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(CDDH)

COMMITTEE OF EXPERTS ON THE SYSTEM
OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS
(DH-SYSC)

DRAFTING GROUP I ON THE FOLLOW-UP TO THE CDDH REPORT
ON THE LONGER-TERM FUTURE OF THE SYSTEM OF THE CONVENTION
(DH-SYSC-I)

**Selection of candidates for Election as Judge to the European Court
of Human Rights: procedure and selection criteria in member States**

(prepared by the Secretariat)

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Introduction

1. The table presented in this document was extracted from Appendix I to the draft report on the process of selection and election of judges of the European Court of Human Rights, prepared by the Chair and the Secretariat in view of the 3rd meeting of the Drafting Group I on the follow-up to the CDDH Report on the longer-term future of the system of the Convention (document DH-SYSC-I(2017)014). The CDDH agreed to separate the abovementioned appendix into a distinct reference document in order to serve as a basis for possible follow-up work (see CDDH(2017)R87 § 9 (iv)). This table presents the selection criteria and procedure for selection of candidates for election as judge to the European Court of Human Rights in Council of Europe member States. The data are presented member State by member State, and are based on information communicated to the PACE as well as the CDDH, DH-SYSC, and DH-SYSC-I.

2. The analysis of the table shows that the most commonly applied method of selection is a two-stage process. In 40 member States, such a process is conducted by a selection committee composed of individuals with a relevant background to carry out this task, such as officials working in the Ministry of Justice or the Ministry of Foreign Affairs, the Supreme Court, as well as members of bar associations and academics.¹ The first stage of the selection process sees the candidates who have expressed their interest being preselected on the basis of the information they have provided in the framework of their application.

3. In 30 member States, in the second stage of the selection process, preselected candidates are invited for an interview.² Based on the results of both stages, the selection committee composes a shortlist of three candidates. The committee then presents the three shortlisted candidates to the government, parliament or another national executive or legislative body. In 5 member States the selection committee is required to include a defined ratio of women in its composition to ensure representation of both genders.³

4. In 38 member States, the call for applications is made through a public advertisement being published in national daily newspapers, legal journals, gazettes, official ministry webpages, as well as distributed to law faculties and lawyer associations.⁴

¹ Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Greece, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, “The Former Yugoslav Republic of Macedonia”, Turkey, United Kingdom.

² Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Iceland, Ireland, Latvia, Liechtenstein, Luxembourg, Republic of Moldova, Montenegro, Netherlands, Poland, Romania, Russian Federation, Serbia, Spain, Sweden, “The Former Yugoslav Republic of Macedonia”, Turkey, United Kingdom.

³ Austria, Belgium, Croatia, Cyprus, Georgia.

⁴ Albania, Andorra, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovenia, Spain, Sweden, Switzerland, “The Former Yugoslav Republic of Macedonia”, Turkey, United Kingdom.

5. Member States generally base their selection criteria on Article 21 of the European Convention on Human Rights, PACE Recommendation 1649 (2004), PACE Resolution 1646 (2009), as well as the Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights (see document CM(2012)40-final). 31 member States refer in their selection criteria to Article 21 or generally to the rules set out in the Convention.⁵ The relevant recommendations and resolutions by the PACE are mentioned by 12 member States.⁶ Additionally, a total of 7 member States make reference to the Guidelines of the Committee of Ministers mentioned above.⁷

6. Member States have different requirements regarding more specific criteria. The requirement for candidates to be of high moral character and to possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence (as stated in Article 21(1) of the Convention), is distinctly mentioned by 21 member States.⁸ In 14 member States, candidates must have legal knowledge in the field of public international law, human rights and in particular the Convention and the case law of the Court.⁹ 5 States require the candidates to have a certain amount of years of professional experience in a field of activity relevant to the work of the Court.¹⁰

7. The requirement to master at least one of the official languages of the Court constitutes a specific criterion in 25 member States.¹¹ Age limitations are mentioned by 5 States¹², all detailing a maximum age for a candidate to the position of judge at the Court except Georgia, which in addition to this also sets a minimum age of 30 years.

8. Gender-representation among candidates is mentioned in the selection criteria of 15 member States.¹³ A total of 11 member States mention in their selection criteria the objective to present lists with candidates from both sexes.¹⁴

⁵ Albania, Andorra, Armenia, Azerbaijan, Bosnia and Herzegovina, Croatia, Denmark, Estonia, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland, Latvia, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Portugal, Romania, Russian Federation, Slovak Republic, Spain, Sweden, “The Former Yugoslav Republic of Macedonia”, United Kingdom.

⁶ Andorra, Azerbaijan, Finland, France, Germany, Greece, Lithuania, Malta, Monaco, Russian Federation, Sweden, Turkey.

⁷ Belgium, Finland, France, Germany, Iceland, Liechtenstein, Monaco.

⁸ Albania, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Georgia, Hungary, Iceland, Ireland, Luxembourg, Montenegro, Netherlands, Norway, Romania, Slovak Republic, Slovenia, Sweden, “The Former Yugoslav Republic of Macedonia”, United Kingdom.

⁹ Albania, Austria, Belgium, Czech Republic, Denmark, Georgia, Ireland, Luxembourg, Netherlands, Poland, Serbia, Sweden, “The Former Yugoslav Republic of Macedonia”, United Kingdom.

¹⁰ Georgia, Slovak Republic, “The Former Yugoslav Republic of Macedonia”, Turkey, United Kingdom.

¹¹ Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Finland, Georgia, Hungary, Ireland, Latvia, Luxembourg, Montenegro, Netherlands, Norway, Romania, Serbia, Slovenia, Spain, “The Former Yugoslav Republic of Macedonia”, United Kingdom.

¹² Croatia, Czech Republic, Georgia, Spain, “The Former Yugoslav Republic of Macedonia”.

¹³ Armenia, Azerbaijan, Belgium, Belgium, Denmark, Finland, Georgia, Luxembourg, Malta, Norway, Poland, Romania, Spain, Switzerland, Turkey.

¹⁴ Armenia, Azerbaijan, Belgium, Denmark, Finland, Luxembourg, Malta, Poland, Romania, Spain, Turkey.

Table: Selection of candidates for Election as Judge to the European Court of Human Rights: procedure and selection criteria in member States

MJ: Ministry of Justice

MFA / MAE: Ministry of Foreign Affairs

MEMBER STATE / ÉTAT MEMBRE	SELECTION PROCEDURE / PROCÉDURE DE SÉLECTION	SELECTION CRITERIA / CRITÈRES DE SÉLECTION
ALBANIA / ALBANIE	<p align="center"><u>Information as communicated to PACE in August 2016</u></p> <ul style="list-style-type: none"> • “Justice system reform” on 21 July 2016 adopted by the Parliament: creation of a special mechanism designed to propose a check process (the vetting) of every judge and prosecutor at any level. • The ad-hoc consultative Commission (the Commission) for carrying out the election procedures is composed of the Chairperson and 4 members who have a significant professional experience. They are experts in Public International Law and Human Rights with knowledge of the English and French languages; a constitutionalist, a former representative of Albania at the Venice Commission, a former judge at the ECHR, the President of the Constitutional Court, the Dean of the Law Faculty (former member of the Supreme Court) and the Director of the Legislation Department of the Prime Minister's Office. • In support of the Commission, a technical group was set up. It is composed of a representative from the Prime Minister's Office, a lawyer from the Ministry of Foreign Affairs, a lawyer from the Ministry of Justice. • Call for application in the Official Announcements Bulletin of the Republic of Albania, in the official website of the Prime Minister's Office and reflected it in the media. • 1st stage: Based on the criteria of the call for application and the characteristics of 	<ul style="list-style-type: none"> • To be Albanian citizens. • To be lawyers. • Shall be of high moral character and must either possess the qualifications required for appointment to a high judicial office or be jurisconsults of recognised competence. • To have the legal knowledge and practical experience of the national legal system, of public international law, mainly in the field of human rights. • To master the Albanian language, one of the official languages of the Council of Europe (English or French) and have at least a basic knowledge of the other language. Mastering both official languages of the Council of Europe shall be deemed an advantage.

