orientation and co-coordination of a Postgraduate specialised course on «European justice on Human Rights», at Coimbra University – Faculty of Law, addressed to judges, public prosecutors, lawyers, barristers, and jurists in general, in its 3rd year of organisation;
- Several and diverse interventions on «Human Rights» themes, in particular at Portuguese universities and Bar Association, adressing issues such as «Imigração, integração e direitos humanos» (Immigration, integration and Human Rights), «Dever de reserva: uma abordagem à luz dos trabalhos do Conselho da Europa e da Convenção Europeia dos Direitos do Homem» (Magistrates' obligation of discretion: an approach taking into account the works of the Council of Europe and the European Convention on Human Rights), «Convenção Europeia dos Direitos do Homem: Sistema institucional de protecção e processo» (European Convention on Human Rights : institutional system of protection of human rights and procedure), «O processo no Tribunal Europeu dos Direitos do Homem» (The procedure at the European Court of Human Rights).

V. Public activities

a. Public office
None.

b. Elected posts
None.

c. Posts held in a political party or movement
None.

V. Other activities

2003 (1/3) Member of the Working Group (WG) charged with the implementation of the Rome Statute of The International Criminal Court. The bill prepared by this WG was adopted by the Parliament and became Law No 31/2004, of 22nd July 2004, on the adaptation of national criminal legislation to the Statute of the International Criminal Court, providing for the important adaptation of the Portuguese criminal law to the Statute of the International Criminal Court, typifying the conducts which constitute breaches to humanitarian law;

1995 - 2000 Participation in and coordination of activities on the organisation and motivation of the public prosecutor organisation aiming at improving the functioning of the public prosecutor's system;

1991 - 2000 Representative of the Prosecutor General's Office at several national public bodies in charge of the preparation of studies and other activities in particular on the improvement of the computer science and statistics system of the Ministry of Justice, on the fight against illegal drugs («Gabinete de Estudos e Planeamento do Ministério da Justiça», «Gabinete Director da Informatização Judiciária», «Conselho Superior de Estatística», «Conselho Nacional da Toxicodependência » etc.);

1990 - 1999 Representative of the Prosecutor General's Office at the "Conselho Nacional do Projecto Vida" (National Board for the Project Life); a national consultative board for the policy on drug's prevention;

1986 - 1989 Elected member of the High Council of the Public Prosecution Service.

VII. Publications and other works

2000 - Rapporteur responsible for more than one hundred legal opinions issued by the Advisory Council, some of them published in the "Diário da República" (official gazette).

In the field of Human Rights, various works, including the following:

1. «Tribunal Europeu dos Direitos do Homem: Comentário ao caso Silva Torrado c/ Portugal» (European Court of Human Rights: Commentary on the case Silva Torrado v/ Portugal), Revista do Ministério Público, n.º 95, (July-September 2003), pp. 101-119;
2. «O Ministério Público no Tribunal Penal Internacional» (The Public Prosecutor at the Statute of the International Criminal Court), in Estudos de Homenagem a Cunha Rodrigues, Volume I, Coimbra Editora, 2001, pp. 623-659, and *in* Revista Brasileira de Ciências Criminais (Brazilian Review of Criminal Sciences), n.º 37 (January-March 2002), pp. 11-42;
3. «Justiça Penal Internacional - O Tribunal Penal Internacional» (International Criminal Justice - The International Criminal Court), *in* Revista do Ministério Público, n.º 90, (April-June 2002), pp. 57/78;
4. «Tribunal Penal Internacional - O após Roma e as consequências da ratificação» (International Criminal Court - After Rome Conference and the consequences of the ratification), *in* Revista do Ministério Público, n.º 86, 2001, pp. 27-42);
5. «A Jurisdição portuguesa perante os crimes dos Indonésios» (The Portuguese Judicial System and the crimes perpetrated by the Indonesians in East Timor), in Daxiyangguo – Revista Portuguesa de Estudos Asiáticos (Daxiyangguo-Portuguese Review on Asian Studies), vol. I, n.º 1, 1.º semestre de 2002, pp. 181-189;
6. «A Justiça portuguesa no exame do Tribunal Europeu dos Direitos do Homem», (The Portuguese judicial system seen by the European Court of Human Rights), Subjudice- *Justiça e Sociedade*, Lisboa, n.º 28 (April-Septembre 2004), pp. 33-38;
7. O Tribunal Penal Internacional e a Transformação do Direito Internacional», (The International Criminal Court and the transformation of the international law»), Conferência Internacional da FDUCP/PGR /co-organizador, Lisboa, Universidade Católica Editora, 2006;
9. «Le ministère public et l'avenir : la recommandation Rec 19 et l'exemple portugais», *in* «Quel avenir pour le ministère public ?», Paris, Dalloz, Sirey, 2008, pp. 115-130;
10. «O dever de reserva: uma abordagem à luz dos trabalhos do Conselho da Europa e da Convenção Europeia dos Direitos do Homem» (Magistrates' obligation of discretion: an approach taking into account the works of the Council of Europe and the European Convention on Human Rights), (sent to the press).

