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Election of judges to the European Court of Human Rights[1]

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

Communication
Secretary General of the Parliamentary Assembly

1. In accordance with Article 22 of the European Convention on Human Rights.

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1. List and curricula vitae of candidates submitted by the Government of Romania

Letter from Mr Stelian Stoian, Ambassador of Romania to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 9 September 2013

…

In reply to your letter of 13 September 2012, concerning the election of the new judge at the European Court of Human Rights in respect of Romania, which is scheduled for the October part-session of the Parliamentary Assembly of the Council of Europe, I have the pleasure to submit to the attention of the Assembly the list of three candidates for the position of judge in respect of Romania, which has been selected by the Romanian authorities. The list comprises, in alphabetical order:

– Ms Iulia Antoanella MOTOC

– Mr Tudor PANŢÎRU

– Mr Florin STRETEANU.

Please find attached the procedure used nationally for the nomination of the Romanian candidates for the position of judge of the European Court of Human Rights, together with curricula vitae of the three selected candidates (both in English and French).

Looking forward to working closely with you for finalizing successfully the process of election of the new judge in respect of Romania, please accept, dear Mr Secretary General, the assurances of my highest consideration.

…

* * * * *

Procedure for the nomination of the Romanian candidate for the position of judge of the European Court of Human Rights

Following the adoption of the amendments, by Government Emergency Ordinance No. 21 of 27 March 2013, to the Government Ordinance No. 94/1999 on the participation of Romania in the proceedings before the European Court of Human Rights and the Committee of Ministers of the Council of Europe and the State's regress following the judgments and friendly settlement conventions (GO No. 94/1999) and the confirmation of the constitutionality of these amendments by the Constitutional Court on 9 May 2013, the Government initiated the selection procedure for the nomination of the Romanian candidates for the position of judge of the European Court of Human Rights (here after ECtHR).

It is to be underlined that, pursuant to Article 5 paragraph 1 of the GO No. 94/1999, as subsequently amended, the nomination of the candidates on behalf of Romania for the position of judge to the Court is made by the Government, with the advisory opinion of the legal and human rights committees of the Senate and Chamber of Deputies, in a joint meeting, at the proposal of one selection committee composed of:

a. the Minister of Justice;

b. the Minister of Foreign Affairs;

c. the Government's Agent for the European Court of Human Rights;

d. the Director of the Directorate for European Affairs and Human Rights within the Ministry of Justice;

e. a member of the Superior Council of Magistracy, designated by its Plenary;

f. a judge of the High Court of Justice and Cassation, designated by its Directing College;

g. the Ombudsman;

h. two academics from the law faculties within the advanced research and education universities[2], as classified pursuant to Article 193 paragraph (4) letter c) of the Law of national education No. 1/2011, as subsequently amended and completed, designated, by majority, by the members laid down at letters *a*)-*g*), following the proposals of the above-mentioned faculties of law.

2. At present, three such law faculties are functioning: The Alexandru Ioan Cuza University in Iasi, the Babes-Bolyai University in Cluj and the University of Bucharest.

Thus, the Minister of Justice initiated the démarches for the constitution of the selection committee, sending invitations to the Superior Council of Magistracy, the High Court of Justice and Cassation and the three law faculties from the universities classified as advanced research and education institutions. Following this correspondence, the Superior Council of Magistracy and the High Court of Justice and Cassation designated, in accordance with the law, their representatives. The deans from the three law faculties concerned decided to propose two academics from their staff to sit in the selection committee.

As a consequence, the Minister of Justice convened the members of the selection committee for a first meeting that took place on 22 May 2013; during this meeting, the members of the selection already appointed accepted the two proposals put forward by the deans of the law faculties. Thus, the complete composition of the committee was as follows:

1. Robert Cazanciuc, Minister of Justice – President of the Selection Committee;
2. Titus Corlăţean, Minister of Foreign Affairs;
3. Anastasiu Crişu, Ombudsman;
4. Catrinel Brumar, the Government's Agent for the European Court of Human Rights;
5. Mădălina Manolache, Director of the Directorate for European Affairs and Human Rights within the Ministry of Justice;
6. Adrian Bordea, judge, Vice-President of the Superior Council of Magistracy;
7. Cristina Tarcea, judge, High Court of Justice and Cassation;
8. Radu Catană, Deputy Rector, Babeş-Bolyai University, professor of Private Law;
9. Elena Simina Tănăsescu, Deputy Dean of the Faculty of Law, University of Bucharest, professor of Constitutional Law and of European law.

