



Doc. 13652

16 December 2014

Election of judges to the European Court of Human Rights¹

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

Communication

Secretary General of the Parliamentary Assembly

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



Contents

Page

1. List and curricula vitae of candidates submitted by the Government of Serbia	3
Appendix 1 – Branko LUBARDA	5
Appendix 2 – Branko RAKIĆ	11
Appendix 3 – Spomenka ZARIĆ	16

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

Letter from Mr Zoran Popović, Ambassador of the Republic of Serbia to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 17 November 2014

...

With reference to the election of judge to the European Court of Human Rights in respect of the Republic of Serbia, please find enclosed a copy of a letter signed by Mr Nikola Selaković, Minister of Justice of the Republic of Serbia.

Minister Nikola Selaković has proposed following three candidates:

- Mr Branko Lubarda, Full Professor of subjects Labor Law, International Law and Social Law at Belgrade University;
- Mr Branko Rakić, Associate Professor for narrow scientific area of international law at the Faculty of Law of Belgrade University at subjects Law of European Integrations and International Relations;
- Ms Spomenka Zarić, Judge at the Supreme Court of Cassation in Belgrade.

...

Letter from Mr Nikola Selaković, Minister of Justice of the Republic of Serbia, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 4 November 2014 (attached to the letter from Ambassador Popović dated 17 November 2014)

...

I have been notified through the Permanent Mission of the Republic of Serbia to the Council of Europe that the Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights has given positive evaluation related to candidacy of the three proposed candidates for election as judge in the European Court of Human Rights.

With regard to the above mentioned, and in order to complete the procedure of election of judge from the Republic of Serbia, and taking into account recommendations of the Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights, I propose the following three candidates: Mr. Branko Lubarda, Full Professor of subjects Labor Law, International Law and Social Law at the Faculty of Law of Belgrade University, Mr. Branko Rakić, Associate Professor for narrow scientific area of international law at the Faculty of Law of Belgrade University, at subjects Law of European Integration and International Relations; Ms Spomenka Zarić, Judge of the Supreme Court of Cassation in the Republic of Serbia.

I hope that this will facilitate the election of a judge to the European Court of Human Rights from the Republic of Serbia at the next session of the Parliamentary Assembly of the Council of Europe.

Enclosed please find personal biography and curriculum vitae of the proposed candidates.

...

Information on the national selection procedure for the position of a judge of the European Court of Human Rights

Letter from Mr Zoran Popović, Ambassador of the Republic of Serbia to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 2 December 2014

...

Please find enclosed herewith the information from the Ministry of Justice of the Republic of Serbia concerning the national selection procedure of three candidates for the judge of the European Court for Human Rights in respect of Serbia, which will be held at the PACE January part-session 2015.

...

The Minister of Justice and State Administration of the Republic of Serbia, Mr Nikola Selakovic, established a Commission to supervise an open competition to nominate candidates for election by the Parliamentary Assembly of the Council of Europe for the post of Judge to the European Court for Human Rights in respect of the Republic of Serbia (hereafter: Commission). The Commission consisted of Mr Dragomir Milojević, President of Supreme Cassation Court, as Chairman, members Snežana Marković, Deputy Prosecutor of the Republic of Serbia, Snežana Prodanović, Attorney of the Republic of Serbia, Vida Petrović-Škero, Judge of SC Court, Danilo Nikolić, State Secretary in the Ministry of Justice and State Administration. Vladimir Davidović, Assistant of Minister for Normative Affairs in Justice Administration, was appointed as Secretary of the Commission. At its meeting held on 10 February 2014, the Commission prepared a text for a Public Call in accordance with Directions of Committee of Ministers on selection of Candidates for Judge of the European Court for Human Rights dated on 28-29 March 2012 and also in accordance with Demands from Interlaken and Brighton Declaration and Resolution of Parliamentary Assembly 1646 (2009).

The Public Call was published in the Official Gazette of the Republic of Serbia No. 15, dated 11 February 2014, in the daily newspaper "Politika", distributed in the whole of the territory of the Republic of Serbia on 13 February 2014 and on the official site of the Ministry of Justice and State Administration.

The Minister of Justice and State Administration, Mr Nikola Selaković, invited all professional associations, the Chamber of Lawyers, professional and scientific public bodies to urge participation of a large number of high quality candidates.

On its meetings on 7 March 2014 and 13 March 2014 the Commission determined that 16 registration forms had been submitted promptly, but 4 of them did not comply with the formal requirements, were incomplete and were therefore rejected.

The record of completed registration forms was signed by all members of the Commission (No. 337-00-00036/2013.05).

Candidates had to undergo written language tests, in English and in French, of 2 hours and 30 minutes duration.

Ten candidates took part in the written test of English held on 14 March 2014 in the Ministry of Justice and State Administration at 15h00, six of whom also took the part in the written test in French at 17h30.

The Commission then 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.

The Commission then undertook, on 18 March 2014, interviews with four candidates who had successfully completed the above-specified requirements.

After the interviews, the Commission established the list of candidates for Judge of the European Court for Human Rights:

1. Lubarda Branko
2. Nedeljković Katarina
3. Rakić Branko

All three candidates were deemed to possess an active knowledge of English and French as official languages of the Council of Europe.

After adoption of the Report by the Commission and publication of the list of candidates on the site of the Ministry of Justice and State Administration List, the list was submitted to the international advisory panel, as envisaged by Committee of Ministers Resolution CM/Res (2010) 26.