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	goog	fair	very good	goog	fair	very good	goog	fair
***a.* Mother Tongue:** ....Portuguese..... (*veuillez préciser*)	X	¨	¨	X	¨	¨	X	¨	¨
***b.* Official Languages of the Council of Europe:**									
– English	X	¨	¨	¨	X	¨	¨	X	¨
– French	X	¨	¨	X	¨	¨	X	¨	¨
***c.* Other languages:**									
– Spanish	X	¨	¨	¨	X	¨	X	¨	¨
– Italian	X	¨	¨	¨	¨	X	¨	¨	X

IX. Other relevant information

I declare that I will take up permanent residence in Strasbourg if elected a judge on the European Court of Human Rights
Lisbon, 30th of November 2009

Mr Paulo Sergio Pinto de Albuquerque

CURRICULUM VITAE

I. Personal details

Name, forename PAULO SERGIO PINTO DE ALBUQUERQUE
Sex MALE
Date and place of birth OCTOBER, 5, 1966; BEIRA, MOZAMBIQUE
Nationality/ies PORTUGUESE

II. Education and academic and other qualifications

I have the following degrees:

DOUTORAMENTO (Doctorate), from the Faculty of Law of the Portuguese Catholic University, Lisbon, Portugal. The degree was awarded in May 2003. My thesis focused on the structure of criminal procedure from a comparative and international perspective, having in special account the structure of the trial and the appeal (based on procedural error, error of fact and error of law) in Portuguese, English, French, and German laws and the case-law of national and international courts.

MESTRADO (Masters), from the Faculty of Law of the Portuguese Catholic University, Lisbon, Portugal. The degree was awarded in February 1994. My thesis focused on criminal law from a comparative and international perspective and in particular on the concept of guilt, the mistake of fact and the mistake of law, and the mental element in Portuguese, English, French, and German laws.

LICENCIATURA (Law Degree), from the Faculty of Law of the State University of Lisbon, Portugal. The degree was awarded in July 1989.

First Certificate in English of the UNIVERSITY OF CAMBRIDGE, June 1984.

Diplôme de Langue Française of the ALLIANCE FRANÇAISE, June 1984.

Zertifikat Deutsch als Fremdsprache of the GOETHE – INSTITUT, March 1989.

Zeugnis Zentrale Mittelstufenprüfung of the GOETHE – INSTITUT, August 1990.

III. Relevant professional activities

a. Description of judicial activities

I am a Judge, on a temporary leave from the judiciary since September 2004.
From 1992 to September 2004 I was a judge in the Courts of Sintra, Nelas and Lagos, the Criminal Instruction Court of Lisbon, the Correctional Court of Lisbon and the Criminal Court of Lisbon (the most important criminal court of the country). I took a temporary and voluntary leave from the judiciary on September 2004, with the permission of the Portuguese High Council of the Judiciary. According to Portuguese law, I can return to the judiciary whenever I want.