Also during its first meeting, the selection committee agreed on the text of the public call for candidacy. The main excerpts of the public call are reproduced in the annex to the present document.

The announcement was published in the Official Gazette on 24 May 2013; at the same time, the announcement was published on the websites of the Ministry of Justice, Ministry of Foreign Affairs, the High Court of Justice and Cassation and the Superior Council for Magistracy and distributed to the media, the professional legal bodies and the specialised legal site www.juridice.ro.

The announcement indicated the requirements stipulated for this position by the national law, by the Convention for the protection of human rights and fundamental freedoms and by the legal instruments adopted at the level of the Council of Europe with relevance in this field; the documentation to be submitted (offering also the model for the CV required by the Parliamentary Assembly of the Council of Europe in its Resolution 1646 (2009) translated into Romanian and indicating the links for the French and English version of the CV that were also mandatory for the submission of a candidature); the date and place of the candidates' interview (in the period 12-14 June 2013, at the headquarters of the Ministry of Justice) and the time-limit by which the applications had to be submitted (a period of 2 weeks, between 24 May and 7 June 2013). The call also underlined the necessity for a gender balanced list of candidates, thus encouraging women to subscribe.

The media advertised the announcement; after the first week of the period for the submission of candidature, the Ministry of Justice and the Ministry of Foreign Affairs reiterated the call for candidature, drawing attention to the deadline. Press releases were also issued.

At the expiry of the period for the validity of the public call for candidature, seven candidatures were registered; on 11 June and on 12 June, two of the candidates withdrew their candidatures.

The remaining five candidates were interviewed on 12 June 2013, each interview lasting for 45-50 minutes. As announced in the public call, the interview began, for each candidate, with the presentation of the candidates, with focus on his or her qualifications that would, in his or her opinion, recommend him/her for the position of judge of the ECtHR.

After this short introduction from the candidate, the selection committee asked questions to each candidate; the questions ranged to cover three important aspects: the experience and mastering of the human rights standards at the European level, the knowledge of international law, comparative law and domestic law and the deontological aspects.

Examples from the three types of questions are reproduced below:

1. Experience and mastering of the European mechanism (functioning, reform and case law)

– What is the candidate's opinion on the future of the right of individual recourse before the ECtHR?

– Tools to provide a fair balance between ECtHR standards and national ones

2. Knowledge of international law, comparative law and domestic law

– The aptitude of the ECtHR to remain an effective mechanism in the context of European Union accession

– Legal force of the conventional provisions in Romanian legal order

– The relationship between the ECtHR and other human rights bodies, both at regional and at international level

– The potential influence of the ECtHR case-law on other European mechanisms, including at the EU level

– Domestic remedies for alleged violations of fundamental rights and freedoms

3. Deontological aspects

– The position of the European judge in relation to the State that had proposed him/her

– The effects of a judicial decision on parties

– The role of the "national" judge within the ECtHR

– The ethical code of the European judge and the duty of discretion.

Moreover, the selection committee tested candidates' knowledge of the official languages of the European Court of Human Rights (for each candidate, at least two questions were addressed by the members of the committee in English and, respectively, French; the candidates were invited to give answers in at least one of these two languages).

The committee deliberated after interviewing all five candidates; after exchanging views on the performance of each candidate, the selection committee decided, with majority, on the content of the list of proposals and of the list of reserve as follows:

– List of proposals (in alphabetical order): Bianca Andrada Guţan, Iulia Antoanella Motoc and Florin Streteanu;

– Reserve list: Tudor Panţîru.

It is to be noted that the members of the above-mentioned committee exercised their mandate individually and independently and expressed their own opinion.

