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15 January 2015

## **Election of judges to the European Court of Human Rights<sup>1</sup>**

### **List and curricula vitae of candidates submitted by the Government of Bulgaria**

#### **Communication**

Secretary General of the Parliamentary Assembly

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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 Bulgaria**

*Letter from Ms Krassimira Beshkova, Ambassador of Bulgaria to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 15 December 2014*

...

In response to your letter of 30 July 2014 I hereby submit the names and detailed curricula vitae of the three candidates nominated by the Government of the Republic of Bulgaria for the position of Judge at the European Court of Human Rights in respect of the Republic of Bulgaria.

The names of the selected candidates listed in alphabetical order according to the English alphabet are as follows:

- Mr GROZEV Yonko Miladinov
- Ms KUTSAROVA-HRISTOVA Tanya Zhelyazkova
- Mr SOLOVEYTCHIK Viktor Yosifov

The names of the candidates are submitted in accordance with Article 22 of the European Convention on Human Rights with the view of the election of a Judge in respect of Bulgaria scheduled for the PACE January 2015 part-session.

...

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

The following memorandum provides explanation about the rules and procedure for the selection of the three candidates for a Bulgarian judge at the European Court of Human Rights (hereinafter “the Court”) pursuant to paragraph 4.2 of the Parliamentary Assembly [Resolution 1646 \(2009\)](#).

#### **1. Introduction**

Following the resignation of Judge Zdravka Kalaydjieva which will take effect on 1 March 2015 and having in mind the requirements of Article 21 (1) in relation to Article 22 of the European Convention on Human Rights, stating that the High Contracting Parties must submit a list of three candidates for judges at the European Court of Human Rights who shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence, and the requirements of, in particular, the Parliamentary Assembly Resolution 1646 (2009), calling for fair and transparent national selection procedure, the Ministry of Justice of Republic of Bulgaria has conducted the following selection procedure.

#### **2. Preliminary issues**

After being informed about the resignation of Judge Kalaydjieva, on 27 August 2014, the Minister of Justice issued a draft order determining in detail the selection criteria and procedure for the election of three candidates for a Bulgarian judge. The draft order specifically referred, in particular, to the requirements that the candidates must be experienced lawyers of high moral values, with knowledge of the Bulgarian legal system, International Public Law and Human Rights Law and to have knowledge of the two official languages of the Court. The draft order was published on the website of the Ministry of Justice and the public was invited to submit any comments and recommendations within one week of the publication. Following the expiration of the deadline, working meetings were held with representatives of non-governmental organisations engaged in human rights protection which had submitted comments on the draft order. Following those meetings, some of the texts of the draft order were amended.

On 10 September 2014, the Minister of Justice issued an order determining with a final effect the selection criteria and procedure for the selection of three candidates for a Bulgarian judge at the Court (hereinafter “the Order”). The Order defined in detail the criteria for the determination of the candidates for a Bulgarian judge and the procedure to be followed.

The Order was published on the website of the Ministry of Justice and on the board for public announcements at the Ministry of Justice. Pursuant to the Order, individuals were able to submit their applications until 5 p.m. on 29 September 2014 at the Ministry of Justice.

Thirteen individuals submitted applications.

### 3. Selection Committee

Pursuant to the Order, the Minister appoints a Selection Committee. The Committee must include experts in International Public Law and Human Rights Law with knowledge of English and French, a professor in those languages, at least one judge, a professor in Law, an expert from the Human Rights Directorate at the Ministry of Foreign Affairs, a lawyer, and a representative of a non-governmental organisation engaged in human rights promotion and protection.

By virtue of an order of 29 September 2014, the members of the committee were determined as follows:

#### **Chair of the Committee:**

- Ms Galina Zaharova – judge at the Supreme Court of Cassation, having 25 years of experience in the judiciary and 10 years of experience as an assistant professor at Sofia University “St. Kliment Ohridski”.