	<p>the candidates who appeared, the Commission decided to call all the candidates to continue to the 2nd stage of the selection procedure, that of the interview.</p> <ul style="list-style-type: none"> • 50% in one of the official languages of the Council of Europe (English or French). • Each member of the Commission assessed each candidate secretly assessing their overall performance. • After the interviews, the Commission, by secret ballot, proposed a list of 3 candidates. 	
<p>ANDORRA / ANDORRE</p>	<p><u>Information as communicated to PACE in January 2015</u></p> <ul style="list-style-type: none"> • Announcement is published in the Official Gazette. • Any interested individuals who met the criteria laid down in the PACE's recommendations and the Convention are required to submit their candidatures and CVs in English and French to the MFA. • A selection commission of 5 members is set up (the Director of Multilateral Affairs and Co-operation, the Ministry for Foreign Affairs (Chair), the Head of the Private Office of the Head of Government, the Director for the Interior, Ministry of Justice and Interior, a lawyer in the Government's legal office, a lawyer and professor of European law from the University of Barcelona.) The commission meets twice. • The purpose of the first meeting is to analyse and assess the various candidatures received, in particular to check that the candidates' CVs meet the requirements. • The purpose of the second meeting is to prepare one-hour interviews. • Following deliberation, the selection commission submits the national list of three candidates to the Council of Ministers for approval. 	<ul style="list-style-type: none"> • Criteria laid down in the Parliamentary Assembly's recommendations and in the European Convention on Human Rights. • CVs. • Experience. • Reasons for applying. • Language skills.

<p>ARMENIA / ARMÉNIE</p>	<p><u>Information as communicated to PACE in May 2015 and supplemented by information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005)</u></p>	
<p>AUSTRIA / AUTRICHE</p>	<p><u>Information as communicated to PACE in February 2016</u></p> <ul style="list-style-type: none"> • A public call for candidatures is issued in the specialized press. • Supreme Courts and universities are informed. • Interviews with the candidates are conducted by a commission composed of four senior officials (one of them a woman) of the Federal Chancellery, the Federal Ministry for Europe, Integration and Foreign Affairs and the Federal Ministry for Science, Research and Economy. Interview with all five candidates. Skills in the two official languages assessed during the interview. • A list of three candidates is subsequently 	<ul style="list-style-type: none"> • Shall be of high moral character and possess the qualifications required for appointment to high judicial office or be jurisconsults of recognized competence. • Gender-representation measure: the highest evaluated representative of under-represented gender (in this case – females) is to be included into the list, replacing the third evaluated candidate. • Evaluation criteria: sense of justice, perception of and attitude towards the fundamental values of the Convention, professional knowledge, professional skills, professional experience, professional authority, main language skills, ability to comprehend the meaning of a genuine text in the second language and describe it in Armenian.

	<p>submitted to the Austrian Federal Government, which endorses this list and decides to nominate these three persons as Austrian candidates for the position of Austrian Judge at the ECtHR.</p> <ul style="list-style-type: none"> • The Austrian Parliament is informed about this decision. • The nomination procedure is also reported in the Austrian media. 	
<p>AZERBAIJAN / AZERBAÏDJAN</p>	<p><u>Information as communicated to PACE in August 2016</u></p>	
	<ul style="list-style-type: none"> • In March 2016 the Government requested the Judicial and Legal Council, an independent body of judicial self-government to nominate the candidates to include in the Government's list of candidates for election as judge. • Notice in an independent daily legal periodical and placed on websites of the Judicial and Legal Council and of the MJ. • Period for submission: 1 month. • The Council summoned seven out of twelve applicants to interviews. 	<ul style="list-style-type: none"> • Criteria specified in Recommendation 1649 (2004) and Resolution 1646 (2009) of the Parliamentary Assembly of the Council of Europe and those indicated in the Panel's Final Activity Report (§§ 26-31 and 34-35). • Certain balance between the sexes or between different branches of the legal profession • Legal expertise. • Professional experience. • Suitability to exercise the role of judge. • Guarantees of independence and impartiality. • The linguistic abilities and suitability to work as part of a team within an international environment. • Active knowledge of one and a passive knowledge of the other official language of the Council of Europe. • Every list should contain candidates of both sexes.

<p>BELGIUM / BELGIQUE</p>	<p>Information contained in <u>CDDH-SC(2011)002Rev.2</u> and supplemented by information communicated to DH-SYSC-I (doc <u>DH-SYSC-I(2016)005</u>)</p> <ul style="list-style-type: none"> • Le Bureau de l'Agent devant la Cour procède à un appel public à candidatures largement publié (Moniteur belge, lettre aux Cours suprêmes, à l'Ordre des Barreaux et aux universités). L'appel contient une phrase invitant spécifiquement les femmes à se porter candidates à la fonction de juge. • Appel publié durant 1 mois (pouvant être allongé d'un mois selon les nécessités). • L'appel à candidature est envoyé à toutes les universités belges, aux deux ordres des avocats, au collège des Procureurs généraux, à la Cour constitutionnelle, au Conseil d'Etat ainsi qu'aux présidents des assemblées parlementaires fédérales. • Aucune présélection des candidatures n'est opérée : l'ensemble des candidats ayant réagi à l'appel (par envoi de CV) est soumis à l'interview. • Le jury compte six personnes (un magistrat, deux parlementaires, un membre du Conseil Supérieur de la Justice et deux membres du bureau de l'Agent du Gouvernement devant la Cour). Il est composé de manière à représenter tant un équilibre politique qu'une représentation équitable hommes-femmes. Chaque membre du jury note les candidats sur les réponses données aux diverses questions (entretien de 45 minutes testant tant les connaissances de la jurisprudence de la Cour que les connaissances linguistiques (EN/FR)). La note finale de chaque candidat résulte de l'addition des scores attribués par chaque membre du jury. Ainsi, l'évaluation des qualifications et de l'expérience de chaque candidat se fait sur un strict pied d'égalité. <ul style="list-style-type: none"> • Considération morale mais il n'existe pas de procédure de vérification de ce critère. • Compétence pour l'exercice de hautes fonctions judiciaires ou juridiques (avocat, professeur d'université...). Lors de l'entretien de 45 minutes, les questions portent sur l'expérience professionnelle des candidats. • Connaissances de la jurisprudence de la Cour (notamment mise en perspective de la jurisprudence de la Cour à partir d'un arrêt spécifique et de son impact sur le système légal national). • Faire face aux défis (réforme, arriéré, crédibilité, confiance du public et des institutions nationales et internationales à son égard). • L'entretien se déroule en partie en français, en partie, en anglais. Il est attendu du candidat qu'il ait, au moins, une connaissance active de l'une des langues officielles du Conseil de l'Europe et passive de l'autre. • Disponibilité requise pour une activité à plein temps et leur disponibilité leur est demandée lors de l'entretien. • Invitant spécifiquement les femmes à se porter candidates à la fonction de juge. Le jury est composé d'au moins une femme. • Les principes qui se dégagent des Lignes directrices sont scrupuleusement respectés par la procédure de sélection.
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BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE	<u>Information as communicated to PACE in March 2012 and supplemented by information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005)</u>	
BULGARIA / BULGARIE	No recent information available.	
CROATIA / CROATIE	<u>Information as communicated to PACE in March 2012</u>	
	<ul style="list-style-type: none"> • The Candidate Selection Committee was established by the Decision of the Government of the Republic of Croatia. • The Decision prescribes the tasks and composition of the Committee, including the obligation of publishing a public tender for the selection of candidates when the requirements have been met. The Decision stipulates the obligation to publish a public tender in two daily papers, in the Official Gazette and on the MJ website. • Committee tasks include submitting the proposal to the Government of the Republic of Croatia. The Decision also prescribes that the Ministry of Justice provides professional, administrative and technical support to the Committee. • Committee is composed of a Representative of the Justice Committee of the Croatian Parliament in the capacity of 	<ul style="list-style-type: none"> • High moral integrity and possess qualifications requested for fulfilling high judicial duties, that is, be a recognised legal expert; • Be fluent in one, and have the knowledge of the other official language of the Council of Europe (the English and French languages); • A judge acts in his or her personal capacity; • During his or her mandate the judge cannot perform duties or jobs which are incompatible with his or her independence, impartiality or requests of the permanent service.