In the minutes of the selection committee's meeting there were recorded all the results of the deliberations, the grounds for retaining or rejecting a candidature or for retaining a candidature on the list of reserve rather than on the list of proposals.

On 13 June 2013, the list of proposals and the list of reserve were transmitted to the Government and at the same time were published on the website of the Ministry of Justice. The reasoning of the selection committee was not made public, but according to the public call, each candidate can obtain a copy of his/her evaluation.

At the Government meeting of 19 June, the list of proposals and the list of reserve, as forwarded by the Ministry of Justice, acting as secretariat for the selection committee, was approved by the Government. Following this approval, the lists were transmitted by the General Secretariat of the Government to the two Chambers of Parliament, so that the legal and the human rights committees of each parliamentary Chamber, reunited in a common meeting, can proceed to the interviewing of the candidates and give their advisory opinions on the suitability of candidatures, according to art. 5 para (1) and (16) of GO No. 94/1999.

On 26 June 2013, the legal and the human rights committees of each parliamentary Chamber, reunited in a common meeting, interviewed the four candidates included on the list of proposals and on the list of reserve and gave their advisory opinion. By secret vote, three of the candidates received positive advisory opinion (Bianca Andrada Guţan, Florin Streteanu, Tudor Panţîru) and one candidate received negative advisory opinion (Iulia Antoanella Motoc). It follows that the parliamentary committees issued their opinion on the candidatures individually, and not on the list taken as a whole.

The advisory opinion was transmitted to the Government on the 27th of June 2013; at the next Government meeting, on the 4th of July, the final list was adopted.

Appendix 1 – Iulia Antoanella MOTOC

CURRICULUM VITAE[3]

I. Personal details

Name, forename: Motoc, Iulia Antoanella

Sex: Female

Date and place of birth: 20 August 1967, Timişoara

Nationality: Romanian

II. Education and academic and other qualifications

– Ph.D. (Doctorate) in Moral Philosophy, University of Bucharest, Department of Philosophy, 1999, *Thesis: Ethics in International Relations;*

– Habilitation in Law (Qualified to supervise doctoral candidates), University Paris XI, "Jean Monnet" Department, 1998;

– S.J.D. (Doctorate) in International Public Law (highest distinction with the congratulations of the jury), University "Paul Cézanne" Aix-Marseilles III, School of Law, 1996, *Exceptions to Article 2*4 of the UN Charter as interpreted by the UN Security Council*;

– Full registration judge exam, 1995, Criminal law and civil law;

– Master (DEA) in International Public Law, University "Paul Cézanne" Aix-Marseilles III, School of Law, 1991;

– L.L.B., University of Bucharest, School of Law (9,93/10), 1989, *Dissertation topic pertaining to criminal law (10/10)*.

III. Relevant professional activities

a. Description of judicial activities

– **Judge, Constitutional Court of Romania (2010 onwards)**; Settlement of exceptions of unconstitutionality involving a thorough knowledge of the Constitution, as well as of Romanian law, especially criminal law, civil law, labour law, financial law. Judge-Rapporteur specialized in cases involving a thorough knowledge of ECHR jurisprudence and EU law. Settlement of constitutional disputes, as well as of "a priori" disputes, covering a wide range of legislation, election law, criminal law, civil code, revision of the Constitution, judicial independence;

– *Ad hoc* Judge, European Court of Human Rights (2010); Judge in the case of *Dobri v. Romania*;

– Judge, Trial Court of the 2nd District of Bucharest (1990–1995); Settlement of criminal and civil cases;

– Trainee Prosecutor, Giurgiu Regional Prosecution Office (September 1989–1990).

b. Description of non-judicial legal activities

– **Professor of International Law and Human Rights (2002 onwards), and European Law (2007 onwards), University of Bucharest**; Human rights courses, organisation of students conferences together with several non-governmental foundations, among which the Konrad Adenauer Foundation, conferences with the National Institute of Magistracy, member of the jury in the "Charles Rousseau" Competition in International Law, Vice-Dean of the Faculty of Political Science, 1998, vice-dean responsible for research, scientific secretary;