During the above mentioned period, I was a Presiding judge, Courts of Nelas and Lagos and the Criminal Instruction Court of Lisbon.

I also had the task of Judge guiding the training of other Judges, between the period of 1996 and 1999.

I was an Auditor of Justice, and performed pre-judicial activities in the Courts of Alijó and Sintra, during the period between 1990 and 1992. This time counts for the total amount of my judicial career. That means that for seniority purposes I have a 14 year-old judicial carreer, from September 1990 to September 2004.

b. Description of non-judicial legal activities

I am a Lawyer (enrolled in the Portuguese Lawyers Bar with the number 48028L) and a Jurist. Within these legal activities, I give paid advice on matters related to my field of expertise : international and European human rights law, criminal law, criminal procedure law, prison law.

I am an Associate Professor, at the Faculty of Law of the Catholic University, in Lisbon, Portugal. I became an associate professor in 2008. I teach courses on Criminal Law, Criminal Procedure, European Law, International Human Rights Law, International Criminal Law, Anti-Terrorism Law, Prison Law and Judicial Organization. I was previously an Assistant Professor, at the Faculty of Law of the Catholic University, in Lisbon, Portugal, from 2004 to 2008.

I am an Invited Professor, at the High Military Studies Institute, of the Ministry of Defence, in Lisbon, Portugal. I teach short courses on criminal law and procedure at this Institute since 2007, once every year.

I am an Adjunct Professor, at the Illinois College of Law, in Urbana-Champaign, Illinois, United States of America, since January 2009 (www.law.uiuc.edu/faculty-admin/directory/PauloAlbuquerque). I was previously a Visiting Professor, at the Illinois College of Law, Urbana-Champaign, Illinois, USA, in January and February 2006 and January 2007. I have taught there courses on European human rights law, such as:

Markets, White Collar Crime, & Regulation in Europe (Spring 2009)
Terrorism and European Human Rights Law (Spring 2007)
Transnational Criminality and European Human Rights Law (Spring 2006)

My 2007 and 2009 lessons were published by the Illinois College of Law in the USA. These lessons were written in English by me and printed and sold by the College to the students. These lessons are: “Transnational criminality and European Human Rights Law- Texts and materials, 2007”, and “Markets, white-collor crime and regulation in Europe, 2009”.

This coming year of 2010 I will teach a course at the Illinois college of law on :
Markets, Government, and Corruption (Spring 2010)

I was a Visiting Professor, at the Jiao Tong University, Shanghai, China, in September 2006. I taught there a course on Terrorism and European Human Rights law.

I was a Visiting Professor, at the Ministry of Justice and the Faculty of Law, in Bissau, Guiné-Bissau, in June 2007.

I am an Expert of the GRECO (Group of States against Corruption), appointed by the COUNCIL OF EUROPE to participate in the III evaluation round of **Belgium** on the transparency of the financing of political parties and political campaigns. The final report presented by me and Professor Richard Ghevontian (University of Aix-Marseille) was approved by the plenary assembly of the GRECO in May 2009.

I am an Expert of the GRECO (Group of States against Corruption), appointed by the COUNCIL OF EUROPE to participate in the III evaluation round of **Bulgaria** on the transparency of the financing of political parties and political campaigns. The visit to the country took place in October 2009. The report will be presented in the beginning of 2010.

In 2004 I was designated by the Portuguese Ministry of Justice as a candidate to the position of portuguese judge at the European Court of Human Rights. I was the **first Nominee by the Sub-Committee for the nomination of judges** of the Parliamentary Assembly of the Council of Europe to become the Portuguese judge at the European Court of Human Rights, in June 2004. On June 25, 2004, the Parliamentary Assembly elected, on a second ballot, the second nominee of the Sub-Committee as the Portuguese judge.

I am an Expert of the project “Victims of Crimes and Mediation”, organized by the Portuguese, the Dutch and the Scottish Victim Support Agencies, and financially supported by the EUROPEAN COMMISSION. The project lasted from 2006 to 2008. The final report was published and presented to the European Commission in 2008.