After an exchange of correspondence with the advisory panel, the candidature of Katarina Nedeljković was withdrawn and replaced by that of Ms Spomenka Zarić, Judge of the Supreme Court of Cassation, in Belgrade.

Appendix 1 – Branko LUBARDA

CURRICULUM VITAE

I. Personal details

Name and surname: Branko Lubarda

Gender: male

Date and place of birth: 15 October 1955, Mostar, Yugoslavia

Citizenship: Serbian

II. Education and academic and other qualifications

Education

- 1974-1979: Law School of University of Belgrade, undergraduate studies (two times awarded for the high grade point average, recipient of the University scholarship, and two times awarded for the student research paper).
- 1981-1985: Law School of University of Belgrade, graduate studies (Master Thesis: *The Position of an Individual in a Modern Democracy*, defended on June 27, 1985).
- 1985-1990: Law School of University of Belgrade, doctorate studies (Doctorate Thesis: *Collective Agreements as a Source of Law in Modern States*, defended on June 28, 1990).

Specialisations

- July 1982: International Institute of Human Rights, Strasbourg, France.
- August 1982: Institute Henry Dunant, Geneva, Switzerland (15 days).
- September 1983 - June 1984: Université de Paris I, Panthéon-Sorbonne, Paris, France (with the stipend from the Government of France).
- October 1987: British Institute of International and Comparative Law, London, England.

International seminars and short visits

Rome (2001), Naples (2001), Washington (2001), Cagliari (2002), Munich (2002), Vienna (2003), Strasbourg (2003, 2004, 2005), Antwerp (2006,2007,2008), Geneva (2007), Ljubljana (2007), Dublin (2008), Paris (2008, 2010), Brussels (2011), Bordeaux (2012), Barcelona (2013), Gerona (2013), Athens (2013), Vienna (2014).

Academic qualifications

- 1981-1991: Assistant, Law School of University of Belgrade (*Introduction to Law and Labour Law*).
- 1991-1999: Docent, Law School of University of Belgrade (*Labour Law*).
- 1999-2005: Associate Professor, Law School of University of Belgrade (*Labour Law*).
- 2005-present: Full Professor, Law School of the University of Belgrade (*Labour Law*).
- During postgraduate study (1983/84) at University of Paris I and II, conducted research work in the field of civil and political rights, and the philosophy of human rights. In his master thesis, prepared from 1982-1985, dealt with the first generation of human rights - civil and political rights, from theoretical and philosophical law points of view.
- In his subsequent academic and professional career, devoted to the field of fundamental social human rights.
- Teaches Labour law, International labour law, and Social law at Law School of University of Belgrade. Also teaches master and doctorate programs in Labour law, International labour law, Social security law, and Civil servants law.

- As a Visiting Professor, taught European labour law at undergraduate and graduate programs of the Law School of University of Montenegro and University of Donja Gorica in Podgorica.
- Taught at Diplomatic Academy of the Ministry of Foreign Affairs of Serbia.
- Taught at the Judicial Academy of Belgrade.
- Mentor of a large number of M.S. and Ph.D. candidates at Universities of Belgrade and Montenegro.
- Published numerous research papers on labour law, international labour law, social law, and civil servants law.
- Delivered numerous invited talks/guest lectures in English and French at international conferences and professional seminars.
- Author of six books and monographs in labour law, European labour law, and social law for undergraduate, master and doctorate students, and law practitioners.
- Author of the *Treatise of labour law, dignity at work and social dialogue* (1141 pages; 2nd edition, 2013), the most comprehensive treatment of this area of law in Serbia and beyond.

Other qualifications

- 1998-2004: General Secretary of the Yugoslav Society of Labour Law and Social Security.
- 2002: External collaborator-expert of the International Labour Organization (lecturer).
- 2001-2014: Collaborator in drafting the Serbian legislation acts for labour and social law.
- 2003-2008: Editor-in-Chief of *Archives of Law and Social Sciences*, published by the Serbian Association of Jurists (the oldest law journal in Serbia and the region).
- 2003-2005: Coordinator of the Council of Europe for harmonization of the Serbia and Montenegro's law with the Revised European Social Charter. One of the authors of the comprehensive report *Harmonization of the law and practice of Serbia and Montenegro with the Revised European Social Charter* (Council of Europe, Podgorica, 2005).
- 2004: Technical advisor of the governmental delegate at the International Labour Conference of the International Labour Organization. Active participation in the work of ILO Conference Committee for implementation of conventions and recommendations (additional clarifications in French of non/fulfillment of obligations of Serbia and Montenegro regarding the ratified ILO Convention No. 87).
- 2005: (from December 5-30) delivered lectures for UNDP on the codes of professional and ethical conduct.
- 2005-2009: Member of the Republican Board for prevention of conflict of interest (elected by the Supreme Court of Serbia).
- 2005-2010: Member of the Serbian High Civil Service Council (appointed by the Government of Serbia).
- 2009-2013: Member of the Board of Anticorruption Agency of Republic of Serbia (elected by the Serbian Parliament, after being nominated by common proposal of the Ombudsman and the Commissioner for information of public importance and personal data protection).
- 2008-2011: President of the Serbian Association of Labour Law and Social Security; vice-president since 2011 (since 2000: member of Industrial Relations Association – IIRA).
- 2010: Collaborator-expert for the OEBS project (from February 25 to December 4) for the analysis "Evolution of the human resources management in the Ministry of Interior of Serbia".
- 2011-present: Member of the Presidency of the Serbian Association of Jurists.
- 2011: Member of the Scientific Committee Forum for the Regulation of a Social Europe (REGES).
- 2013: Elected again for a member of the Board of Anticorruption Agency of Republic of Serbia (elected by the Serbian Parliament).
- 2013- present: President of the Board of Anticorruption Agency of Serbia (elected unanimously by the members of the Board of Agency).