3. Text in bold indicates posts or missions held at present.

- Director (Romania) European Master on Human Rights and Democratisation, European Inter-University Centre for Human Rights and Democratisation, Venice (2007 onwards); Selection of students, Member in the Master EIUC Venice Examination Committees, organisation of conferences in Romania dedicated to Article 10 of the European Convention on Human Rights (Freedom of expression) and to Article 6 (independence of the judiciary), organisation of the Conference "Cinema and Human Rights" together with Columbia University;
- Research Professor, Justice and International Law in a Global World, Institute for Research in International and European Law, Sorbonne, IRDIES (2012 onwards);
- Yale University, School of Law, Orville Center for International Human Rights (2004–2007). Research in the field of human rights and transitional justice;
- New York University, School of Law, Fulbright – course, "International Law and Democracy" (course coordinator together with J.H.H. Weiler) (2003);
- New York University, 2004, Theory and history of international law, intervenient with Benedict Kingsbury;
- St-Thomas University – Miami, Master Course Coordinator "Human Rights and the United Nations" (2001–2003);
- Lawyer, Bucharest Bar Association (1995 onwards – reserved position);
- Arbitrator, ICSID, Washington (2008 onwards);
- Member of the Managing Board, National Council for Accreditation and Attestation, Law, Romania (2010–2012);
- Member of the Presidential Commission for Analysis of the Constitution, Romania (2007–2008); Rapporteur for the chapter on human rights;
- European Institute, Florence (2006), European Academy of Human Rights, Special Guest Professor "Genetic discrimination" (2006);
- Member, Executive Board of the European Society of International Law (2004–2008);
- Member, Scientific Council, "Revue Québécoise de droit international";
- Member, Scientific Council, College of Europe, TMC Asser Institute, The Netherlands;
- Member, International Council of Professors and Practitioners, School of Law, University of Melbourne;
- Member, International Law Association – Working Group on Biotechnology And International Law;
- Member, Editorial Board, Yearbook of International and Compared Law, Eastern Europe;
- Board Member, International Commission of Jurists;
- Reader, University of Bucharest (1998–2002);
- Lecturer, University of Bucharest (1997–1998);
- Teaching Assistant, University of Bucharest (1995–1997).

c. Description of non-legal professional activities

- PhD Supervisor, School of Political Studies, University of Bucharest (2010 onwards); Coordination of theses in the field of Roma rights as a research field;
- Diplomatic Academy, Ministry of Foreign Affairs, Romania, Scientific Director (2002–2003); Drafting of the first post-communist educational programs of the Diplomatic Academy, selection of the Academy professors, Public International Law Course Coordinator;
- Co-Editor, International Law and International Relations, Polis (1996–1999);
- Member, Scientific Council, Journal of International Relations and Development;
- University of Michigan (1998), USAID, International Relations Program;
- Researcher, Institute for Human Sciences, Vienna (January 1999–June 1999); Melon Fellowship, Research Topic: *Rule of law and human rights*.

IV. Activities and experience in the field of human rights

United Nations

– **Vice-President of the Human Rights Committee, United Nations (2012–onwards)**

– **Member, Human Rights Committee, United Nations (2006–onwards)**; Rapporteur and member of working groups involved in the assessment of civil and political rights, member of the Working Group on Communications, Analysis of the relationship between the case-law of the European Court of Human Rights and the communications of the UN Human Right Committee;

– Member of the Bureau, Rapporteur, Human Rights Committee, United Nations (2008–2010);

– Special Rapporteur of the United Nations Commission for Human Rights for the Democratic Republic of Congo (2001–2004); Visits to the Democratic Republic of Congo in conflict areas. Reports on massive violations of human rights, extensively quoted including by the International Criminal Court Prosecutor and the International Criminal Court;

– UN Special Rapporteur on Human Rights and the Human Genome (2004–2007); Author of the first reports of the United Nations on genetics and human rights;

– Member of the Sub-Commission on the promotion and protection of human rights, United Nations (2000–2007);

– Member, Working Group on Extreme Poverty and Human Rights (2003–2006); co-author of the Guiding principles on extreme poverty and human rights;