I am an Expert of the project "Crime Repression Costs in Context", organized by the University of Florence (Italy), the Foundation Giovanni Michelucci (Italy), University of Bremen (Germany), the Law Institute (Lithuania), the Labor and Corporation Sciences Institute (Portugal), The University of Barcelona (Spain), the University of Miskolc (Hungary), The Intercollege (Cyprus), the University of Ankara (Turkey) and the Center for the Study of Democracy (Bulgaria), and financially supported by the EUROPEAN COMMISSION. The project lasted from 2007 to 2009. The final report will be published and presented to the European Commission in 2010.

I was a Member of the Ministry of Justice Taskforce for Penal Reform. This commission had the task to prepare legislative projects to reform the Criminal Code and the Criminal Procedure Code. The commission worked from September 2005 to March 2007. The final report of the commission was the basis for two governmental projects to change those codes, which were later approved by the National Parliament in July 2007. These two laws (Law n.º 57/2007 reforming the Criminal Code and Law n.º 48/2007 reforming the Criminal Procedure Code) are today in force.

I was a Member of the Jury for the selection of judges and public prosecutors, at the Centre for Judiciary Studies (*Centro de Estudos Judiciários*). I performed these functions in May and June 2005, May and June 2006, and May and June 2007.

I was an Advisor at the Portuguese Ministry of Internal Affairs, in the period of 1989 to 1990. I was designated by the Secretary of State for Internal Affairs and worked in his cabinet.

c. Description of non-legal professional activities
(Please underline the post(s) held at present)

None

IV. Activities and experience in the field of human rights

MEMBER nº 1348 of AMNESTY INTERNATIONAL-PORTUGAL, since 1989. AMNESTY INTERNATIONAL-Portugal is the national branch of AMNESTY INTERNATIONAL.

MEMBER OF THE NATIONAL ADMINISTRATION BOARD of AMNESTY INTERNATIONAL-PORTUGAL, elected for a term of two years, starting in April 2, 2008.

MEMBER n.º 386 of the PORTUGUESE ASSOCIATION FOR VICTIM SUPPORT, since 2007. The APAV is affiliated to VICTIM SUPPORT EUROPE.

In March 2006, I organized an International Conference "The International Criminal Court and the Transformation of International Law", with the ICC Prosecutor Dr. Luís Moreno-Ocampo and the ICC Judge Dr. Sylvia Steiner, and other international law experts, in Lisbon. The papers of this conference were published in 2007 in a book in Portuguese, with the same title of the conference.

In the last 14 years I have given in Portugal and abroad many conferences and seminars on issues related to human rights. These are the most important conferences and seminars I have given:

- The consequences of the right to liberty in the constitutional laws of Brazil and Portugal (in Portuguese). International conference organized by the Brazilian Academy of Human Rights, Victoria, state of Espírito Santo, Brazil, November 2009.
- "Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights" in 2009 (in Portuguese). Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2009.