	<p>the Committee Chairperson and one representative from each of the following institutions: Constitutional Court of the Republic of Croatia, Supreme Court of the Republic of Croatia, Ministry of Justice and one representative chosen from faculties of law. Both genders are represented in the Committee (two female and three male members).</p> <ul style="list-style-type: none"> • Term of 30 days for the submission of candidate applications. • The Committee concluded there was no need for an interview with the three short-listed candidates since they are known to the general public and Committee members for their professional activities and decided to submit the proposal on the selection of candidates to the Government. 	
<p>CYPRUS / CHYPRE</p>	<p><u>Information as communicated to PACE in November 2015 and information communicated to DH-SYSC-I (doc <u>DH-SYSC(2016)002</u>)</u></p> <ul style="list-style-type: none"> • Decision by the Council of Ministers of the Republic (Decision 76.854 of 3rd July 2014). • The call for applications is widely available to the public by publication in the Official Gazette of the Republic and dissemination via the Supreme Court, Cyprus Bar Association and Commissioner for the Protection of Human Rights and also dissemination via universities. • A selection body is established under the authority of the MFA whose mandate is to evaluate the candidates and recommend up to five candidates to the Government. The selection body interviews all serious candidates. (Members of the selection body are drawn from the Ministry of Foreign Affairs, Ministry of Justice and Public Order, Office of the Attorney General, the judiciary, Office of the Commissioner for the Protection of Human Rights, the Cyprus Bar Association and academics from the universities in Cyprus). • Candidates were selected upon evaluation 	

	<p>of all candidatures submitted and interviews held by the competent national committee.</p> <ul style="list-style-type: none"> • The final decision of candidates to be presented to the Parliamentary Assembly is taken by the President of the Republic. 	
CZECH REPUBLIC / REPUBLIQUE TCHÈQUE	<u>Information as communicated to PACE in April 2012</u>	
	<ul style="list-style-type: none"> • L'organisation de la procédure de sélection des candidats appartient au MJ qui fait appel à candidatures, organise les entretiens avec les candidats, établit la liste de candidats et la présente pour approbation au Gouvernement. • Il peut être fait recours à une évaluation des connaissances linguistiques du candidat sans que cette possibilité soit davantage précisée dans les règles applicables à la procédure de sélection. • Un appel à candidatures tout à fait ouvert est lancé, tenu d'assurer la publicité la plus large possible à l'appel à candidatures et doit notamment publier l'appel sur ses pages web et l'annoncer aux tribunaux, aux différentes unités du ministère public, aux organisations professionnelles de juristes et aux doyens des facultés de droit des universités publiques. • Délai de présentation des candidatures : deux mois minimum sauf si la procédure de sélection a été relancée suite au rejet du projet de liste par le Gouvernement. 	<ul style="list-style-type: none"> • Etre de nationalité tchèque • Avoir un haut caractère moral • Pouvoir être nommé juge d'une cour suprême ou de la Cour Constitutionnelle ou être un juriste renommé • Offrir des garanties d'indépendance et d'impartialité; • Avoir une connaissance suffisante de la problématique de la protection internationale des droits de l'homme et surtout de la jurisprudence de la Cour ; • Avoir une connaissance active de l'une des langues officielles de la Cour au moins. • Critères complémentaires : • connaissance active de l'autre langue officielle ; • ne pas entraîner la nécessité de nommer un juge ad hoc ; • le candidat devrait avoir un âge qui lui permet d'accomplir tout le mandat.
DENMARK / DANEMARK	<u>Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005 and CDDH-SC(2011)002Rev.2)</u>	
	<ul style="list-style-type: none"> • Independent standing committee of five members appointed by the MJ upon nomination from the President of the Supreme Court (nomination of the chairman of the Committee), the Presidents of the High Courts, the Council of the Danish Bar and Law Society, the Ministry of Foreign Affairs and the Ministry of Justice respectively. • The Committee proposed the best candidates to the Government. MJ serves 	<ul style="list-style-type: none"> • In addition to the moral qualities and experience expected of candidates laid down in Art.21§1 of the Convention. • Experience in the field of human rights. • Candidates of both sexes. • Sufficient knowledge of at least one of the two official languages. • Names of the candidates are placed in alphabetical order.

	<p>as the secretariat of the Committee.</p> <ul style="list-style-type: none"> • Publication of the vacancy in Djøfbladet (a biweekly periodical issues to members working within the field of law, business economics and political), on two major websites for vacant positions in Denmark and on websites of the MJ and MFA. • The Committee summoned 5 out of 7 applicants to interviews and proposed to the Government three candidates. 	<ul style="list-style-type: none"> • As far as possible no candidate should be submitted whose election might result in the necessity to appoint an ad hoc judge.
<p>ESTONIA / ESTONIE</p>	<p><u>Information as communicated to PACE in June 2010 and information contained in doc CDDH-SC(2011)002Rev.2</u></p> <ul style="list-style-type: none"> • Legal grounds: § 9(9) of the Foreign Relations Act of Estonia. • MFA publishes an announcement for public competition in two daily newspapers, in electronically published publication and on the Internet web-pages of MFA, MJ, the Supreme Court and web-pages of the organisations gathering lawyers. • MFA forms a committee for review of the submitted applications and selection of the candidates. • Members of the Committee : 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 (see §9(9) of the Foreign Relations Act above). All members of the Committee are entitled to consult with the institution they are representing and ask for an expert opinion. • Public competition with a duration of up to 4 weeks. • The Committee reviews the applications that have been submitted and selects three candidates. It has the right to ask for additional information from the candidates and to interview them. • The decision of the Committee should be made by the simple majority of the votes, all members of the Committee must vote. • The decision of the Committee should be made by the simple majority of the votes, all members of the Committee must vote. 	<ul style="list-style-type: none"> • Criteria for the judges set forth in the Convention and in the relevant documents of the Parliamentary Assembly of the Council of Europe. • Selected candidates fulfilled the criteria set forth judges in Estonia, especially in article 47 of the Courts Act, incl. requirements to the education and requirements not to be convicted of criminal offence.

	<p>The MFA and the MJ must be in favour the decision.</p> <ul style="list-style-type: none"> • The chairman of the Committee presented the list of three selected candidates to the Government for approval. • The Government approves the list by its order. The Government has the right to refuse to approve the list but there has never been such a situation in Estonia. 	
<p>FINLAND / FINLANDE</p>	<p><u>Information as communicated to PACE in February 2015</u> and supplemented by information communicated to DH-SYSC-I (doc <u>DH-SYSC-I(2016)002</u> and <u>DH-SYSC-I(2016)005</u>)</p> <p><i>See the detailed presentation in doc DH-SYSC-I(2016)005</i></p> <ul style="list-style-type: none"> • Finland has, in 2010, reformed the procedures for nominating candidates for judges or members of international courts and tribunals and the Court of Justice of the European Union, by amending the Act on Judicial Appointments (amendment No. 741 / 2010). <ul style="list-style-type: none"> • The MFA initiates the procedure by notifying the Expert Advisory Board of the vacancy and advertising it in major national newspapers, on the website of the MFA, sent by e-mail to the Supreme Court, the Supreme Administrative Court, all Courts of Appeal, the Association of Finnish Lawyers, the Finnish Bar Association, and to all universities having a faculty of law. • The Board examines the applications in the light of the criteria. • It may interview eligible candidates. • The Board may also test the applicants' language skills and take into account other relevant matters, such as their communication skills. • The Minister of Foreign Affairs presents the list of three candidates recommended by the Board and the Government appoints the list of candidates in its plenary session. 	<ul style="list-style-type: none"> • The criteria set forth in the ECHR and by the Council of Europe (including the non-binding Guidelines on the selection for the post of judge at the European Court of Human Rights and their Explanatory Memorandum) are expressed in the announcement of the MFA. • Specific consideration to the recommendation of the Parliamentary Assembly to present candidates of both sexes is given. • Proficiency in at least one of the official languages of the CoE is required.