– Member, Working Group on Indigenous Populations, United Nations (2000–2004); Working Paper with Tebtebba Foundation, quoted in the preamble to the "Declaration on the Rights of Indigenous Peoples";

– President of the Sub-Commission on the promotion and protection of human rights, United Nations (2000–2001);

– President, Working Group on the Administration of Justice, United Nations (2002–2006);

– NGOs Special Rapporteur, Human Rights Committee, United Nations (2010–2012);

– Member, Social Forum of the United Nations (2005);

– Member, Working Group on Contemporary Forms of Slavery (trafficking in women, etc.) (1999–2000);

Council of Europe

– Member of the Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe (1998–2004) (2008–2012);

European Union

– Member of the Fundamental Rights Agency of the European Union (2010–2012).

V. Public activities

a. Public office

– Judge, Constitutional Court of Romania, appointed by the Senate of Romania (2010 onwards).

b. Elected posts

N/A

c. Posts held in a political party or movement

I have not been a member of any political party.

VI. Other activities

N/A

VII. Publications and other works

Books – 9; Book chapters, articles, international reports – more than 60.

– The impact of the European Court of Human Rights and the case-law of democratic change and development in Eastern Europe, editors Iulia Motoc and Ineta Ziemele, to be published in 2014;

– Romania to the European Court of Human Rights, editors Iulia Motoc and Ineta Ziemele, to be published in 2014;

– Internationalist doctrines during real communism in Europe, UMR Comparative Law, Sorbonne, Society of Comparative Legislation Publishing House, 2012 (co-editor Emmanuelle Jouannet);

– Women's rights as human rights from universal to regional, University of Bucharest, 2009 (ed.);

– The International Law of Genetic Discrimination: The Power of “Never Again” in Thérèse Murphy (ed.), New Technologies and Human Rights, Oxford University Press, Oxford, 2009;

– Pleading for Human Rights, Centre for Human Rights and Humanitarian Law, University Pantheon-Assas II, University of Bucharest Publishing House, 2008 (in French);

– Conception of Pluralism and International Law in E. Jouannet, H.R. Fabri V. Tomcievitz, ESIL procedures, Selected Procedures of European Society of International Law, What’s the use for International Law, Hart, Oxford, 2008;

– State and Individual Responsibility: controversial aspects of the right to democracy, in The State’s Responsibility, Academy of International Law, Thesaurus Acroasium, Sakkoulas, Thessaloniki, 2006;

– The role of the UN Special Rapporteurs in relation to States, in Emmanuel Decaux, United Nations and Human Rights, Pedone Publishing House, Paris, 2006;

– About Democracy: Normative Challenges to the International Legal System, in S.Griller (eds.), International Economic Governance and Non-Economic Issues, Springer Wien New York, 2003 (co-author J.H.H. Weiler);

– Public International Law, University of Bucharest, 1996, reprint, 2002 (co-author) (in French);

– Use of Force in Public International Law, Exceptions to Article 2*4 of the UN Charter in the practice of the Security Council, Babel Publishing House, Bucharest, 1997 (in French).

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– French	X			X			X		
***b*. Official languages:**									
– English	X			X			X		
– French	X			X			X		
***c*. Other languages:**									
– Spanish		X				X			X
– German			X						
– Italian		X			X				

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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

N/A

X. Other relevant information

– National Order “Star of Romania” in the rank of Knight;
– Order of Saints Constantine and Helena;
– Fulbright (2003);
– French State Fellowship (1990-1995);
– Melon Fellowship (January 1999-July 1999);
– Yale University Fellowship (2004-2007);
– Conferences in more than 30 countries;
– Vast experience in an international environment and the ability to work in such an environment.