- 2013: External collaborator-expert (from January 21 to February 28) of International Labour Organization for the Preparation of report on fulfillment of preconditions for the ratification of ILO Convention No. 151 by Republic of Serbia (“Gap Analysis of National Public Sector Labour Legislation in Serbia”).
- 2013: Contributed to drafting the model of whistleblower law and the protection of whistleblowers (project funded by the governments of Great Britain and Netherlands).

III. Relevant professional activities

a. Jurisdictional activities (in broader sense)

- Preparation of the response to action of the public official brought before the Administrative Court in the judicial review proceedings against the final decision of the Board of Anticorruption Agency.
- Prepared a written report with expert opinion on law aspects (legal nature) of the contract between a National selector and Serbian Football Association for the Court of Arbitration for Sports in Lausanne, which was in charge of the case (2011).
- Presented lectures and participated in discussions at annual gatherings of judges in the organization of Supreme Cassation Court of Serbia.
- Lecturer at the Judicial Academy of Belgrade.

b. Non-jurisdictional law activities

- 2005: Elected member of the Republican Board for prevention of conflict of interest (elected by the Supreme Court of Serbia).
- 2009: Elected member of the Board of Anticorruption Agency (elected by the Serbian Parliament, after being nominated by the common proposal of the Ombudsman and the Commissioner for information of public importance and personal data protection).
- 2005-2010: Member of the Serbian High Civil Service Council.
- Member of the expert teams of the Serbian Ministry of labour and social policy for the reform of labour and social legislation in the period of transition. Contributed to legislation on peaceful settling of labour disputes (2004 and 2009), social-economic council law (2005), law on labour (2005), law on employment and unemployment insurance (2009), law on professional rehabilitation and employment of persons with disabilities (2009), law on prevention of harassment at work (2010).
- 2013: Elected again for a member of the Board of Anticorruption Agency (elected by the Serbian Parliament).
- 2013: President of the Board of Anticorruption Agency (elected unanimously by the members of the Board of Agency).
- Contributed to drafting of the Serbian Strike Law (2012). Currently working with the Ministry of labour, employment and social policy team on the reform of the Serbian retirement system (project funded by the European Commission for the period from 1.9.2013-31.12.2014).
- Member of the Scientific Committee Forum for the Regulation of a Social Europe (REGES). Members of this Forum are university professors of labour law from Belgium, Germany, France, Italy, Spain, and other European countries. As an active member, participated in numerous REGES meetings during the past 10 years and delivered lectures (in French) about the relationship between the European and American social model (Rome, 2006), and the concept of Flexicurity in the EU (Brussels, 2011).
- On invitation by the European Federation of Public Service Employees (EUROFEDOP), presented a lecture (in English) at the International seminar on social rights in public sector (Bratislava, 2009).
- Invited by the Office for peaceful settlement of labour disputes of the Greek Organization for Mediation and Arbitration (OMED), and the Aristotle University in Athens, delivered a lecture (in French) on the peaceful settlement of labour disputes at the meeting in Thessaloniki (2007).
- Participated in the organization of international cooperation between University of Belgrade and universities in Cagliari, Naples, Antwerp, Gent, Gerona, and Catania.

- Delivered numerous invited lectures (in French and English) to master students at universities in Cagliari, Antwerp, and Gerona. Presented a lecture (in Serbian) at University of Maribor, as part of the cooperation between the Universities of Belgrade and Maribor.
- Lecturer at Diplomatic Academy of the Ministry of Foreign Affairs of Serbia.
- Lecturer at Judicial Academy in Belgrade.

c. Other professional activities (other than law activities)

IV. Activities and experience in the field of human rights

- Specialization at the International Institute of Human Rights (Institut International des Droits de l'Homme), Strasbourg, France (July 1982).
- During postgraduate study (academic year 1983/84), conducted research work in the field of civil and political rights at University of Paris I, and the philosophy of human rights at University of Paris II.
- In his master thesis: *The position of an individual in the modern democracy* (175 pages), prepared from 1982-1985, dealt with the first generation of human rights - civil and political rights, from theoretical and philosophical law points of view.
- In his subsequent academic and professional career, devoted to the field of fundamental social human rights.
- Presented a comprehensive report (in English) about the freedom of trade union association and the practice of the European Court of Human Rights at the seminar held at the University of Naples (2001), devoted to the case law of the European Court of Human Rights, which was attended by academic researchers and judges of the European Court of Human Rights, including the president of the Court at that time, Mr. Luzius Wildhaber.
- Delivered a series of lectures (in French) to French students during the 2010 and 2011 International summer school organized by Faculty of Law of University of Belgrade, which addressed the rights of persons with disabilities, protection and implementation of these human rights, and the relationship between social rights and protection of environment.
- Teaches (in English) for several years the course *Labour and Social Law in the European Union - Human Rights Aspects*, which encompasses the topics of fundamental human rights in European Union and to some extent the protection of fundamental social rights within the Council of Europe (ECHR, RESP). This course is offered every year within the master Program for European Integrations of the Faculty of Law of University of Belgrade.
- Author of the *Treatise of labour law, dignity at work and social dialogue* (1141 pages; 2nd edition, 2013), which includes the references to the case law of Court of Justice of European Union, case law of European Committee for Social Rights, General Supervisory Machinery of ILO (Examination of Periodical Reports – case law of the Committee of Experts on the Application of Conventions and Recommendations; Examination of Complaints), and the Special Machinery in the Field of Freedom of Association (case law of the Committee on Freedom of Association). The *Treatise* also incorporates the reference to twenty cases before the European Court of Human Rights in relation to Art. 4 of ECHR (Van der Musselle case; Siliadin case), Art. 11 (Young, James and Webster case; Demir and Baycara case; Enerji Yap-Yol-Sen case; Sindicatul "Pastorul cel Bun" case), Art. 8 (Rees case), Art. 10 (Rekvényi case; Heinisch case), Art. 1 of Protocol I (Gaygusuz case), and to other articles of European Convention of Human Rights.