#### **Members of the Committee:**

- Ms Ina Lulcheva – lawyer, member of the “Bulgarian Lawyers for Human Rights” Foundation.
- Ms Maria Miteva – judge at the Sofia Court of Appeal, having 25 years of experience in the judiciary and some experience as an assistant professor at the Law Faculty of Sofia University “St. Kliment Ohridski”, lecturing, in particular, on issues related to the application of the European Convention on Human Rights.
- Ms Svetla Margaritova – professor at the Centre for Legal Studies, Burgas Free University, chair of the Management Board of the “Bulgarian Lawyers for Human Rights” Foundation.
- Ms Yordanka Angelova – professor in English Language at the Foreign Languages and Applied Linguistics Department at the Technical University, Sofia.
- Mr Dimitar Filipov – director of the Human Rights Directorate at the Ministry of Foreign Affairs.
- Ms Mariana Karagiozova-Finkova – member and long-term chair of the Constitutional Law Department, assistant professor at the Law Faculty of Sofia University “St. Kliment Ohridski”.
- Mr Krasimir Kanev – chair and co-founder of the Bulgarian Helsinki Committee, with specialisation in Human Rights Law at Columbia University, New York.
- Ms Margarita Ruski – professor in French Language at the Roman Languages Department and the Law Faculty at Sofia University “St. Kliment Ohridski”.

### 4. First stage of the selection procedure

The order for the appointment of the Selection Committee was published on the website of the Ministry of Justice and on the board for public announcements at the Ministry of Justice.

The Selection Committee held its first meeting on 29 September 2014. Based on the criteria spelled out in point 1 of the Order, which contains the requirements for applying, the Committee decided to allow all thirteen candidates to proceed to the next stage of the selection procedure. The Committee also decided that based on the documents submitted (in particular, the relevant language certificates) some of the candidates were not required to sit a language exam.

On 30 September 2014, the Committee published the following documents on the website of the Ministry of Justice and on the board for public announcements at the Ministry of Justice:

- minutes from the meeting of 29 September 2014;
- list of the candidates who, based on the documents provided, were not required to sit a language exam;
- list of all thirteen candidates who were allowed to take part in the next stage of the selection procedure.

Between 30 September and 6 October 2014, the Committee was approached with two major issues: (i) complaints regarding the refusal to release three candidates from the requirement to sit the language exam, and (ii) media publications regarding a possible conflict of interests between a member of the commission, Mr Krasimir Kanev, and one of the candidates, Mr Yonko Grozev, based on the fact that they had worked together in the Bulgarian Helsinki Committee.

On 6 October 2014, the Committee examined those complaints.

As regards the language exams, it examined the submitted documents and decided to allow the complaint of one of the candidates, partially allowed another one, and refused the third request, based on the lack of required documents.

As regards the allegations about a conflict of interests, the Committee heard its member Mr Kanev. It found that Mr Grozev had been employed at the Bulgarian Helsinki Committee (whose chair Mr Kanev is) until 2005 and since then he had not been involved in the activities of the organisation. The Committee held that the submitted allegations had not been supported by any information justifying a reasonable suspicion that the member of the Selection Committee would be inappropriately influenced. The mere doubt of partiality, based on former employment and membership in the organisation, did not suffice for the conclusion that Mr Kanev's impartiality had been affected. That complaint was therefore rejected as ill-founded.

On the same day, the Committee published: (i) the minutes of the meeting of 6 October 2014, (ii) the list of those candidates who had not been required to sit a language exam, and (iii) the final list of the candidates to take part in the next stage of the procedure (as stated above, those were all the candidates).

#### *5. Second stage of the selection procedure (language exam)*

On 7 October 2014, language exams were held at the National Institute for Justice. Three of the candidates who were requested to sit the exam failed to appear. The rest passed the exam.

The same day, the Committee published the minutes from the meeting of the Committee, the lists of the candidates who had passed the language exams and a list of those candidates who were allowed to take part in the next stage of the proceedings, the public hearing. Ten candidates were allowed to take part in the next stage of the proceedings. Three candidates were disqualified based on their failure to sit the language exam.

#### *6. Third stage of the selection procedure (public hearing)*

The Selection Committee held a hearing with the ten candidates who were allowed to take part in this stage of the proceedings on 8 October 2014 in the Conference Hall of the Supreme Court of Cassation. The hearing was held in Bulgarian with some questions asked in one of the official languages of the Council of Europe – English or French.

Members of the judiciary, the Constitutional Court, the Ombudsman, academics, non-governmental organisations and other interested parties were invited. The candidates were heard in alphabetical order. Each of them made a short presentation about their views on the role of the national judge at the Court. The chair and members of the committee put questions to the candidates. Other attendees were invited to put questions to the candidates through the Chair of the Committee.