- Problems and solutions in the penal code reform (in Portuguese). Seminar organized by the Lawyers Bar, Coimbra, Portugal, May 2009.
- A critical appraisal of the project on domestic violence (in Portuguese). Audit at the National Parliament as an expert on this issue, Lisbon, March 2009.
- Problems and solutions in the criminal procedure reform (in Portuguese). Seminar organized by the Lawyers Bar, Viseu, Portugal, March 2009.
- The legal means for the fight against the traffic of drugs (in English). Seminar organized by the Public Institute for Labor Sciences, Lisbon, February 2009.
- "The judge and the prison system" (in English). Seminar organized by the University of Bremen, Germany, November 2008.
- "Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights" in 2008 (in Portuguese). Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2008.
- "The criminal justice system and the new law on prisons" (in Portuguese). Seminar organized by the National Lawyers Bar Association, Lisbon, October 2008.
- "The police in face of the new criminal justice system" (in Portuguese). Seminar organized by the Judiciary Police (Polícia Judiciária), Loures, July 2008.
- "The protection of victims within the criminal justice system" (in English). International Conference, organized by the Portuguese Association for Victim Support, Lisbon, July 2008.
- "The jurisprudence of the European Court of Human Rights on the right to freedom (article 5 of the ECHR)" (in English). Seminar organized by the University of Ankara, Turkey, May 2008.
- "The limits of criminal responsibility in the fight against terrorism" (in Portuguese). Seminar organized by the Police and Internal Security Sciences Institute, Ministry of Internal Affairs, Lisbon, January 2008.
- "The criminal justice reform and the prison system in Portugal and in Europe" (in English). International Seminar organized by the Faculty of Law of the University of Barcelona, Spain, November 2007.
- "The criminal liability of corporations – a critic of the new Criminal Code" (in Portuguese). Conference: "The penal reform in debate", organized by the Autonomous University, Lisbon, Portugal, November 2007.
- "Torture, Ill-treatment and Forced Labor – recent trends of the jurisprudence on Articles 3 and 4 of the European Convention on Human Rights" in 2007 (presented in Portuguese). Seminar: The European Convention on Human Rights, Faculty of Law, University of Coimbra, Portugal, October 2007.
- "New technologies and ethical dilemmas" (in English). International conference: "Visions for Europe: Crime, Policing and Justice in the XXI Century", organized by CEPOL (European Police College, Hampshire, UK) and the Criminal Police and Criminal Sciences Institute, Course 2007/01, Loures, Portugal, June 2007.
- "The New Challenges Facing the Criminal Law in the XXI Century" (in Portuguese). Keynote speaker in Spanish-Portuguese Conference: "The New Challenges Facing the Criminal Law in the XXI Century", Autonomous University, Lisbon, Portugal, May 2007.
- "The Constitutional and Legal Protection of the Freedom of the Press" (in Portuguese). Conference: "Freedom of Speech", organized by the Labor and Corporation Sciences Institute, Public University of Lisbon, Lisbon, Portugal, May 2007.
- "The Founding Principles of the Portuguese Criminal Procedure – What lies ahead?" (in Portuguese). German-Portuguese Conference: "The 20th Anniversary of the Portuguese Criminal Procedure Code", organized by the Law School of the Public University of Minho, Braga, Portugal, March 2007.
- "The Victim and the Penal Reform" (in Portuguese). Seminar organized by the Portuguese Victim Support Association, Lisbon, Portugal, February 2007.
- "The Reform of the Criminal Procedure Code: Convergences and Divergences" (in Portuguese). Seminar organized by the National Association of Young Lawyers, Porto, Portugal, November 2006.
- "Ethics and Deontology in a Prison Environment: Specificities and Limits" (in Portuguese). First National Conference: "Health in a Prison Environment", organized by the Ministry of Justice and the Santa Casa da Misericórdia, Porto, Portugal, November 2006.
- "The Judicial System and the New Instruments for the Prevention and Repression of Serious Criminality" (in Portuguese). Seminar organized by the Faculty of Law of the New University of Lisbon and the Observatory of Security, Organized Criminality and Terrorism, Lisbon, Portugal, October 2006.