V. Public activities

a. Public duty

President of the Board of Anticorruption Agency of Republic of Serbia.

b. Elected function

Elected president of the Board of Anticorruption Agency in April of 2013.

c. Position in political party or movement

I am not a member of any political party or the movement organization, nor have I been a member of any political party during the past 25 years.

VI. Other activities

- Vice-dean for research of Law School of University of Belgrade (2001-2004). Member of the University Statute Commission of University of Belgrade. Previously, member of the University Board for social sciences and humanities.
- Lecturer at Mediterranean School of European law.
- Presented numerous invited lectures in Serbia and gave frequent interviews for TV, newspapers, and magazines about social law, labour law, and industrial relations. Delivered lectures to public officials on anticorruption and protection of whistleblowers.
- Editor (with a director of Anticorruption Agency) of the publication *Guide for the Anticorruption Agency practice*, Belgrade, 2013, 229 pages.
- Prepared a draft of the Code of conduct for public officials (adopted by the Serbian High Civil Service Council in 2008).
- Member of the accreditation and reaccreditation boards for faculties and universities in Montenegro.

VII. Publications and other works

Published six books, 59 research papers in prestigious law journals and proceedings of domestic and international congresses and conferences, reviews of classic books of reputed publishers in English and French on comparative law systems (R. David), philosophy of human rights (M. Villey), and British labour law (O. Khan-Freund), more than 100 briefs on domestic, European and international labour law for the Encyclopedia of Law and the Lexicon of Civil Law. Selected titles are:

- B.A. Lubarda, *Introduction to labour law, with elements of social law* (in Serbian), Pravni fakultet Univerziteta u Beogradu, 2013, 553 pages.
- B.A. Lubarda, *Labour law – Treatise on dignity at work and social dialogue* (in Serbian), Pravni fakultet Univerziteta u Beogradu, 2012, 1123 pages; 2nd edition: 2013, 1141 pages.
- B.A. Lubarda, *European labour law* (in Serbian), CID, Podgorica, 2004, 335 pages.
- B.A. Lubarda, *Settling of collective labour disputes – methods and institutions* (in Serbian), Beograd, 1999, 307 pages.
- B.A. Lubarda, *Lexicon of industrial relations* (in Serbian), Beograd, 1997, 237 pages.
- B.A. Lubarda, *Collective labour agreements: comparative law, theory and practice* (in Serbian), Beograd, 1990, 197 pages.
- B.A. Lubarda et al., eds., *Harmonization of the law and practice of Serbia and Montenegro with the Revised European Social Charter*, European Council, Podgorica, 2005, 784 pages.
- B.A. Lubarda, “International protection of social rights”, In: *Balance of Transition*, ed.S. Devetak, Maribor - Beograd, 2004, pp. 181-202.
- B.A. Lubarda “Serbian Report”, In: *The Essence of Social Dialogue in (South East) Europe*, eds. M. Rigaux and J. Rombouts, Intersentia, Antwerpen-Oxford, 2006, pp. 229-257.
- B.A. Lubarda, “Alternative ways of settling collective labour disputes in Serbia”, In: *Conciliation, médiation et arbitrage - Vers une régulation européenne des modes alternatifs du règlement des conflits (collectifs) du travail*, eds. M. Rigaux et P. Humblet, Bruylant, Bruxelles, 2011, pp. 195-224.

VIII. Foreign languages

Language	Reading			Writing			Speaking		
	very good	good	satisfact.	very good	good	satisfact.	very good	good	satisfact

English	x			x			x		
French	x			x			x		

IX. In case that I do not satisfy the requirement of sufficiently high level of the language knowledge for the position of a Judge in the official language, I confirm my readiness to attend an intensive course for that language before and, if needed, at the beginning of the mandate, if I am elected to be a Judge of the Court.

X. Other relevant information

Professional experience in implementation of law as a law secretary of High school (1979-1981), as a member of High Civil Servants Council (2005-2010), as a member of Republican Board for Prevention of Conflict of Interests (2005-2009), and as a member and president of the Serbian Board of Anticorruption Agency (2010-2014).