Each member of the Committee assessed each candidate by putting a score on their overall performance. The lowest score was 2 whereas the highest score was 6. The final ranking of the candidates was based on their average score.

#### *7. Results and final approval*

On 10 October 2014, the Committee published on the website of the Ministry of Justice and on the board for public announcements at the Ministry of Justice: minutes of the meeting of the Committee of 10 October 2014 and a list with the three successful candidates in alphabetical order – Mr Viktor Soloveytschik, Mr Yonko Grozev and Ms Tanya Kutsarova (the order follows the Bulgarian alphabet). It also published a list of those candidates who did not pass the competition in order of merit.

Following a detailed explanation of the criteria and procedure for the selection of the three candidates for a Bulgarian judge at the Court given by the Minister of Justice, by virtue of a decision of 23 October 2014 the Council of Ministers approved the final list of candidates to be sent to the Parliamentary Assembly of the Council of Europe.

## Appendix 1 – Yonko GROZEV

### CURRICULUM VITAE

#### I. Personal data

Name, forename: Grozev, Yonko

Sex: Male

Date and place of birth: 27 December 1965, Sofia, Bulgaria

Nationality: Bulgarian

#### II. Education and academic and other qualifications

| Institution<br>(Date from – Date to)                                    | Degree                 |
|-------------------------------------------------------------------------|------------------------|
| Harvard Law School, Cambridge, MA, USA<br>1994-1995                     | LL.M. (Masters of Law) |
| Sofia University “St. Kliment Ohridski”,<br>Sofia, Bulgaria, 1987–1991) | Masters of Law         |
| First English Language School (FELS,<br>114th High School), Sofia       | High School Diploma    |

#### III. Relevant professional activities

##### a. Description of judicial activities

Lawyer with a professional experience in human rights litigation since 1993. Registered with the Sofia Bar Association.

Mr Grozev enjoys over 20 years of extensive litigation experience before the Bulgarian courts and before the European Court of Human Rights (“the ECtHR”). Throughout his professional activities as a lawyer, he has exclusively focused on cases of human rights violations and on implementing rights guaranteed under the European Convention on Human Rights (“ECHR”) through the Bulgarian courts and the ECtHR. His litigation work has been developed in cooperation with different human rights groups, with a clear focus on systematic issues of human rights violations and with an aim of addressing discrepancies between national law and international human rights standards. In his early career he has represented victims of human rights violations in Bulgaria, but since 2004 part of his litigation work has been linked to other countries.

Mr Grozev’s litigation work has addressed practically all issues under the European Convention on Human Rights. In the early 90s a significant part of his litigation has been focused on issues of torture, death in custody, violation of freedom of religion, freedom of association and free speech. Later, other issues such as habeas corpus rights, rights of individuals with disabilities, violation of rights through placing people under guardianship, fair trial rights, rights of juvenile delinquents, prison conditions, extradition and deportation and election rights have been added to the list of his activities.

A substantial number of cases initiated by Mr Grozev have eventually reached the European Court of Human Rights and have had significant impact on the domestic implementation of Convention rights. Among them are such cases as *Velikova v. Bulgaria*, *Anguelova v Bulgaria*, *Karandja v Bulgaria* (related to issues of death in custody, use of force by the police and the standard of state liability under international law in such cases), *Seidova c. Bulgarie* (duty to investigate assault by private individuals), *Hasan and Chaush* (freedom of religion), *Al-Nashif v. Bulgaria* (deportation of foreigners), *Varbanov v. Bulgaria* (mandatory hospitalization of individuals with mental disabilities), *Padalov v. Bulgaria* (obligation to appoint a lawyer to a criminal defendant). Some of his cases have developed new jurisprudence under the European Convention on Human Rights, such as *Nachova v. Bulgaria* (on discrimination against ethnic minorities), and *M.C. v. Bulgaria* (on positive duties to protect personal and physical integrity in cases of rape). In yet another type of cases, challenging guardianship and placement in social care homes of individuals with mental disabilities, Mr Grozev has been instrumental in the designing and carrying out of the early stages of litigation, which has

eventually ended with a judgment of the ECtHR finding systematic violations. Overall, Mr Grozev has successfully represented victims of human rights violations in more than 50 cases, ending with decisions where one or more violations of rights under the Convention have been found.