FRANCE	<u>Information as provided to PACE in February 2011</u>	
GEORGIA / GÉORGIE	<p data-bbox="391 1249 1497 1325"><u>Information as communicated to PACE in August 2016 and supplemented by information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005)</u></p> <p data-bbox="391 1331 998 1402"><i>See the detailed presentation in doc DH-SYSC-I(2016)005</i></p> <ul data-bbox="391 1409 998 1877" style="list-style-type: none"> • Commission was chaired by the MJ and was comprised of 5 female and 6 male members. • At the first stage, candidates' CVs and supporting documents were verified. • At the next stage, the State Commission contracted the British Council office in Georgia and the French Institute in Georgia, where candidates took free language tests (APTIS) respectively. • Commission gathered at the Justice Training Center facility to interview the successful 12 candidates. Media 	<ul data-bbox="1003 1249 1497 1877" style="list-style-type: none"> • La sélection est effectuée au regard de l'article 21 de la Convention EDH, des Lignes directrices du Comité des Ministres concernant la sélection des candidats au poste de juge à la Cour européenne des droits de l'homme, ainsi que des diverses recommandations de l'APCE en la matière. • Shall be a citizen of Georgia of legal capacity, between the age of 30-65 years; • Has perfect command of the state language; • Has good command of one of the official languages of the Council of Europe (English or French); • Has perfect knowledge of the European Convention on Human Rights, relevant case law and has working experience in this field; • Has perfect knowledge of the principles of public international law and the legislation of

	<p>representatives had the right to attend the interviews and/or take comments from those candidates who had previously agreed to speak to media.</p> <ul style="list-style-type: none"> • Each member of the State Commission evaluated each of the candidates separately. • After interviewing all the candidates, the State Commission shall approve 2 lists of candidates according to their gender, on the basis of the average scores in decreasing order. • The Government of Georgia examined the files of the 5 shortlisted candidates, heard the Chair of the State Commission and chose the 3 candidates for nomination. 	<p>Georgia;</p> <ul style="list-style-type: none"> • Meets the requirements established by the legislation of Georgia for occupying high judicial positions, or is a law specialist of recognised competence; • Has at least five years of professional experience; • Is of a high moral character and professional reputation. • An average command of the second official language of the Council of Europe shall be considered an advantage for the candidate.
<p>GERMANY / ALLEMAGNE</p>	<p><u>Information as communicated to PACE in April 2010 and information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u></p> <ul style="list-style-type: none"> • Public call: announcements are placed in the newspapers Frankfurter Allgemeine Zeitung and Süddeutsche Zeitung, as well as in Neue Juristische Wochenschrift, a specialized law journal. • A press release calling for expressions of interested was released by the Federal MF and the notice was also placed on the Justice Ministry's website. • All federal courts, the Federal Prosecutor General, the German Judges Association, the German Bar Association (Deutscher Anwaltverein), the German Federal Bar (Bundesrechtsanwaltskammer), and the German Institute for Human Rights were informed that interested persons should be invited to apply or that their names should be submitted to the Ministry. • The Federal Government selects the three most suitable candidates from among the candidates who contacted the Federal Ministry of Justice or who were recommended by third parties. 	<ul style="list-style-type: none"> • The list of candidates meets the recommendations of the Committee of Ministers and fulfils all requirements of the Parliamentary Assembly.

GREECE / GRÈCE	<u>Information as communicated to PACE in June 2010</u>	
HUNGARY / HONGRIE	<u>Information as communicated to PACE in August 2016</u> <ul style="list-style-type: none"> • The Minister of Justice is responsible for the ECHR matters within the structure of the Government. • The minister discusses with various competent experts concerning the nomination. He also discusses with the potential candidates in order to receive information about the depth and breadth of the professional knowledge and experience of the candidates. • Upon the proposal of the minister, the Government takes the decision concerning the list of candidates. After the decision of the Government, the minister requests the Ambassador to transmit the necessary documents to the Advisory Panel and later to the Parliamentary Assembly. • Submits their names in alphabetical order. 	<ul style="list-style-type: none"> • Critères relatifs à l'élection des juges près la Cour européenne des droits de l'homme, tels qu'ils sont énoncés à la fois dans la Convention européenne des droits de l'homme et les résolutions applicables de l'Assemblée parlementaire, notamment la Résolution 1646(2009). • The depth and breadth of the professional experience of the candidates is of a sufficiently high level for the position to exercise judicial functions in the ECHR, they are considered a jurisconsult of standing or a person entitled to be appointed to high judicial office within the meaning of Article 21 (1) of the Convention. • Taken carefully into consideration not only the professional background of the candidates, but also their linguistic capacities as well as how they would qualify as judges.

	<ul style="list-style-type: none"> • Have been named after a wide range of consultations with various experts, having taken carefully into consideration not only the professional background of the candidates, but also their linguistic capacities as well as how they would qualify as judges. 	
ICELAND / ISLANDE	<u>Information as communicated to PACE in March 2013</u>	
	<ul style="list-style-type: none"> • Notice placed on the website of the Ministry of the Interior, and on the public advertisement site of the Government Offices, in the Legal Gazette and in the jobs sections of the two most widely circulated newspapers in Iceland. • A separate notice was sent to all law schools in Iceland, all the courts of law, the Bar Association and the Lawyers' Association. • Discussed in mainstream and Internet news media. • Committee of five members appointed, three women and two men (a Professor at the Reykjavik University School of Law and ad hoc judge at the European Court of Human Rights, an attorney to the Supreme Court, a Supreme Court Judge, the Chief Judge, and the ambassador, nominated by the Ministry for Foreign Affairs). The Ministry appointed the chairman of the committee ex officio. • Interviews all candidates. • In the event that the candidate do not meet the level of language proficiency required for the post of judge in an official language [the second], s/he has to confirm his intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, the term of duty, if elected a judge on the Court. 	<ul style="list-style-type: none"> • Eligibility requirements for nomination in accordance with Article 21 of the ECHR and the qualifications to accept the office in accordance with the Guidelines of the Council of Europe CM(2012)40 of 29 March 2012. • Sign a declaration, with reference to Article 21 of the Act on the ECHR, to the effect that they had not said, done or written anything which might harm the reputation of the Court, that they would not engage in any activity which is incompatible with the independence of judges at the European Court of Human Rights, their impartiality or the requirements made with regard to a full-time office as a judge at the Court and that they would not foreseeably be disqualified in general from hearing cases brought before the Court.

IRELAND / IRLANDE	<u>Information as communicated to PACE in February 2015 and information communicated to DH-SYSC-I (doc CDDH-SC(2011)002Rev.2)</u>	
	<ul style="list-style-type: none"> • Advertisement in Irish and English posted in the national newspapers, circulated to appropriate persons in the legal community, posted on the Department of FA and Trade website and on the Public Appointments Service website. • Applications are considered by a Selection Panel convened by the Attorney General to advise on persons qualified to act as a judge of the ECHR. • The Selection Panel was composed of: the Director General of the Office of the Attorney General, an Established Professor of Law and Head of the School of Law at NUI Galway, part-time Commissioner of the Law Reform Commission and a retired Supreme Court Judge. • A short list of nine candidates was drawn up and those persons were interviewed by the Selection Panel. • The Selection Panel recommended three of the interviewees be put forward as candidates for election and the Government accepted this recommendation. 	<ul style="list-style-type: none"> • The advertisement makes it clear that only candidates of a high standard with an established reputation and meeting the requirements of Article 21 of the Convention and the requirements contained in the relevant recommendations and resolutions of the Parliamentary Assembly of the Council of Europe should apply • Refer to a high level of achievement in the areas of law in which they have been engaged and experience relevant to the post of judge of the European Court of Human Rights, • Have the capacity to learn and understand other legal, constitutional and political systems, • Have the ability to communicate effectively orally and in writing particularly in the role of judge rapporteur, and to work well in a chamber of international judges, • Have a good knowledge of the European Convention on Human Rights and the case-law of the Court, • Have an operational working knowledge of French.
ITALY / ITALIE	No recent information provided	
LATVIA / LETTONIE	<u>Information as communicated to PACE in April 2015</u>	
	<ul style="list-style-type: none"> • Public and open call (official edition <i>Latvijas Vēstnesis</i> (“Latvian Herald”) and widely disseminated among the official websites of the Cabinet of Ministers, the MFA, the MJ and the domestic courts, 	<ul style="list-style-type: none"> • Eligibility requirements for the position as Judge at the European Court of Human Rights in accordance with Article 21 of the European Convention on Human

	<p>enclosing model CV).</p> <ul style="list-style-type: none"> • Establishment of a Selection Committee. • The Selection Committee assesses whether all applicants meet the eligibility requirements. • The Selection Committee invites the remaining applicants to one-hour interviews in Latvian and in English. • The Selection Committee through secret ballot, chooses three candidates for inclusion on the list of candidates. • The list of three candidates and the English versions of the curriculum vitae is transmitted to the Advisory Panel of Experts on Candidates in order to obtain its view. • The opinion of the Advisory Panel is discussed in the meeting of the Selection Committee which unanimously decided to submit the list of three candidates for the approval by the Cabinet of Ministers. • The Cabinet of Ministers has to approve the list of candidates as proposed by the Selection Committee, and submits it to PACE. 	<p>Rights.</p> <ul style="list-style-type: none"> • Linguistic competences.
LIECHTENSTEIN	<p><u>Information as communicated to PACE in January 2015 and information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u></p> <ul style="list-style-type: none"> • The Government establishes a selection body to submit a list of three candidates. • Five experts are nominated to this body: the Director of the Office for FA (Chair), the Director of the Office of Justice, the Deputy Director of the Office of Human Resources and Organisation, the President of the Constitutional Court and a Swiss University Professor. • A public call for applications is published. • After the selection body had carefully assessed the written applications, 11 applicants were invited for interviews, including an assessment of applicants' linguistic abilities. • The selection body decided unanimously on a list of three candidates and the Government approved this decision. 	<ul style="list-style-type: none"> • Takes into account the relevant criteria, e.g. the Committee of Ministers' Guidelines on the selection of candidates for the post of judge at the ECtHR.