XI. I confirm that I will live in Strasbourg if I am elected for a Judge of the European Court of Human Rights.

Appendix 2 – Branko RAKIĆ

CURRICULUM VITAE

I. Personal details

Name and family name: Branko M. Rakić

Sex: Male

Birth date: 28 February 1961

Citizenship: Republic of Serbia

II. Education and academic and other qualifications

- Attended Elementary School in Ivanjica and in Belgrade. Completed Elementary School in 1974.
- Graduated from the XIIIth High School in Belgrade in 1979.
- Received a degree from the Faculty of Law in Belgrade on 13 March 1987 (previously studied French Language and Literature at the Faculty of Philology in Belgrade).
- Passed bar examination on 30 June 1989.
- Obtained a Specialist Diploma at the European University Centre in Nancy (Centre européen universitaire de Nancy), France, in December 1990 (University Diploma of the third degree) "Diploma of High European Studies" ("Diplôme d'études supérieures européennes") in the field of European Community Law with the mark "mention honorable".
- Also at the University Centre in Nancy (Centre européen universitaire de Nancy), obtained an M.A. Diploma "Diploma of Further Studies" ("Diplôme d'études approfondies") in the field of European Community Law, on 4 October 1991. The topic of the M.A. thesis was "Les aspects juridiques des relations entre la Yougoslavie d'une part et la Communauté européenne et le Conseil de l'Europe de l'autre" (Legal aspects of Relations between Yugoslavia, on the one hand, and the European Communities and the Council of Europe, on the other hand) - (309 pages). By Decision of the Scientific-Didactic Board of the Faculty of Law of the University of Belgrade of 12 February 1993, this diploma was recognised as a masters' degree in law.
- On 2 October 1999, defended a doctoral thesis at Paris University I - Panthéon Sorbonne under the title: "La présence, les interactions et l'évolution des éléments politiques, économiques et juridiques dans les idées d'intégration européenne jusqu'à la création des Communautés européennes - à la lumière des approches modernes à la réalisation de la paix et du processus moderne d'intégration européenne" ("Presence, interaction and evolution of political, economic and legal elements in ideas of European integration prior to the establishment of the European Communities - in the light of modern approaches to the achievement of peace and modern European integration process") with the mark "mention très honorable" thus obtaining the scientific degree of Ph. D in law, in accordance with French regulations (Arrêté ministériel du 30 mars 1992 relatif aux études doctorales).
- By Decision of the Scientific-Didactic Board of the Faculty of Law of the University of Belgrade of 20 December 1999, this diploma was declared equivalent and recognised as the scientific degree of Ph.D in law.

III. Relevant professional activities

a. Description of activities in legal practice

- From 2 November 1987 to 6 November 1990 with an interruption from 8 October 1989 to 2 July 1990 (unpaid leave for studies in France) trainee at the First Municipal Court in Belgrade.
- By Order of the Trial Chamber of the International Criminal Tribunal for the former Yugoslavia dated 23 October 2003, Legal Adviser to the accused former President of the Republic of Serbia and the Federal Republic of Yugoslavia (FRY) Slobodan Milošević in Case No. IT -02-54, until 14 March 2005.

b. Description of activities outside of legal practice

- From 1 October 1992 to 21 April 1993, Research Associate at the Institute for European Studies in Belgrade.
- From 22 April 1993 to 15 September 1994, Deputy Federal Minister for Human Rights and Minority Rights.
- From 16 September 1994 to 30 June 1996, Secretary of the Federal Ministry of Justice. Thereafter and until until January 1999, the position of Secretary of the Federal Ministry of Justice was held as an appointed official (and not as a relationship of employment), due to employment at the Faculty of Law of the University of Belgrade as a Teaching Assistant.
- From 1 July 1996 to 13 March 2000, Teaching assistant at the Faculty of Law of the University of Belgrade, Subject "International Relations".
- From 13 March 2000 to 20 April 2010, Assistant Professor of "International Relations", "International Organisations Law" and "European Law" at the Faculty of Law of the University of Belgrade and from the academic year 2008/2009 "European Integration Law", "International Relations" and "International Organisations Law".
- From 20 April 2010 to date, Associate Professor for the specialised field of International Law at the Faculty of Law in Belgrade, for the subjects "European Integration Law" and "International Relations."
- From 10 March 2009 to date, Ombudsman of the University of Belgrade (concurrently with teaching and research activities).

IV. Activities and experience in the field of human rights

All activities mentioned in Section 3 above concern the field of human rights: experience in the national administration of justice, the international administration of justice, legal research, State administration, and activities as Ombudsman of the University of Belgrade:

- work in the national administration of justice, more precisely in the First Municipal Court in Belgrade in the field of civil and criminal matters, including ensuring the observance of the right to a fair trial and a number of other human rights and basic freedoms (drafting of around 300 judgements and orders);
- legal services in the field of international administration of justice, in the capacity of Legal Adviser of an accused individual before the International Criminal Tribunal for the former Yugoslavia, including protection of human rights and basic freedoms of the accused and detained person in criminal proceedings, such as the right to fair trial, the right to freedom, the prohibition of torture, inhumane and degrading treatment, the right to punishment only on the basis of the law, the right a legal remedy and others (In the preamble to the Decision of 23 October 2003, the Trial Chamber stated that it appoints Branko Rakić: "Noting that Dr. Rakić is a lawyer and senior lecturer in law at the University of Belgrade, Faculty of Law", and "Considering that it would be in the interest of a fair trial for the Accused ... to enable the Accused to communicate freely with Dr. Rakić for legal advice, and to be able to discuss and supply him with copies of protected materials...", and in Section 1 of the operative part of the Order, the Trial Chamber decided: "Rule 44, as appropriately modified, shall apply to Dr. Branko Rakić as a lawyer, with whom the Accused may communicate for the purpose of preparing his defence, accordingly, he must satisfy the Registrar as to his qualifications under Rule 44 (A) and shall be subject to the Code of Professional Conduct for Defence Counsel Appearing Before the International Tribunal");
- research and teaching activities at the Institute of European Studies and the Faculty of Law in Belgrade focusing, to a significant extent, on the protection of human rights internationally, at the universal and regional level, primarily at the European level (in the Council of Europe and the European Union).
- the performance of the function of Deputy Minister for Human and Minority Rights in the Federal Government of the FRY included building a system and creating conditions for human rights and minority protection in the FRY (especially by drafting laws, such as: Law on National Minorities, Law on Personal Data Protection etc, as well as by preparing national reports for international organizations and bodies in the domain of human rights, such as CERD, UN Human Rights Committee, UNESCO etc.);
- in September 1994, the Federal Ministry of Justice took over competence from the Federal Ministry of Human and Minority Rights in its Sector for Human and Minority rights-thereafter, the performance of the function of Secretary of the Federal Ministry of Justice included human and minority rights