While the majority of his litigation before the ECtHR stemmed from Bulgaria, since 2004 he has also provided representation in cases coming from Serbia, “the former Yugoslav Republic of Macedonia” and Russia. Those cases have raised issues of freedom of association, freedom of religion, rights of individuals with mental disabilities. Since 2008 he has been particularly active in cases coming from Russia, raising issues of persecution of human rights and political activists, systematic issues of fair trial (entrapment in drugs related cases), denial of methadone treatment to heroin addicts, police brutality. Cases in which he is providing representation are raising crucial issues related to freedom of expression and association, such as the Pussy Riot case or the case of the “Golos” election monitors. Mr Grozev is also representing Oleg Sentsov, a film director from Crimea, detained and deported to Russia for alleged terrorist activities.

In his work as a human rights lawyer, Mr Grozev has also drafted a number of *amicus* briefs before the Constitutional Court of the Republic of Bulgaria on cases raising human rights issues, such as freedom of expression, access to court, freedom of association, access to information, deportation of foreigners and election rights.

#### *b. Description of non-judicial legal activities*

##### *Human rights training*

A significant part of Mr Grozev’s time has been dedicated to providing training for lawyers on the case law of the ECtHR. Since 2001, he has been part of different teams designing and carrying out extensive training programs for practising lawyers in more than 20 training sessions for an average of 5 training days each, carried out in a number of different countries. Most of the trainings have been organized by Interights, London, the Netherlands Helsinki Committee and the Bulgarian Helsinki Committee. Such training session have taken place in the Netherlands, for lawyers from Central and Eastern Europe, and in Georgia, Bulgaria, “the former Yugoslav Republic of Macedonia”, Serbia, Russia, Azerbaijan, Armenia, and Ukraine, for lawyers from those countries. Mr Grozev has drafted the training materials and acted as a lecturer and a trainer in those events, covering all issue under the Convention.

##### *Consulting*

Mr Grozev has also provided legal advice and opinions to government institutions and NGOs on a large number of issues related to minority rights, free legal aid, the adoption of anti-discrimination legislation in Bulgaria, rights of children in the criminal process, rights of individuals with mental disabilities and the creation of an effective mechanism for the implementation of the judgments of the European Court of Human Rights. In 2007–2008 he was the head of a working group, assigned by the Bulgarian Ministry of Justice with the task of drafting a strategy for institutional reform, aimed at improving the implementation of judgments of the ECtHR. In 2009, he was also a member of a working group, drafting the first legal aid legislation.

Mr Grozev has also worked on assignments by the Council of Europe on the development and implementation of a training program for Bulgarian judges on the application of the European Convention on Human Rights (1991-2001) and on an web-based training course for practising lawyers (2012-2013). He has also been part of a team which has drafted a guide on the case law of the ECtHR on Article 6 of the ECHR, published by Interights.

#### *c. Description of non-legal professional activities*

None (for non-legal professional activities, see human rights activities below).

### **IV. Activities and experience in the field of human rights**

Since 1991, Mr Grozev has been very active in strengthening human rights and civil society in Bulgaria through the founding and development of non-governmental organisations. All of the organisations he co-founded have developed into strong, visible and influential non-governmental organisations: the Bulgarian Helsinki Committee, the leading human rights group in Bulgaria; Access to Information Programme; Risk Monitor; and the Centre for Liberal Strategies (see full list below).

Outside Bulgaria, Mr Grozev has served on the boards of international NGOs, such as the Mental Disability Advocacy Center (Budapest), the European Roma Rights Centre (Budapest), and the Open Society Justice Initiative (New York).

Another aspect of his work has been consulting and assessment of human rights organizations and more specifically their litigation work. He has provided consulting services for the Open Society Institute – New York, evaluating the litigation work of the Justice Initiative – New York, in Africa, Europe and South America (2008), of several human rights groups in Russia (2007). He has also acted as a long-term consultant to the Central Asia Torture Litigation Program and has reviewed its strategy, case selection and individual cases (2009-2012). In Bosnia and Herzegovina, he evaluated the work of two local NGOs active in the field of anti-discrimination laws and practice (2010).