- "The mechanisms of consensus and opportunity, again" (in Portuguese). Conference: "Diversion and Alternatives to Prison", organized by the Centre for Judiciary Studies, Ministry of Justice, Lisbon, Portugal, May 2006.
- "The criminal liability of moral persons" (in Portuguese). Conference: "The Ante-Project of Reform of the Penal Code", organized by the Faculty of Law of the Lusíada University, Lisbon, Portugal, May 2006.
- "The role of the defence lawyer in criminal procedure" (in Portuguese). Seminar organized by the Lawyer's Bar Association, Funchal, Madeira, Portugal, April 2006.
- "The reform of the investigative phase and the alternative forms of criminal procedure" (in Portuguese). French-Portuguese Conference: "Justice in Crisis", organized by the Faculty of Law of the Lusíada University, Porto, Portugal, April 2006.
- "The Trial in the First Instance in the Statute of Rome" (in Portuguese). International Conference: "The International Criminal Court and the Transformation of International Law", organized by the Faculty of Law of the Catholic University, Lisbon, Portugal, March 2006.
- "The role of the European Court of Human Rights on the defence of the rights of the inmates" (in Portuguese). Conference: "Human Rights in Portuguese Prisons", organized by Humana Global, University of Coimbra, Coimbra, Portugal, March 2006.
- "Justice and Home Affairs in the European Union" (in English). Seminar organized by the Department of Political Science, University of Illinois, Urbana-Champaign, IL, USA, February 2006
- "Torture and the ambit of the competence of the European Court of Human Rights" (in English). Seminar organized by the Centre for Global Studies, University of Illinois, Urbana-Champaign, IL, USA, February 2006.
- "Terrorism and the European Union" (in English). Seminar organized by the European Union Centre, University of Illinois, Urbana-Champaign, IL, USA, January 2006.
- "Criminal Investigation" (in Portuguese). Conference: "The Penal Reform", organized by the Newspaper "Primeiro de Janeiro", Porto, Portugal, November 2005.
- "Immigration and Criminal Policy in Portugal" (in Portuguese). Conference: "Immigration in Portugal", organized by the High Commissioner for Immigration and Ethnic Minorities, Lisbon, Portugal, March 2005.
- "What is criminal policy, why do we need it and how can we build it?" (in Portuguese). Conference: "The Future of Criminal Policy in Portugal", organized by the Francisco Sá Carneiro Institute, Lisbon, Portugal, November 2004.
- "The Future of Prison" (in Portuguese). International Conference: "Beyond Prison", organized by the Antropology Department of the Public University of Minho, Braga, Portugal, November 2004.
- "Terrorism, Non-judicial Detention and Penal Reform: a Human Rights Perspective" (in English).
- International Conference: "Prisons and Penal Policy: International Perspectives", organized by the City University, Islington, London, UK, June 2004. International Conference: "Criminal Procedure Law: Challenges in the 21st century", organized by the Legal and Judicial Training Centre, Macau, China, December 2004.
- "The Future of Penitentiary Studies" (in Portuguese). Conference: "Penitentiary Studies", organized by the Catholic University, Lisbon, Portugal, May 2004.
- "The Portuguese Criminal Procedure and the European Standards" – the situation in 2001 (in German).
- 22nd Meeting of the German Academy of Judges (Deutsche Richterakademie), Trier, Germany, September 2001.
- "The Portuguese Criminal Procedure and the European Standards" – the situation in 2000 (in German).
- 21st Meeting of the German Academy of Judges (Deutsche Richterakademie), Wustrau, Germany, July 2000.
- "The Portuguese Criminal Procedure and the European Standards"- the situation in 1999 (in German). 20th Meeting of the German Academy of Judges (Deutsche Richterakademie), Trier, Germany, September 1999.
- "Portuguese Report on Appeals and Remedies in Criminal Law" (in German). International conference, organized by the German Federal Ministry of Justice, Bonn, Germany, May 1999.
- "The Absence of the Defendant at the Trial in the Common Criminal Procedure, A Proposal of Reform of the Criminal Procedure Code" (in Portuguese). Conference in honor of Professor Doctor Manuel Cavaleiro de Ferreira, organized by the Catholic University, Lisbon, March 1996.
- "Some Problems of Neo-Criminalization on the Field of Crimes of Common Danger and Crimes against the Security of Communications in the Penal Reform of 1995" (in Portuguese).

Portuguese-Spanish Conference: “The Penal Reforms in Portugal and Spain”, organized by the Portuguese Public Prosecutors Union, Tavira, December 1995.

- “Crimes of Common Danger and against the Security of Communications in the Penal Reform” (in Portuguese). Conference: “The Reform of the Penal Code”, organized by the Centro de Estudos Judiciários (Centre for Judiciary Studies), Ministry of Justice, Lisbon, November 1995.