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

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

Appendix 2 – Tudor PANȚÎRU

CURRICULUM VITAE[4]

I. Personal details

Name, forename: Panțîru, Tudor

Sex: Male

Date and place of birth: 26 October 1951, Republic of Moldova

Nationalities: Romanian and Moldovan

II. Education and academic and other qualifications

1977: Master of Arts in Law, Faculty of Law, State University of Moldova

III. Relevant professional activities

a. Description of judicial activities

– 2002–to date: **International Judge and Vice-President (2003–2006, 2012–to date) of the Constitutional Court of Bosnia and Herzegovina**

– February 2013–to date: **Judge, Constitutional Court of the Republic of Moldova**

– 2008–2012: Member of Romanian Parliament, President of the Legal Sub-committee (Legal Committee, Chamber of Deputies) for monitoring the execution of judgments of the ECtHR

– 2005–2008: International Judge and President of the Special Chamber of the Supreme Court of Kosovo

– 2002–2005: United Nations Interim Administration Mission in Kosovo, International Judge, Criminal Law Section of the Supreme Court of Kosovo

– November 2001–April 2002: Legal Consultant, Monitoring Department, Council of Europe, Strasbourg

– 1998–2001: Judge on the European Court of Human Rights

– 1996–1998: Judge on the (former) European Court of Human Rights

– 1990–1992: President of the Legal Committee of the Parliament of the Republic of Moldova

– 1990–1994: Member of the Parliament of the Republic of Moldova

– 1988–1990: President of the Commission for the Evaluation, Admission and Promotion of Judges of the Republic of Moldova (this Commission used to be what is today the Superior Council of Magistrates)

– 1987–1990: President of the Frunze District Court in Chisinau

– 1980–1987: Judge of the Frunze District Court in Chisinau (with the qualification first-class judge); adjudication in civil, criminal and administrative cases

– 1977–1980: Attorney – member of the Bar Association of the Republic of Moldova

b. Description of non-judicial legal activities

– 1996–1998: Legal Adviser, UNPD Moldova – Governance and Democracy Programme, for the project: Strengthening the Legislative and Judicial Systems in Moldova, a project aimed at:
  - strengthening the capacity to review and draft legislation;
  - strengthening the training of legal practitioners;

– 1997–1998: Deputy President of the Moldovan Association of Judges, responsible for the international relations of the Association

4. Text in bold indicates posts or missions held at present.

– 1996–1998: Member of the Board of the Soros Foundation in the Republic of Moldova, responsible for the strategy on strengthening the independence of judiciary in the Republic of Moldova

c. Description of non-legal professional activities

– 1997–1998: Overall co-ordinator of "Governance and Democracy" Programme (UNDP Moldova), running the projects:
  - Strengthening Local Governance in the Republic of Moldova;
  - Strengthening the Legislative and Judicial Systems in Moldova;
– 1992–1996: Ambassador – Permanent Representative of the Republic of Moldova to the United Nations, New York (participation in the activities of Third and Sixth Committees of the UN General Assembly, dealing with legal issues and human rights)

IV. Activities and experience in the field of human rights

– 1996–2001: Judge at the European Court of Human Rights
– 1996–1998: Lecturer in the courses for judicial training (attended by judges, prosecutors and defence lawyers) on the European Convention on Human Rights, organised within a UNDP project

V. Public activities

– 1997–1998: Deputy President of the Moldovan Association of Judges, responsible for the international relations of the Association;
– **1997–present: Member of the editorial staff of the legal journal *Almanah Juridic* (Legal Almanac), responsible for the human rights items**;
– 1996–1998: Member of the Board of the Soros Foundation in Moldova, responsible for the strategy on strengthening the independence of the judiciary in the Republic of Moldova

VI. Publications and other works

– "Reform of the Judicial System in the Republic of Moldova" – *Legea si Viata* journal, Chisinau, 1992
– "The Protection of Property under Article 1 of Protocol 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms" – *Legea si Viata*, Chisinau, January 1999
– "The Compensation of Non-Pecuniary Damage to Legal Persons in the Case-Law of the European Court of Human Rights" – *Avocatul Poporului*, Chisinau, August 2000.
– "The Protection of Refugees under the ECHR" – in the book *Jurisprudence of the International Legal Institutions in Refugee Matters*, edited by UNHCR BO in Moldova, Chisinau, 2000

VII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– Romanian	X			X			X		
***b*. Official languages:**									
– English	X			X			X		
– French			X						X
***c*. Other languages:**									
– Russian	X			X			X		
– Serbian/Croatian/Bosnian			X			X			X

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VIII. 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

N/A

IX. Other relevant information

I hold the Superior (highest) judicial qualification in the national system of judiciary.