## **V. Public activities**

### *a. Public office*

None

### *b. Elected posts*

None

### *c. Posts held in a political party or movement*

None at present.

Member of the National Council of the political party “Bulgaria of Citizens” from July 2012 until August 2014.

## **VI. Other activities**

### *a. Field – human rights organizations*

Present membership in human rights organizations

- Member of the Board, Open Society Justice Initiative, New York, since 2011
- Chair of the Board and founding member of RiskMonitor, Sofia, since 2009

Past membership in human rights organizations

- Founding member of the Bulgarian Helsinki Committee, Sofia; 1992 – 2013.
- Member of the Legal Advisory Committee of the European Roma Rights Centre, 1998-2010.
- Member of the Board of the Mental Disability Advocacy Center, Budapest, 2002-2006.
- Founding member of the Board of Access to Information Foundation, Sofia; 1996 and 2002.
- Member of the Board of Bulgarian Lawyers for Human Rights, 2009-2013.
- Founding member of the Board of the Centre for Liberal Strategies, Sofia; 1993-2013.
- Member of the Board of the Open Society Institute – Sofia, 2001-2004.
- Member of the Board of the Media Development Center, Sofia, 2000-2003.

## **VII. Publications and other works**

### *Publications, contributions*

- *Chapter on Bulgaria*, in *Effective Criminal Defence in Bulgaria*, edited by Ed Cape and Zaza Namoradze, Soros Foundation 2012.
- *Implementing Strasbourg’s case law on minorities in Bulgaria*, in *European Court of Human Rights – Implementing Strasbourg’s judgments*, edited by Dia Anagnostou, Edinburgh University Press 2012.

- *Sexual Exploitation and Prostitution in the Light of International Human Rights*, co-authored, in *Prostitution and Sexual Exploitation in Bulgaria*, RiskMonitor, November 2010.
- *Human Rights Litigation and Restrictive State Implementation of Judgments*, in *European Public Law*, Kluwer Law International, Volume 16, issue 3, September 2010.
- *Civil forfeiture of criminal assets and basic rights*, in “What we do (not) know of civil forfeiture”, Open Society Sofia, May 2010 (in Bulgarian).
- *Independence and Accountability*, Comparative Research on Prosecution Services, Project of the Open Society Justice Initiative, project manager and report on Bulgaria, 2004.
- “Bulgarian Judicial System” in “*Monitoring the EU Accession Process: Judicial Independence*”, Open Society Institute, 2002.
- “Independence of the Judiciary and Fair Trial”, in *Annual Reports on the Human Rights Situation in Bulgaria*, Bulgarian Helsinki Committee, 1995-2005.

Reporting on human rights and minority issues for the Bulgarian Helsinki Committee, 1995-2005. Author of a large number of publications and interviews in the mainstream Bulgarian press on issues relating to Constitutional reform, reform in the judiciary, political rights of ethnic minorities, police accountability, freedom of expression.

### VIII. Languages

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

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

Currently following an intensive French language course, having successfully passed an A2 exam in September 2014 (certificate enclosed). Intensive course should provide by the end of November a B1 level of knowledge of the language and by the end of January 2015 a B2 level.

### X. Other relevant information

#### *Awards*

2002: International Human Rights Award from the American Bar Association Section of Litigation, for outstanding work in the field of human rights.

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

Yes, I will take up permanent residence in Strasbourg if elected.

29 September 2014,

Yonko Grozev

## **Appendix 2 – Tanya KUTSAROVA-HRISTOVA**

### **CURRICULUM VITAE**

#### **I. Personal details**

Name, forename: Kutsarova-Hristova, Tanya

Sex: female

Date and place of birth: 14.10.1965, Dimitrov, Donetsk region, Ukraine

Nationality: Bulgarian

#### **II. Education and academic and other qualifications**

- 1.10.1985 – 26.04.1991: Sofia University “St. Kl. Ohridski”, Faculty of Law, specialty Law
- 1.10.2010 – 30.09.2011: Sofia University “St. Kl. Ohridski”, Faculty of Law specialty “International relationships”, Master program “European Union Law”
- 1. 10.2010 – 30.09.2011: Université Nancy 2, France. Mention Etudes européennes, spécialité droit de la construction européenne
- 1.01.2012 – at present: PhD student at the Institute of State and Law of the Bulgarian Academy of Sciences
- Master of Law, Faculty of Law of Sofia University “St Kliment Ohridski”
- Master in International Relations – European Union Law, Faculty of law of Sofia University “St Kliment Ohridski”
- Master Droit, Economie, Gestion, Mention Etudes Européennes, spécialité Droit de la construction européenne, Université Nancy 2