protection, which previously fell under the competence of the Deputy Federal Minister for Human and Minority rights in Federal Government of the FRY; in addition, activities from three other Sectors of the Federal Ministry of Justice (Sector for the Administration of Justice, Sector for Administration and Sector for the Property of the FRY) were concerned, to a great extent, with the protection of human rights (especially the Criminal Law Reform Project and of the Civil Law Reform Project as well as drafting of the Administrative Procedure Act);

- participation in the activities of the Federal Government Commission for Harmonization of Laws of the FRY with EU Law, Law of the Council of Europe and Law of the World Trade Organization (this commission was constituted on 26 September 1996 by Decision of the Federal Government) included the drafting and proposal of measures for the adoption of the “acquis communautaire” and the legal acquis of the Council of Europe in the field of protection of human rights and basic freedoms.
- in accordance with Article 56 of the Statute of the University of Belgrade, the University Ombudsman ensures the “protection of rights and interests of members of the University Community” and “primarily their human rights and basic freedoms” - as the office of the University Ombudsman is new to the University of Belgrade, its activities have hitherto included the establishment of a system (primarily the adoption of the appropriate acts, most importantly the Rulebook on the Functioning of the University Ombudsman and the draft “Charter of Students' Rights and Freedoms at the University of Belgrade”), as well as responding to individual complaints.
- from 1997 to 2001 the candidate was member of the expert legal team formed by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia in order to prepare submissions, evidence and carry out other professional activities in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide / Bosnia and Herzegovina v. Yugoslavia before the ICJ.
- from 2001 to 2004 the candidate represented the company “Newsforce” based in London (which was part of a network “GlobeCast” owned by “France Télécom”) in proceedings before: the Federal Customs Administration of the Federal Republic of Yugoslavia, the Federal Council for Misdemeanors, the First Municipal Court in Belgrade and the Belgrade District Court, for unlawful seizure and destruction of property (technical equipment) and violations of the procedural rights of two workers of “Newsforce” accused of customs offences.

V. Public activities

- Member of the Assembly of the City of Belgrade from February 1993 to February 1997.
- From 22 April 1993 to 15 September 1994, Deputy Federal Minister for Human and Minority Rights.
- From 16 September 1994 to 30 June 1996, Secretary of the Federal Ministry of Justice. From then until 19 January 1999, also Secretary of the Federal Ministry of Justice (not as an employee in the Federal Government, but as a Teaching Assistant at the Faculty of Law).

VI. Other activities

- By Decision of the Government of the Republic Serbia of October 2013, appointed President of the Supervising Board of the Central Institute for Conservation.

VII. Publications and other works

- Author of 5 books, co-author of one book and author of several articles.

Books:

- BRANKO M. RAKIĆ, *Harmonization of Yugoslav Law with EU Law*, Belgrade, Faculty of Law of the University of Belgrade, 1997 (310 pages).
- BRANKO M. RAKIĆ, *La présence, les interactions et l'évolution des éléments politiques, économiques et juridiques dans les idées d'intégration européenne jusqu'à la création des Communautés européennes - à la lumière des approches modernes à la réalisation de la paix et du processus moderne d'intégration européenne*, Villeneuve d'Ascq, Presses Universitaires de Septentrion, 2003 (726 pages).

- BRANKO M. RAKIĆ, *Europe Takes Time*, Belgrade, Faculty of Law of the University of Belgrade, 2009 (261 pages)
- BRANKO M. RAKIĆ, "SERBIA BEFORE THE WORLD COURT" - on the occasion of the request for an advisory opinion of the International Court of Justice on the legality of the Kosovo Declaration of Independence, Belgrade, Faculty of Law of the University of Belgrade, 2009 (109 pages).
- BRANKO M. RAKIĆ, *Ensuring Peace through International Organisation and Integration of States*, Belgrade, Faculty of Law of the University of Belgrade, 2009 (102 pages).
- BUDIMIR KOŠUTIĆ, BRANKO M. RAKIĆ, BOJAN MILISAVLJEVIĆ, *Introduction to the Law of European Integration* (Textbook), Belgrade, Faculty of Law of the University of Belgrade, Center for Publication and Information. 2012 (Belgrade: Planeta print), 283 pages, 24 cm-(Library Textbook/ Faculty of Law, Belgrade) ISBN 978-86-7630-359-5 (pamph.) COBISS. SRID 189875468