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

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

Appendix 3 – Ioan Florin STRETEANU

CURRICULUM VITAE[5]

I. Personal details

Name, forename: Streteanu, Ioan Florin

Sex: male

Date and place of birth: 05.10.1972, Brad, Romania

Nationality: Romanian

II. Education and academic and other qualifications

– 2012–2013: Habilitation in law

– 1995–1998: Doctoral studies in the Criminal Law field, Babeș-Bolyai University, Cluj-Napoca

– 1995–1999: Superior Degree in Comparative Law Comparative Law, cycle 1-3, International Faculty of Comparative Law, Strasbourg, France

– 1991–1995: Bachelor of Law, Babeș-Bolyai University, Cluj-Napoca

III. Relevant professional activities

Description of judicial activities:

– 2010–2013, *Ad hoc* Judge, European Court of Human Rights, case *Mocanu and Others v. Romania* (Applications Nos 10865/09, 45886/07 and 32431/08)

– 2009–2011, *Ad hoc* Judge, European Court of Human Rights, case of *Association "21 December 1989" and Others v. Romania* (Applications Nos 33810/07 and 18817/08)

– 1995–1999, Lawyer, Cluj Bar Association

b. Description of non-judicial legal activities:

– **Professor Ph.D. hab. in Criminal Law, Faculty of Law, Babes-Bolyai University, Cluj-Napoca**

– **Professor, International Faculty of Comparative Law, Strasbourg, France, in charge of the Criminal Liability of Corporations in Comparative Law course, 2nd cycle level (starting 2002)**

– Visiting Professor, Limoges University, France (2004–2012) in charge of the Comparative Criminal Law course (until 2008) and International Criminal Offences course (since 2009), within the European and International Criminal Law Masters Program

– Visiting professor at the Universities of Reims (2001), Strasbourg (2003), Zaragoza (2005, 2007), Nantes (2009)

– Trainer, in charge of the Criminal Law course (starting 2007), Head of the Criminal Law Department (2007–2012), National Institute of Magistracy, Bucharest

– Member of the Ministry of Justice Commission established for the drafting of the new Romanian Criminal Code, 2006–2009

– Member and coordinator of the Ministry of Justice Experts Commission, established in order to draft the implementing law of the New Criminal Code (2010)

– Contact point for Romania of ECLAN (European Criminal Law Academic Network), Brussels (since 2007)

5. Text in bold indicates posts or missions held at present.

c. Description of non-legal professional activities:

– **Dean, Faculty of Law, Babeș-Bolyai University** (since May 2012)
– Member of the National Council for Titles, Diplomas and Certificates (2011–2012)
– Vice-Dean, Faculty of Law, Babeș-Bolyai University (2006–2012)
– Head of the Criminal Sciences Department, Babeș-Bolyai University (2006–2008)
– Member of the special committee No. 3 (Socio-economic and human sciences) of the National Council for Scientific Research in Higher Education (2005–2010)
– General Chancellor, Babeș-Bolyai University (2004–2006)
– **Head of The Criminal and Forensic Sciences Masters Program, University of Cluj-Napoca (2003–present date)**

IV. Activities and experience in the field of human rights

– 2010–2013, *Ad hoc* Judge, European Court of Human Rights, case *Mocanu and Others v. Romania* (Applications Nos. 10865/09, 45886/07 and 32431/08)
– 2009–2011, *Ad hoc* Judge, European Court of Human Rights, case of *Association "21 December 1989" and Others v. Romania* (Applications Nos. 33810/07 and 18817/08)
– Head of the Protection of Human Rights Course (1998–2002) at the Law Faculty of the Babes-Bolyai University in Cluj-Napoca
– Member of the League for Defence of Human Rights (LADO) Cluj (1998–2001)
– Member of the editorial board at the Noua Revistă Română de Drepturile Omului (New Romanian Journal of Human Rights)
– Participation in the 28th Annual Study Session organised by the International Institute of Human Rights, Strasbourg, 1997
– Attendance at the Summer Session of the Academy of European Law, Florence, 1996

V. Public activities

a. Public office

– **Dean, Faculty of Law, Babeș-Bolyai University (since May 2012)**
– Vice-Dean, Faculty of Law, Babeș-Bolyai University (2006–2012)
– Head of the Criminal Sciences Department, Babeș-Bolyai University (2006–2008)
– General Chancellor, Babeș-Bolyai University (2004–2006)

b. Elected posts

None.

c. Posts held in a political party or movement

None.