<p>LITHUANIA / LITUANIE</p>	<p><u>Information as communicated to PACE in April 2013 and information communicated to DH-SYSC-I (doc CDDH-SC(2011)002Rev.2)</u></p> <ul style="list-style-type: none"> • Pursuant to Article 77 of the Constitution of the Republic of Lithuania, the ECHR partially amended by the Protocol No. 11 and No. 14 and taking into consideration the proposal submitted by the Prime Minister. • A working group composed of the Minister of Justice (chairperson of the group), MFA, the Chairperson of the Parliamentary Committee on Human Rights, the Chairperson of the Parliamentary Committee on Legal Affairs, the Chancellor of the Prime Minister, the Senior Advisor to the President of the Republic, and the Chairperson of the Judicial Council was formed by the Prime Minister and entrusted with the task of pre-selection of candidates. • Call for candidatures in the Official Gazette (its supplement for information notes) and two biggest dailies (“Lietuvos rytas” and “Respublika”) and on the MJ’s website. • The call is brought to the attention of Lithuanian lawyers' associations and law faculties of Lithuanian universities. • The working group publicly announces the names of the selected candidates and brings it as a recommendation to the attention of the Prime Minister. • The Prime Minister, having assessed the recommendation from the working group regarding the choice of candidates, proposes the list of three candidates to the President of the Republic. • The President of the Republic, having assessed the proposal from the Prime Minister and the recommendation from the working group, finalizes the list of candidates by issuing the decree. • The MFA then informs the Council of Europe of the outcome of the selection procedure. <ul style="list-style-type: none"> • Requirements set out in the ECHR and in the Parliamentary Assembly resolution No. 1646 (2009).
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	<ul style="list-style-type: none"> The draft law envisages a procedure involving the participation of the Government, the President of the Republic and the Parliament. The Parliament has not yet examined it in 2011. 	
LUXEMBOURG	<u>Information as communicated to PACE in February 2015</u>	
	<ul style="list-style-type: none"> L'appel à candidature est publié dans les principaux quotidiens et hebdomadaires du Luxembourg (le Luxemburger Wort, le Tageblatt, Je Journal et le Letzebuenger Land.) ; et sur le site Internet MJ et au Journal officiel du Luxembourg, et diffusé par voie électronique aux barreaux du Luxembourg et à la magistrature. Toutes les candidatures reçues dans le délai sont soumises à l'examen de l'organe de sélection constitué de manière ad hoc créé par le ministre de la Justice. Ce dernier s'est adressé par voie de courrier officiel aux personnes ou instances qu'il voulait voir siéger au sein d'un comité de sélection national du juge luxembourgeois à la CEDH. Le comité de sélection national s'est réuni à plusieurs reprises, afin de discuter des modalités pratiques des entretiens, d'examiner et valider les demandes de candidatures entrées au ministère de la Justice, puis effectuer les entretiens des candidats qui remplissent les conditions requises, en partie menés en langue anglaise, d'une durée de 45 minutes chacun. Les membres du panel délibèrent ensuite puis votent par bulletin secret, chacun ayant la possibilité d'y écrire le nom de trois candidats. Cette liste ainsi que les noms des autres candidats est remise au ministre de la Justice qui la fait sienne. La liste est rendue publique par voie de communiqué de presse et sur le site Internet du MJ, et l'information est largement reprise par tous les médias nationaux. 	<ul style="list-style-type: none"> Etre des juristes jouissant de la plus haute considération morale et réunissant les conditions requises pour l'exercice de hautes fonctions judiciaires du pays ou possédant une compétence notoire; Avoir une expérience juridique pratique et des connaissances du système légal luxembourgeois et en droit international public notamment dans le domaine des droits de l'Homme; Maîtriser la langue nationale et l'une des langues officielles du Conseil de l'Europe et avoir au moins une connaissance passive de l'autre langue. La maîtrise des deux langues du Conseil de l'Europe sera considérée comme un avantage. Le Gouvernement luxembourgeois accorde une importance particulière à pouvoir présenter une liste mixte. Les candidat(e)s ne peuvent exercer aucune activité incompatible avec les exigences d'indépendance, d'impartialité ou de disponibilité requises par un exercice à temps plein du mandat de juge.

MALTA / MALTE	<u>Information as communicated to PACE in April 2010 and information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u>	
REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA	<p><u>Information as communicated to PACE in August 2012</u></p> <ul style="list-style-type: none"> • Process was conditioned <i>inter alia</i> by the adoption by the Committee of Ministers of the Guidelines. • The Regulations and the Commission's composition were largely disseminated through the Official Gazette and official web-database of the Ministry of Justice. Civil society has also been involved in the decision making process. • The Commission consisted of 17 notorious persons, representing all competent national authorities and institutions, academic staff, civil society (5 out of 17 members were women). • All members of the Commission were equal in their opinion and votes to be casted, each of them having had the right to a dissenting opinion. • The selection procedure encompassed three stages: (i) call for candidates, (ii) shortlisting, (iii) written test and interview. • Candidates were called to submit their applications during one month time. • The public call was largely disseminated via the Official Gazette, mass-media, official web-sites of the Moldovan diplomatic missions and the official web-page of the MJ. • Nine candidates applied for the selection, 	<ul style="list-style-type: none"> • Specific reference to Art.21 of the ECHR and the relative Parliamentary Assembly resolutions on the election of judges. • Malta is aware of its obligation to ensure that the Court is composed of the highest quality judges and consequently has always sought to ensure that candidates of the highest standard are nominated for election as Judges of the Court. • Criteria under Article 21 of the Convention. • Candidates declared that they do not have any pending applications before the European Court, neither as an applicant nor as a representative.

	<p>all of them being shortlisted for the next stage which included written test and interview.</p> <ul style="list-style-type: none"> • The first meeting of the Commission was video recorded and broadcasted. Consequently, the press was allowed to reflect the following stages of the selection procedure. • Two by two interpreters from English and French languages (two university professors and two licensed interpreters) were present during the interview. They tested the candidates' language proficiency in both official languages of the Council of Europe. • The national selection procedure was won by the first three candidates who obtained the highest grades. 	
MONACO	<p><u>Information as communicated to PACE in May 2015</u></p>	
	<ul style="list-style-type: none"> • Liste présentée par le Gouvernement de la Principauté de Monaco. • L'instance nationale de sélection des candidats au poste de juge à la CEDH est chargée d'émettre un avis au Gouvernement Princier sur les candidatures. • Commission issue d'une décision administrative qui prend en considération les lignes directrices du Comité des Ministres s'agissant des règles de désignation et de composition de ladite instance. • Organe composé du : Président du Haut Conseil de la Magistrature, Président du Tribunal Suprême, Premier Président de la Cour de Révision, Conseiller de Gouvernement pour les Relations Extérieures et la Coopération et le Délégué aux Affaires Juridiques. • Les autorités monégasques saisissent ensuite le Panel consultatif d'experts 	<ul style="list-style-type: none"> • Critères prescrits tant par la Convention européenne des droits de l'Homme (articles 21 à 23) que par les textes pertinents de l'Assemblée Parlementaire du Conseil de l'Europe en la matière.
MONTENEGRO / MONTÉNÉGRO	<p><u>Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005)</u></p>	
	<ul style="list-style-type: none"> • Commission formed in 2007. • National procedure published on the website of the Government. • Commission consisted of: President of the 	<ul style="list-style-type: none"> • Of high moral character; • Possess the qualifications required for appointment to high judicial office or be jurisconsults