#### **III. Relevant professional activities**

##### *a. Description of judicial activities*

- 9.03.1992 – 18.05.1994: Regional court of Aytos, Bulgaria : judge
- 19.05.1994 – 31.08.1998: Regional court of Bourgas, Bulgaria: judge
- 1.09.1998 – 14.02.2007: District court of Bourgas, Bulgaria: judge
- 15.02.2007 – 30.09.2008: Administrative court of Bourgas, Bulgaria: judge
- 1.10.2008 – at present: Supreme Administrative court, Bulgaria: judge

Participation in cases of the cassation appeals against first instance judgments of the administrative courts. Participation as a member of the judicial panel dealing with the first instance appeals against acts of the administrative bodies. Participation as a member of the judicial panel in cases for annulment of a final court judgments. Participation in the interpretative procedures of the General Assembly of the Supreme Administrative Court.

##### *b. Description of non-judicial legal activities.*

Lecturer at the National Institute of Justice on the issues of proceedings regulated by the Administrative Procedure Code and claims against the State and municipalities for damages caused by unlawful administrative acts and omissions. Participation in examinations for acquiring legal competency, organized by the Ministry of Justice. Participation in seminars and conferences issues of contemporary jurisprudence

##### *c. Description of non-legal professional activities*

None.

**IV. Activities and experience in the field of human rights**

Participation as a lecturer at seminars organized by the National Institute of Justice on matters relating to the implementation of the European Convention on Human Rights. Since June 2014 ad hoc judge at the European Court of Human Rights. So far no participation in cases of the ECtHR.

**V. Public activities**

None.

**VI. Other activities**

PhD student at the Institute of State and Law, Bulgarian Academy of Sciences, Section "Public Law", a scientific specialty "Administrative Law and Process" with working thesis: "Claim proceedings under Administrative Procedure Code. Issues relating to admissibility and well founding of the claims"

*a. Field*

Scientific and educational activities

*b. Duration*

01.01.2012 – 31.12.2015

*c. Functions*

Preparation of PhD thesis

**VII. Publications and other works**

N/A

**VIII. Languages**

| Language               | Reading   |      |      | Writing   |      |      | Speaking  |      |      |
|------------------------|-----------|------|------|-----------|------|------|-----------|------|------|
|                        | very good | good | fair | very good | good | fair | very good | good | fair |
| a. First language:     |           |      |      |           |      |      |           |      |      |
| – English              | x         |      |      | x         |      |      | x         |      |      |
| b. Official languages: |           |      |      |           |      |      |           |      |      |
| – English              | x         |      |      | x         |      |      | x         |      |      |
| – French               | x         |      |      |           | x    |      |           | x    |      |
| c. Other languages:    |           |      |      |           |      |      |           |      |      |
| – Russian              | x         |      |      | x         |      |      | x         |      |      |

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

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

**X. Other relevant information**

Married with a son of 15 years old.

**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 3 – Viktor SOLOVEYCHIK**

### **CURRICULUM VITAE<sup>2</sup>**

#### **I. Personal details**

Name, forename: Soloveytchik, Viktor

Sex: Male

Date and place of birth: 16 March 1965, Sofia, Bulgaria

Nationality: Bulgarian

#### **II. Education and academic and other qualifications**

- 1982-1987: Diploma in Law, Sofia University St Kliment Ohridski
- 1992-1993: LL.M. International and Comparative Law, The George Washington University, Washington D.C., USA
- 1997-1998: followed the instruction (without a degree) in the post-graduate (D.E.A.) programme in international law at the Robert Schuman University, Strasbourg, France