Articles and Contributions to Edited Volumes:

- BRANKO M. RAKIĆ, "Education of Minorities-International Standards" in the volume: *Position of Minorities in the Federal Republic of Yugoslavia*, collection of works from the scientific meeting held on 11, 12 and 13 January 1995, Belgrade, Serbian Academy of Sciences and Arts, Department of Social Sciences, 1996, pages: 639-652.
- BRANKO M. RAKIĆ, "Fragmentation of International Law and European Law - All Quiet on the Western Front", *Annals of the Faculty of Law in Belgrade*, No. 1/2009, pages 122-147.
- BRANKO M. RAKIĆ, "The European Court of Justice between Human Rights and the Fight against Terrorism-the Relationship between International Law and European Law". *Annals of the Faculty of Law in Belgrade*, No. 2/ 2009. Pages 155-185.
- BRANKO M. RAKIĆ, "On the Draft Charter of Rights and Freedoms of Students of the University of Belgrade, in the collection *Development of Legal system of Serbia and its harmonization with EU Law – contributions to the 2010 project* (edited by professor dr Svetislav Taboroši), Belgrade 2011, pages 282-291.
- BRANKO M. RAKIĆ, "On the Meaning of 'Cooperation' or 'Dialogue' between the European Court of Justice and the Courts of the Member States", *Annals of Faculty of Law in Belgrade*, No. 2/2014, pages 69-91.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
- Serbian	x			x			x		
b. Official languages:									
- English	x			x			x		
- French	x			x			x		

Evidence of linguistic skills:

- Three French Diplomas on completed Studies at post graduated level-DESS, DEA, Doctorate
- Decision on appointment as permanent judicial interpreter for the French language
- Certificate of the Faculty of Law dated 28.02.2014 on long-time participation in teaching M.A.Studies "Master in European Integration" in English
- Certificate of completion of the English language course "Higher extended II" (at that time, the highest level of knowledge testing) at the Kolarac People's University in Belgrade, dated June 1987
- Certificate on knowledge of French issued by Institute for foreign Languages in Belgrade dated 14 May 1991

IX. In the event that you do not satisfy the necessary level of knowledge of an official language for the position of Judge, please confirm your intention to attend intensive classes of the respective language prior to and, if necessary, at the beginning of your term as Judge, if elected.

I so confirm.

X. Other relevant information

As secretary of the Federal Ministry of Justice, promoter and author of the project for harmonization of the legal system of the FRY with EU Law (with a formal appeal sent to President of the Federal Government in June 1995) which was approved by Decision of the Federal Government on 11 May 1996, under the title: "Program of Activities on Harmonization of the Legal system of the FRY with Regulations Established in the European Union" - the proponent of the project was the Federal Ministry of Justice and the author was Branko M. Rakić, who became a member of the Federal Government Commission for Harmonization of Laws of the FRY with EU Law, Law of the Council of Europe and Law of the World Trade Organization (this commission was constituted on 26 September 1996 by Decision of the Federal Government.

Evidence:

- Letter of the Secretary of the Federal Ministry of Justice to the President of the Federal Government Dr Radoje Kotic entitled: "A Proposal for the Harmonization of The Legal System of the FRY with Legal Regulations Established in the European Union".
- Decision of the Federal Government establishing the Commission for Harmonization of Laws of the FRY with EU Law, Law of the Council of Europe and Law of the World Trade Organization of 26 September 1996 -page 3 of the Official Gazette of the FRY, No. 45, of 27 September 1996.

As Ombudsman of the University of Belgrade, has drafted and proposed to the competent authorities of the University of Belgrade a draft "Charter of Rights and Freedoms of Students of the University of Belgrade". Following the deliberations of the competent authorities of the University of Belgrade, the draft was renamed: "Charter of Students' Rights and Freedoms at the University of Belgrade" on 19 May 2011. The Student Conference of Serbian Universities (SKONUS) has adopted the Charter as its own document and the Charter was adopted by all Student Parliaments of the University of Belgrade.

Evidence:

- Draft "Charter of Students' Rights and freedoms at the University of Belgrade"

The Candidate is also a member of the Editorial Staff of the journal *European Legislation* published by the Institute for International Policy and Economy in Belgrade, a member of the Association of Lawyers of Serbia (Belgrade), the Association for International Law of Serbia (Belgrade), the European Association of Culture (Venice) and the Cultural Literary Association "Matica Sprska" (Novi Sad).

XI. Please, confirm that you will reside in Strasbourg if you are elected Judge.

I so confirm.

XII. Criminal record

The Candidate has no criminal record.

Appendix 3 – Spomenka ZARIĆ

CURRICULUM VITAE²

I. Personal details

Name, forename: Zarić, Spomenka

Sex: Female

Date of birth: 7 January 1956

Nationality: Serbia

II. Education and academic and other qualifications

- 1982: LL.B., Law Faculty, University of Belgrade, graduated with excellent average mark (9.20)
- 1983: Law Faculty, University of Belgrade, enrolled in Postgraduate Studies in Constitutional Law
- 1984: Bar Exam, *cum laude*
- 2004-2005: National Center for State Courts (NCSC) – Certificate on Strategic Planning of Procedure Management and Improving of Efficiency – Higher Level, Belgrade
- 2007: Certificate on Special Skills in the Field of Family Law and the Rights of Children, Judicial Academy, Belgrade
- 1978: Summer Course in International Public Law, the Hague Academy of International Law, the Netherlands
- 2007: Training of Trainers Course, Judicial Center, Belgrade