	<p>Supreme Court of Montenegro, MJ, Minister for Human and Minority Rights Protection, Dean of the Faculty of Law, Secretary of the Secretariat for Legislation and President of the Committee on International Relations and European Integration. President of the Commission is the MJ.</p> <ul style="list-style-type: none"> • Every person who applied to the public notice had to be interviewed for the checking of their language skills. 2 committees (1 English/1 French) are formed to conduct the interview. • Then, the Commission sent to the Government the proposal list with 3 candidates for further procedure. 	<p>of recognized competence.</p> <ul style="list-style-type: none"> • Required to possess the full knowledge of one or both official languages of the Court (English or French).
<p>NETHERLANDS / PAYS-BAS</p>	<p><u>Information as communicated to PACE in April 2012 and supplemented by information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005 and DH-SYSC-I(2016)002)</u></p> <ul style="list-style-type: none"> • The vacancy is announced in relevant law journals and newspapers and on relevant websites. • The vacancy includes an invitation to third parties to suggest in writing candidates whom they consider suitable. • All candidates, including those who do not apply themselves but are invited later for an interview at the suggestion of a third party, must complete the entire application procedure. • For each vacancy, a recommending committee is composed (the President of the Supreme Court, the Vice-President of the Council of State or the President of the Administrative Jurisdiction Division of the Council of State and a third member with ample knowledge of and experience in international and/or European law and the Council of Europe or a comparable international organisation). • The MFA and the Minister of Security and Justice may only deviate from the recommendation made by the committee on substantiated grounds. • This recommending committee will on the basis of the received applications and 	<ul style="list-style-type: none"> • High moral character. • Possess the qualification required for appointment to high judicial office or be jurisconsults of recognised competence. • Judicial experience, thorough knowledge of the Convention. • Ability to express oneself effectively in spoken and written French or English. • Relevant international experience and the ability to take account of differences in legal culture among the countries of the Council of Europe.

	<p>interviews with a number of candidates draw up a recommendation - a shortlist of at least three candidates - for the MFA and MJ.</p> <ul style="list-style-type: none"> • After consultation between these two Ministers, the list will be submitted to the Council of Ministers, who will after consultation forward it to the PACE. 	
<p>NORWAY / NORVÈGE</p>	<p><u>Information as communicated to PACE in January 2011 and information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u></p> <ul style="list-style-type: none"> • New procedure established in 2009. • The MJ issues an open call for applications on the Government website and in specialist journals. • The Ministry informs certain relevant institutions about the call for applications and ask them to inform their contacts/members, for example by publishing information on their own websites. • Informs Norway's delegation to the Parliamentary Assembly of the Council of Europe and the current Norwegian judge. • The Ministry of Justice appoints a selection committee consisting of five members. The committee will be chaired by the chair of the Judicial Appointments Board (subject to this person's agreement). The other members are appointed on the basis of proposals from the Supreme Court, the Office of the Attorney General of Civil Affairs, the Norwegian Centre for Human Rights and the Norwegian Bar Association. Each of these bodies is encouraged to put forward the names of one woman and one man. • The committee is to submit its proposal for three candidates, with reasons for selecting the candidates, to the MJ. • The MJ takes the decision on Norway's nomination of three named candidates after the names have been submitted to the ministers concerned and to the Office of the Prime Minister. • The MFA submits the list of candidates to the Parliamentary Assembly. 	<ul style="list-style-type: none"> • High moral character. • Law degree (Master's degree or equivalent) and relevant legal experience. • Thorough knowledge of the Norwegian legal system and of the human rights field. • Professional competence, personal aptitude, language skills and the requirement of high moral character of article 21 of the Convention. • Good command of written and spoken English or French and as a minimum to be able to read and understand the other language. • The selection committee may seek advice from relevant external actors, and may use external expertise to evaluate the language proficiency of relevant applicants. • As far as possible, at least one of the candidates should be of the sex which is under-represented at the Court.

	<ul style="list-style-type: none"> • The list of candidates is made public. 	
<p>POLAND / POLOGNE</p>	<p><u>Information as communicated to PACE in April 2012 and Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u></p> <ul style="list-style-type: none"> • Legal basis: Ordinance of the MFA dated 13 January 2012 on appointment of the Panel responsible for selection of candidates. • Call for candidatures published in at least two national newspapers and on the website of the MFA. • Applications are examined by a Panel composed of: an Undersecretary of State at the MFA responsible for Legal and Treaty affairs (the Panel's Chairperson); representative of the Minister of Justice in the rank of at least an undersecretary of state; directors of the Legal and Treaty Department and of the Department of the United Nations and Human Rights at the Ministry of Foreign Affairs; President of the State Treasury Solicitor's Office; a person indicated by the Head of the Chancellery of the Prime Minister. The Government Agent acts as a secretary to the Panel and sits on the Panel without the right to vote. • In the first stage of the procedure, the Panel verifies whether the applications fulfil formal requirements specified in the call. In case of doubt, the Panel requests the candidate to submit clarifications or missing documents within 14 days otherwise his/her candidature will be dropped. • The Panel interviews those candidates who have fulfilled formal requirements (in English or in French). • When taking decisions, the Panel seeks to decide by consensus, although a majority vote can be held if necessary. If there is an even number of votes, the Chairperson has the casting vote. • The Panel draws a list of three candidates and two reserve candidates. Final list is made public on the MFA website. 	<ul style="list-style-type: none"> • Knowledge of issues related to human rights; • Knowledge of the law, in particular Polish law; • Experience related to its practical application; • Academic achievements. • Declaration stating their intention to cease any activity that could not be reconciled with independence, impartiality and the requirements of full- time service as judge of the Court. • Declare that nothing in their hitherto activity, if made public, would compromise the reputation of the Court. • List of candidates should include representatives of each sex, unless in view of exceptional circumstances it would not be possible.

PORTUGAL	<u>Information as communicated to PACE in January 2011</u>	
	<ul style="list-style-type: none"> • The principles of freedom of candidature, publicity, transparency and non-discrimination. • Consideration was given to a more balanced representation of women and men in drawing up the list of candidates. • The Minister of Justice therefore organised a nationwide call for candidatures, accompanied by the rules governing the selection procedure, by publishing advertisements in three national newspapers, placing an official announcement in the Official Gazette, and including a news item on the website “Portal da Justiça” and by further circulating these notices to the Higher Council of the Judiciary and the General Council of the Bar Association. • The Minister of Justice set up an independent commission with four members appointed by the Higher Council of the Judiciary, the Higher Council of the Administrative and Fiscal Courts, the Procuradoria-Geral da República (Public Prosecutor's Office) and the General Council of the Portuguese Bar Association. • Admissibility of the candidatures using the CV assessment method. • The commission played an advisory role in the process. 	<ul style="list-style-type: none"> • Preconditions of Article 21 of the European Convention on Human Rights.
ROUMANIA / ROUMANIE	<u>Information as communicated to PACE in September 2013</u>	
	<ul style="list-style-type: none"> • Cadre légal : ordonnance du 27 mars 2013. • Le MJ convoque le comité de sélection, composé: du MJ; du MAE; de l’agent du gouvernement auprès de la Cour européenne des droits de l’homme; de la directrice de la Direction des affaires européennes et des droits de l’homme au ministère de la Justice; d’un membre du Conseil supérieur de la magistrature, désigné en réunion plénière de celui-ci; d’un juge à la Haute cour de justice et de cassation, désigné par le conseil d’administration de celle-ci; du médiateur; 	<ul style="list-style-type: none"> • Conditions requises pour ces fonctions par le droit national, par la Convention de sauvegarde des droits de l’homme et des libertés fondamentales et par les instruments juridiques adoptés au niveau du Conseil de l’Europe qui sont pertinents dans ce domaine. • Répartition équilibrée des sexes sur la liste de candidats. • Maîtrise d’au moins une des