V. Public activities

a. Public office

See above the description of my judicial activities.

b. Elected posts

None

c. Posts held in a political party or movement
(Please underline the post(s) held at present)

None

VI. Other activities

a. Field
None

b. Duration
None

c. Functions
(Please underline your current activities)
None

VII. Publications and other works
(You may indicate the total number of books and articles published, but mention only the most important titles (maximum 10))

Commentary of the Criminal Procedure Code in the light of the Constitution of the Republic and the European Convention on Human Rights (written in Portuguese, *Comentário do Código de processo penal à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Third renewed Edition, Lisbon, UCE, 2009, 1600 pages. This book has **1162 quotations** of the jurisprudence of the European Court of Human Rights, as it is announced on the cover of the book.

Commentary of the Criminal Procedure Code in the light of the Constitution of the Republic and the European Convention on Human Rights (written in Portuguese, *Comentário do Código de processo penal à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Second renewed edition, Lisbon, UCE, 2008, 1604 pages. This book has **1145 quotations** of the jurisprudence of the European Court of Human Rights, as it is announced on the cover of the book.

Commentary of the Criminal Procedure Code in the light of the Constitution of the Republic and the European Convention on Human Rights (written in Portuguese, *Comentário do Código de processo penal à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Lisbon, UCE, 2007, 1742 pages. This book has **353 quotations** of the jurisprudence of the European Court of Human Rights, as it is announced on the cover of the book.

Commentary of the Criminal Code in the light of the Constitution of the Republic and the European Convention on Human Rights (written in Portuguese, *Comentário do Código penal à luz da Constituição da República e da Convenção Europeia dos Direitos do Homem*), Lisbon, UCE, 2008, 1600 pages.

The International Criminal Court and the Transformation of International Law, International Conference (co-editor with João Miguel), (written in Portuguese, *O Tribunal Penal Internacional e a Transformação do Direito Internacional, Conferência Internacional*), Lisbon, UCE, 2006, 342 pages.

Portuguese and European Prison Law (written in Portuguese, *Direito Prisional Português e Europeu*), Coimbra, Coimbra Publishing House, 2006, 434 pages.

The Reform of Criminal Justice in Portugal and Europe (written in Portuguese, *A Reforma da Justiça Criminal em Portugal e na Europa*), Coimbra, Almedina Publishing House, 2003, 1176 pages.

Introduction to the Actual Discussion on the Problem of Guilt in Criminal Law (written in Portuguese, *Introdução à Actual Discussão sobre o Problema da Culpa em Direito Penal*), Coimbra, Almedina Publishing House, 1994, 118 pages.

"Portuguese Report" (written in German, *Landesbericht Portugal*). In Monika Becker und Jörg Kinzig (eds.), *Rechtsmittel im Strafrecht, Eine international vergleichende Untersuchung zur Rechtswirklichkeit und Effizienz von Rechtsmittel*, Band 1/1, Freiburg im Breisgau, edition iuscrim, 2000, pp. 319-377.

"An endless Mistake, Remarks on the Concept of Criminal Guilt of Jakobs" (written in German, *Ein unausrottbares Miβverständnis, Bemerkungen zum strafrechtlichen Schuldbegriff von Jakobs*). In *Zeitschrift für die Gesamte Strafrechtswissenschaft*, N. 110 (1998), pp. 640-657. This article was prepared while I was in the Max-Planck Institute for penal law, in Freiburg, Germany. The publication of the article was approved by the former director of the Institute and the Zeitschrift, Professor Doctor Hans Heinrich Jescheck.

VIII. Languages

(Requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
Portuguese (*Please specify*)	X	¨	¨	X	¨	¨	X	¨	¨
***b*. Official languages:**									
– English	X	¨	¨	X	¨	¨	X	¨	¨
– French	X	¨	¨	X	¨	¨	X	¨	¨
***c*. Other languages:**									
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 [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.

Due to my knowledge of both official languages of the Court, I do not need any language class.

X. Other relevant information

I am married (with three children) since 1992.

I have a driving license since 1991.

I work daily with a personal computer (with Word and occasionally with Excel). I use Power Point for my public presentations.

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.