VI. Other activities

Field – legal publications

– Director and founder of the journal Caiete de Drept penal (Criminal Law Writings), indexed by EBSCO, CEEOL and SSRN (since 2005)

– Editor in Chief of the journal Studia Universitatis Babes-Bolyai, Series Iurisprudentia, indexed HeinOnline, EBSCO, CEEOL

– Member of the editorial board at Revue Roumaine de Droit Comparé (since 2010)

– Correspondent for Romania, for Revue de science pénitentiaire et de droit pénal compare (since 2009)

VII. Publications and other works

8 books or book chapters

37 articles and studies

– Tratat de drept penal, vol.I, Ed. C.H.Beck, Bucureşti, 2008

– Concursul de infracţiuni, Ed. Lumina Lex, Bucureşti, 1999 (385 p.)

– Răspunderea penală a persoanei juridice (ediţia a II-a)Ed. C.H.Beck, Bucureşti, 2007 (478 p.) (together with R. Chiriţă)

– Consideraciones acerca del tratamiento jurídico de la violencia doméstica en Europa del Este. Reflexiones sobre el derecho rumano, in M.A. Boldova Pasamar, M.A. Rueda Martin, La reforma penal en torno a la violencia doméstica y de género, Ed. Atelier, Barcelona, 2006.

– La responsabilité pénale des personnes morales en droit roumain. Une reforme attendue, in S. Adam, N. Colette-Basecqz (coord), La responsabilité pénale des personnes morales en Europe, Ed. La Charte, Namur, 2008

– Le principe de reconnaissance mutuelle des décisions judiciaires dans l'Union Européenne devant les juridictions roumaines, in G. Vernimmen, L. Surano (coord), The future of mutual recognition in criminal matters in the European Union, Ed. ULB, Bruxelles, 2009 (together with D.Ionescu)

– Deţinerea şi folosirea de către autorităţi a unor date cu caracter personal în raport cu dispoziţiile art. 8 din Convenţia Europeană a Drepturilor Omului în "Studia Universitatis Babeş-Bolyai" nr.2/2000

– La responsabilité pénale des personnes morales en droit roumain, Revue de droit pénal et de science pénitentiaire, n.2/2007

– Succinte considerații privind efectele deciziilor Curții Constituționale, cu referire la infracțiunile de insultă și calomnie, Caiete de Drept penal, nr.3/2010

– Considerații privind incidența normelor dreptului comunitar asupra dreptului penal român, Revista de Științe penale (Chisinau), 2008-2009

– Considerații privind confiscarea extinsă, Caiete de Drept penal, nr.2/2012

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– Romanian	X			X			X		
***b*. Official languages:**									
– French	X			X			X		
– English		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 [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

N/A

X. Other relevant information

a. Participation in international research programs

– La reforma penal en torno a la violencia doméstica y de género, Coord. Universidad de Zaragoza, 2005

– Analysis of the future of mutual recognition in criminal matters in the European Union, Coord. ECLAN, Brussels, 2008–2009

– Study on the liability of legal persons for offences in the European Union, Coord. Institute for International Research on Criminal Policy (IRCP), Gent, 2010–2011

– Development of an EU Evaluation Mechanism in the area of Anti-Corruption with a particular focus on identifying and reducing the costs of corruption in Public Procurement involving EU Funds, Coord. OLAF-ECLAN, 2012

– Study on criminal sanction legislation and practice in representative Member States, 2012-2013, Coord. Aranzadi S.A., Navarra

b. Awards and distinctions:

– Andrei Radulescu Award for 2008, Romanian Academy

– Vintilă Dongoroz Award for 2008, Romanian Union of Jurists

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

I confirm.