	<p>de deux universitaires des facultés de droit d'universités.</p> <ul style="list-style-type: none"> • Annonce publiée en même temps sur les sites internet du MJ, du ministère des Affaires étrangères, de la Haute cour de justice et de cassation et du Conseil supérieur de la magistrature, et elle a été distribuée aux médias et aux organisations professionnelles de juristes et communiquée à un site juridique spécialisé. • Modèle de CV exigé par l'APCE traduit en roumain et indiquant les liens vers la version française et la version anglaise du CV obligatoires. • Le comité de sélection a vérifié les connaissances par les candidats des langues officielles. • Délai dans lequel les candidatures devaient être présentées : deux semaines. • La liste de propositions et la liste de réserves sont transmises au gouvernement puis publiée sur le site du MJ. • les commissions des questions juridiques et des droits de l'homme interrogent les candidats et donnent un avis consultatif. • A l'issue d'un vote au scrutin secret, l'avis consultatif est transmis au gouvernement qui adopte la liste définitive. 	langues officielles du Conseil.
<p>RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE</p>	<p><u>Information as communicated to PACE in April 2012</u></p> <ul style="list-style-type: none"> • A public call for candidatures was made on 1 July 2011 through the specialized press, the daily federal newspaper and the relevant information materials were simultaneously published on the website of the MJ. • The initial examination of the candidates' applications was entrusted to the Competition commission composed of 9 members: 4 representatives from the Russian MJ, 3 representatives from the MFA, 1 representative of the All-Russian Non-Commercial Organization "Association of Lawyers of Russia" and 1 professor of the European Studies Institute 	<ul style="list-style-type: none"> • Requirements set out by the Convention and the relevant Parliamentary Assembly resolutions and recommendations.

	<p>at the Moscow State Institute of Foreign Relations, i.e. the officials and independent experts with relevant proficiency in international law and human rights.</p> <ul style="list-style-type: none"> • The Commission short-listed 10 of them and assigned the date of its second meeting when personal interviews, also including language assessment. The Commission was also assisted by 2 professional translators from the Russian Diplomatic Academy. • Shortlist containing 6 candidates was then approved by the Interdepartmental Commission and then forwarded to the President of the Russian Federation, who chose the final 3 among them. 	
SAN MARINO / SAINT MARIN	No recent information provided.	
SERBIA / SERBIE	<u>Information as communicated to PACE in November 2014</u>	
	<ul style="list-style-type: none"> • The Minister of Justice established a Commission to supervise an open competition to nominate candidates. • The Commission consisted of the President of Supreme Cassation Court, as Chairman, the Deputy Prosecutor of the Republic of Serbia, the Attorney of the Republic of Serbia, a Judge of SC Court, the State Secretary in the MJ and State Administration. • A Public Call was published in the Official Gazette of the Republic of Serbia, in the daily newspaper “Politika”, distributed in the entire territory of the Republic of Serbia and on the official site of the MJ and State Administration. • Written language tests, in English and in French. • Interviews with candidates who had successfully completed the requirements. • The Commission adopts the list. • Publication of the list on the site of the MJ and State Administration List. 	<ul style="list-style-type: none"> • The Commission examined registration forms of candidates who had passed the language test, their biography, professional experience and all submitted evidence on possessing theoretical and practice knowledge proving experience with recognized competence in the field of the National Legal System, International Public Law or European Protection of Human Rights.

<p>SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE</p>	<p><u>Information as communicated to PACE in August 2015</u></p>	
<p>SLOVENIA / SLOVÉNIE</p>	<p><u>Information as communicated to PACE in January 2016 and supplemented by information to DH-SYSC-I (doc <u>DH-SYC-I(2016)005</u>)</u></p>	
	<ul style="list-style-type: none"> • Legal basis: Article 141a § 4 d) of the Constitution: it is under the authority of the Judicial Council to submit to the Government proposals of candidates for judges. The Judicial Council is the judiciary's highest body, independent from the legislative and executive power. This body is consists of 18 members, almost all of them are serving judges. • Judicial Council performed its duties in accordance with national procedure (Act 185/2002 Coll). • Candidate for the position of a judge can be submitted to the Judicial Council by: a member of the Judicial Council, the MJ, professional organisation of judges, other professional organisation of lawyers. • For the nomination to be approved it has to obtain majority of votes of all Judicial Council members in secret ballot. • The Judicial Council submitted nominations for a judge of the ECHR to the Government, which endorsed the proposed list of candidates. 	<ul style="list-style-type: none"> • Acquired legal education by completion of a MA course at the law faculty of a university in the Slovak Republic, or possesses recognised or nostrified document of law education obtained by completion of studies of the same level at foreign university. • Is of integrity; is probably a credible personality in the field of law and his/her moral qualities give a guarantee that he/she will duly perform his/her mandate. • Has permanent residence in the territory of the Slovak Republic. • Has full legal capacity and health conditions which allow him/her to perform the judicial mandate. • Passed the judicial professional exam, prosecutor's exam, bar exam or notary exam and has at least 5 years of legal practice.
	<ul style="list-style-type: none"> • Legal basis: Act on the Nomination of Candidates from the Republic of Slovenia to Judges at International Courts. • MJ publishes a call for applications (Official Gazette and on the official website of the MJ). • Official letter is sent to the Slovenian Supreme Court, the Constitutional Court, the Ombudsman and all relevant law faculties in Slovenia informing them of the call for applications. • Period for submission: 40 days. • CV in one of the official languages of the Court. • MJ delivers the submitted applications to the President of the Republic of Slovenia. • When obtaining written opinions on the candidates from the Slovenian 	<ul style="list-style-type: none"> • Must comply with the condition of active knowledge of at least one of the official languages used at the international court. • He/ she fulfills the conditions for a Supreme Court judge or a Constitutional Court judge (see the detailed presentation in doc DH-SYSC-I(2016)005).

	<p>Government and the Judicial Council, the President submitted his shortlist of four candidates to the National Assembly (the Parliament).</p> <ul style="list-style-type: none"> • Three candidates for international court judge are elected by the National Assembly in a secret ballot by a majority of all deputies. • The nomination procedure has been reported in the Slovenian media on several occasions. 	
<p>SPAIN / ESPAGNE</p>	<p>Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</p> <ul style="list-style-type: none"> • Wide dissemination of the call for submission of applications shall be guaranteed through publication in the “Official State Gazette”, as well as by means of those additional procedures to be decided by the Undersecretary of Foreign Affairs and Cooperation, the Undersecretary of Justice and the Undersecretary of Presidency and Territorial Administration, to come to the attention of potentially suitable candidates and for a reasonable period of time. Applications may be presented in any of the places provided for in Article 16.4 of Act 39/2015, of October 1st, on Common Administrative Procedure of Public Administration. • A Committee is hereby established to assess the suitability of candidates, consisting of the State Secretary for Foreign Affairs, the State Secretary for Justice, the Undersecretary of Justice and the Undersecretary of Presidency and Territorial Administration. The State Secretary for Foreign Affairs will chair the Committee Presidency. The Committee decisions shall be taken, in any event, by agreement of all the members concerned. The powers conferred on their members cannot be delegated. A State Attorney appointed by the General State Attorney-Directorate of the Legal Service shall provide the secretariat for the Committee, who shall attend the meetings with 	<ul style="list-style-type: none"> • Pursuant to the provisions of the Court, candidates shall be of high moral character and shall possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence, and should undertake not to engage, if elected, in any activity incompatible with their independence or impartiality or with the demands of a full-time office. • The Committee shall evaluate the candidates’ curricula vitae and shall perform any interview as it deems necessary in order to assess their suitability for the post to be filled, whom, in any event, shall meet the following requirements: <ul style="list-style-type: none"> • To be a Spanish national; • Not to exceed the age of 61 years by the closing date for the submission of applications; • To be proficient in one official language of the Court (English or French) and also possess at least a passive knowledge of the other. • Having examined the curricula vitae and performed the eventual interviews, the Committee shall propose a list of candidates for the post of judge at the Court