III. Relevant professional activities

a. Description of judicial activities

- **Judge of the Supreme Court of Cassation, the highest court in the Republic of Serbia.** Have been a judge for twenty eight years now; twenty years as a judge of second instance and third instance courts.
- 1983: Began career at the First Municipal Court in Belgrade as a judge's trainee.
- 1984: After passing Bar Exam, continued working as a judge's assistant at this Court, in the Non-Contentious Proceeding Department, Criminal Department for Minors, Department of International Legal Aid and Criminal Investigation Department, working autonomously.
- 1986: Elected a judge of the First Municipal Court in Belgrade, working all the time at Civil Department.
- 1994: Elected a judge of the District Court in Belgrade, and the following ten years worked as a judge of Civil Department of the Second Instance, being a chairperson of one of the panels for six years.
- 2004: Elected a judge of the Supreme Court of Serbia, and the following six years worked at Civil Department of that Court.
- 2010: Appointed a judge of the newly established Court of Appeal in Belgrade, chairing Civil Department in the first two years. During the entire time with this Court, chaired one of the Civil Panels, also a member of the Editorial Board of the Court Practice Bulletin.
- **2014: Appointed again a judge of the Supreme Court of Cassation in March of 2014, where presently.**

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

b. Description of non-judicial legal activities

- Since 2005: A member of the Consultative Council of European Judges (“CCJE”), an advisory body of the Committee of Ministers of the Council of Europe on issues related to the independence, impartiality and competence of judges, in respect of Serbia, taking part in writing and adopting many of the Opinions of the CCJE, including Magna Carta of Judges. In the same capacity took part in international conferences organized by the CCJE (Rome, Lisbon, Estonia and Paris). In 2007, a member of a Working Group (CCJE-GT).
- Since 2006: A member of the Managing Board of the Judge’s Association of Serbia
- Since 2010: A member of the Managing Board of the Judicial Academy of Serbia
- Since 2013: An observer member of the EU Forum of Judges for the Environment (EUFJE), in respect of Serbia.
- 2002-2004: A member of the “Supporting Judicial Independence and Impartiality” project team organized by International Commission of Judges – ICJ – Canadian Section, which included a study visit to Montreal courts of all levels, attendance at trial hearings, and a course in Human Rights, and Mediation.
- 2004-2014: Educating judges in various matters of Civil Procedural and Substantive Law, a continuing judicial education organized by the Judicial Centre and the Judicial Academy
- 2005-2007: A member of the “Evaluation of Judicial Performance” project team
- 2005: Lecturing students of Law School Union University on Legal Writing and Research
- 2005: A judge at the Jessup International Law Moot Court Competition, in Belgrade
- 2006-2007: A member of the Working Group of the Ministry of Justice in charge of drafting the Law on International Legal Assistance in Civil Matters
- 2007: Lecturing students of Law School Belgrade University on Professional Ethics of Judges and Lawyers, during the course of Family Law Legal Clinic
- 2012-2013: A member of the Working Group of the Ministry of Justice in charge of drafting Law on Amendments to the Code of Civil Procedure

c. Description of non-legal professional activities

None.

IV. Activities and experience in the field of human rights

- Implementing the published case law of the European Convention on Human Rights (“ECHR”) in my daily judicial work.
- 2002: Course in Human Rights, Montreal, organized by ICJ-Canadian Section
- 2005: Course on Freedom of Expression, Media Law and Right to Privacy according to ECHR, organized by the Centre of Human Rights, Belgrade
- 2006: Education on ECHR designed for judges of the Supreme Court of Serbia, organized by the Aire Centre, the Council of Europe and the Judicial Centre, Novi Sad
- 2007: Regional Conference: the Role of Supreme Courts in Implementation of ECHR organized by Directorate General Human Rights and Rule of Law and the Supreme Court of Serbia, Belgrade
- 2014: Course on Implementation of Article 1 Protocol No. 1 of ECHR, organized by the Council of Europe, Belgrade

V. Public activities

None.

VI. Other activities

a. Field

Environment

b. Duration

1973-1976

c. Functions

Delegate in respect of former Yugoslavia to the First International Conference on Youth and Environment – ICYE, held in Washington D.C., and Chicago organized by UNESCO and was nominated to write the conclusions of the Conference.

VII. Publications and other works

- 2007: Co-author of a book: “Evaluation of Judicial Performance”, published by the Judges’ Association of Serbia, supported by the High Judicial Council, President of the Supreme Court of Serbia, Canadian Agency for International Law (CIDA), and OSCE Mission in Serbia.
- Since 2002: Author of numerous articles on various legal issues published in the Court Practice Bulletins of the Supreme Court of Serbia and the Court of Appeal in Belgrade.
- Since 2004: Author of numerous presentations on various legal issues given in conferences attended and projects participated in, e.g. “Small Claims Proceedings” (2005); “Rehabilitation”(2006); “Judiciary and Temptations of Political Changes – International Experience and International Standards”: (2007); “Problems of Denationalization” (2008); “Liability of Judges for Damages”(2008), etc.
- 2008: Prepared comments and objections to the Draft Law on Judges and the Draft Law on High Judicial Council, on behalf of the Supreme Court of Serbia

VIII. Languages

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

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

I confirm my intention to follow intensive language classes if needed.

As a high school pupil I won first place in federal competitions of former Yugoslavia both in English and French language.

X. Other relevant information

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

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