	<p>speaking rights but not to vote.</p> <ul style="list-style-type: none"> • In the exercise of their functions, the Committee shall be assisted by a number of advisers entitled to represent, among others: the international Legal Department of the Ministry of Foreign Affairs and Cooperation, the General Council of the Judiciary, the Office of the Prosecutor-General, the Ombudsman and the Ministry of Foreign Affairs' Office of Language Services. • Once the list of candidates has been adopted by the Council of Ministers, it shall be submitted to the Advisory Panel of Experts of the Council of Europe with a view to the election of judges to the European Court of Human Rights. 	<p>which should as a general rule include candidates of both sexes, and shall be communicated to the Executive Council on Foreign Policy prior to its submission to the Council of Ministers for a decision to be taken.</p>
<p>SWEDEN / SUÈDE</p>	<p><u>Information as communicated to PACE in April 2012 and information communicated to DH-SYSC-I (doc <u>DH-SYSC-I(2016)002</u>)</u></p> <ul style="list-style-type: none"> • On 1 September 2014 Sweden changed the procedures for nominating candidates to the European Court of Justice and the European Court of Human Rights by the new Act (2014:414) on nominations to the European Court of Justice and the European Court of Human Rights ('the 2014 Act'). • The preparation of the nomination of judges to the European Court of Human Rights under the 2014 Act is initiated by the Swedish MFA. The Judges Proposals Board is responsible for the preparation of matters concerning the nomination of judges to the European Court of Human Rights. • The nomination procedure involves a public call for candidates through advertisements in newspapers and on the Internet and ends by a proposal from the Judges Proposals Board to the Government on suitable candidates. • The Judges Proposals Board is composed of nine members who are elected for a period of four years. Two of the members are elected by the Swedish Parliament as 	<ul style="list-style-type: none"> • The criteria laid down in the Convention and the requirements established by the Parliamentary Assembly are expressed in the public call for candidates by the MFA: • The candidates should have high moral reputation and possession of the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence; • Special consideration is given to knowledge of public international law and human rights law, knowledge of the languages of the Council of Europe and experience of work in an international environment and with organisational issues.

	<p>representatives of the public. The remaining seven members are appointed by the Government (five of them must be or have been permanent national judges, two of them lawyers active outside the judiciary, one of which shall be an advocate). There is also a person with special knowledge of the work of the Court.</p> <ul style="list-style-type: none"> • The Judges Proposals Board examines the applications in the light of the criteria set forth in the ECHR and by the Council of Europe. The interviews are conducted by an external consultant and/or members of the Judges Proposals Board. The decision on which candidates to nominate are taken by the Government. 	
<p>SWITZERLAND / SUISSE</p>	<p><u>Information as communicated to PACE in February 2011</u> and information communicated to DH-SYSC-I (doc <u>DH-SYSC-I(2016)002</u>)</p> <ul style="list-style-type: none"> • Appel à candidature dans l'édition électronique et dans l'édition papier d'un quotidien de chacune des trois régions linguistiques du pays ainsi que sur plusieurs bourses d'emploi sur Internet. • L'offre d'emploi est portée à l'attention des présidents et présidentes du Tribunal fédéral et des tribunaux supérieurs des cantons. • Les dossiers des six personnes présélectionnées (de même que les noms des six autres candidats) furent transmis à la Délégation parlementaire suisse auprès du Conseil de l'Europe (DCE) et à la Commission judiciaire (CJ) de l'Assemblée fédérale. • Ces six personnes ont passé une audition devant la DCE et la CJ réunies. • Ces dernières, dans un vote secret, ont établi un classement, que le président de la DCE a communiqué au Conseil fédéral avec une évaluation des auditions. 	<ul style="list-style-type: none"> • Qualifications ; • Le sexe (2 femmes, 4 hommes), l'aire linguistique (2 candidats de la Suisse romande, 4 de la Suisse alémanique) ; • Type de profession juridique représentée (représentants des domaines judiciaires et universitaires et du barreau).

<u>Information as communicated to PACE in September 2016</u>	
<p>“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / “L’EX-RÉPUBLIQUE YUGOSLAVE DE MACÉDOINE”</p>	<ul style="list-style-type: none"> • Law on 23 February 2016: the Government of the Republic of Macedonia establishes a Commission for selection of candidates, which carries out the procedure for selection of candidates for the position of Judge in the ECHR. • Commission was composed of MFA (Chairman), a Judge of the Constitutional Court of the Republic of Macedonia, a member of the Judicial Council of the Republic of Macedonia, member of the Council of Public Prosecutors of the Republic of Macedonia, the State Secretary at the Ministry of Justice, a professor at the Faculty of Law at University of Tetovo. • public call in the Official Gazette and daily newspapers, as well as on the websites of the MFA, MJ, Supreme Court of the Republic of Macedonia, Constitutional Court of the Republic of Macedonia, Public Prosecutor’s Office of the Republic of Macedonia and the Judicial Council of the Republic of Macedonia. • The public call lasted 15 days since its publication date. • CV in the Macedonian language and also in one of the two official languages (English or French). A model CV was also attached to the public call. • The Commission adopted a decision for candidates who passed the initial administrative selection to be invited to an interview. • A segment of the interview was carried out in English. • The evaluation of candidates was carried out individually and anonymously. Each member of the Commission evaluated candidates with scores from 1 to 10, and subsequently a list of the candidates was drafted with their scores, with candidates with highest score average topping the list. <ul style="list-style-type: none"> • High moral reputation; • Must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence (minimum of 12 years of adequate experience); • Must be less than 65 years of age; • Must have experience in the field of human rights; • Must have active knowledge of one, and passive knowledge of the other official language of the Council of Europe (English and French).

	<ul style="list-style-type: none"> The Government, based on the proposal of the Commission, approved the list. 	
TURQUIE / TURKEY	Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)005)	
	<ul style="list-style-type: none"> The election procedure is initiated with a public announcement for candidatures posted simultaneously on the websites of the MFA and the MJ. The public announcement remains on these websites for 30 days. Interview Committee composed of: Senior representative of the Prime Ministry (Chairperson of the Committee), Senior representative of the Ministry of Foreign Affairs, Senior representative of the Ministry of Justice, Secretary General of the Constitutional Court, a member of the Court of Cassation, a member of the Council of State, a member of the Council of Higher Education. Following the interviews, the Interview Committee agrees on a short list of six candidates and these names are submitted to the Council of Ministers of Turkey in order to make the final decision. During the interviews, questions about the Court's case-law and its functioning are asked to all candidates both in Turkish and in their language of fluency. 	<ul style="list-style-type: none"> The applicants are expected to meet the criteria of the Resolution 1646 (2009) of the Parliamentary Assembly the representation of both sexes is observed. In addition, the applicants are also expected to have one of the following qualifications: <ul style="list-style-type: none"> hold at least the academic title of associate professor for academic candidates; be of first class (highest level of seniority) under the Law no. 2802 and to have spent three years as first class judge or prosecutor for judge or prosecutor candidates; be a member of a High Court; be in possession of a document that he / she has effectively worked in his / her profession for at least 15 years for attorneys; for the remaining candidates; public officials shall have worked for at least 15 years in public institutions and those who are not public officials shall have at least 15 years of effective professional experience.

UKRAINE	<u>Information communicated to DH-SYSC-I (doc DH-SYSC-I(2016)002)</u>	
	The work on this issue is ongoing. However, the Guidelines were not implemented in the national legislation yet.	
UNITED KINGDOM / ROYAUME-UNI	<u>Information as communicated to PACE in April 2016</u>	
	<ul style="list-style-type: none"> • The Lord Chancellor tasked the Judicial Appointments Commission of England and Wales (JAC) with the administration of the recruitment campaign. • The JAC's online application form was adapted to include all the information needed for the Council of Europe's model curriculum vitae. The published application materials also included a complete description of the process and the selection criteria used. • The JAC advertised the opening of the campaign, having trailed this for some weeks on its website. • The former President of the International Court was appointed to chair the selection panel. The Master of the Rolls and Lord Reed, a Justice of the Supreme Court and former judge in the Court of Session (Scotland) also served on the selection panel, bringing considerable legal and judicial expertise and experience. The panel also included Permanent Secretary of the MJ, a legal academic, the chair of the Equality and Human Rights Commission, and the Foreign and Commonwealth Office Legal Adviser. • The selection panel met in February 2016 to sift applications received and reconvened at the end of February 2016 to conduct interviews. • The candidates shortlisted for interview were tested for French language competence by the Institut Français. 	<ul style="list-style-type: none"> • High moral character and either possess the qualifications required for appointment to high judicial office or be <i>jurisconsults</i> (for example academic lawyers and practitioners) of recognised competence. • passive knowledge of French, or a commitment to acquire such knowledge in due course, so as to be able to play a full part in the work of the Court and able to understand case documents in both languages. • Have a proven and consistently high level of expertise, with at least seven years' experience in the areas of law in which they have been engaged. Candidates will normally be expected to have experience in criminal or civil fields, with demonstrable knowledge of the UK's national legal systems, public international law, public law, Strasbourg law and human rights. • Possess the interpersonal and communication skills necessary to exert his or her influence within the Court.