#### **III. Relevant professional activities**

##### *a. Description of judicial activities*

- 2006-2012: head of legal division at the European Court of Human Rights, Strasbourg:
  - worked closely with judges on complex cases (did a preliminary assessment of the cases, discussed them with the judge-rapporteur, provided legal analysis under Convention and other international law and on Bulgarian law, attended the deliberations and drafted the text of judgments and decisions);
  - managed a team of 10 to 15 lawyers working on Bulgarian cases brought before the Court and ensured the implementation of the Court's policies on case handling, prioritization and working methods; assisted the Registrars;
  - worked for the Court's Standing Committee on the Rules of Court on periodic revision of the Rules and practice directions;
  - gave training sessions on ECHR case-law and coached new lawyers.
- 1998-2006: lawyer at the Registry of the European Court of Human Rights, Strasbourg:
  - worked closely with judges on cases (did a preliminary assessment of the cases, discussed them with the judge-rapporteur, provided legal analysis under Convention and other international law and on Bulgarian law, attended the deliberations and drafted the text of judgments and decisions);
  - gave training sessions on ECHR case-law and coached new lawyers.
- 1987 and 1989-1990 (with an interruption for military service): one-year traineeship at judicial and administrative institutions (courts, state prosecutors, judicial investigation offices, enforcement judges' offices, municipal councils), Sofia

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

*b. Description of non-judicial legal activities*

- **Since 2012: Principal Legal Adviser and Director of Quality of Legislation at the Legal Service of the European Commission, Brussels:**
  - managing a Directorate of 60 lawyers and 20 assistants whose mission includes four main activities: reviewing draft legal acts (regulations, directives or decisions) prepared by the Commission services for compliance with the requirements of legislative technique stemming from EU law and relevant guidelines; preparing draft codifications of EU legal acts; representing the Commission in cases before the European Court of Justice; and elaborating and updating rules and guides on legislative technique and providing training;
  - representing the Commission in inter-institutional relations on matters concerning legislative quality and codification of EU law.
- 1994-1998: lawyer at the European Commission of Human Rights, Strasbourg (worked on cases: drafted decisions on admissibility and reports on the merits);
- 1993-1994: legal consultant and member of the Sofia Bar, Sofia
- 1991-1992: legal adviser, Balkanbank, Sofia
- 1990-1991: legal adviser at the Ministry of Power Engineering (Dams and Cascades), Sofia
- 1988-1989 (during military service): legal adviser, regiment of the Civil Construction Corps, Sofia

*c. Description of non-legal professional activities:*

None.

**IV. Activities and experience in the field of human rights**

- 1998-2012: lawyer and head of legal division at the European Court of Human Rights, Strasbourg
- 1994-1998: lawyer at the European Commission of Human Rights, Strasbourg
- 1996-2012: speaker and lecturer at numerous workshops, conferences and training sessions on human rights in Bulgaria, France and the countries of Eastern Europe and the Caucasus region
- February-September 2001: legal assistant to the former President of the ECtHR, Rudolf Bernhardt, and former judge Raimo Pekkanen, eminent lawyers appointed by the Bureau of the Parliamentary Assembly of the Council of Europe (working on their report on the conformity of the legal system of former Yugoslavia with Council of Europe standards)

**V. Public activities**

None.

**VI. Other activities**

- February-May 2004: visiting scholar, Jean Monnet Global Law Programme, New York University, New York, USA – did research and conducted a workshop on the ECHR
- 2003-2009: member of *Alliance France Bulgarie Alsace*, an association for cultural exchange, Strasbourg
- 1993: intern at the Central and East European Law Initiative, a project of the American Bar Association, Washington D.C., USA

**VII. Publications and other works**

- 1996-2012: Presentations and lectures on the case-law of the ECHR at conferences, workshops and training sessions (in Bulgarian, English, French and Russian)

*Publications in law journals:*

- Highlights in the Case Law of the European Court of Human Rights Relevant to the Protection of Minorities, European Yearbook of Minorities Issues, Volume 5, 2005-2006
- Legal Effect of the Judgments of the ECHR: general overview, the State's duty to comply, interpretative value and legal effect in the internal legal order (in Bulgarian), Pravna Misal, 1/2003, (in Bulgarian)
- Admissibility of applications under the European Convention of Human Rights (in Bulgarian), Savremenno Pravo, Nos. 4 and 5 / 1997
- Antidumping and countervailing duties under US and EEC law (in Bulgarian), Zakon, 2 / 1993 (in Bulgarian)
- New Perspectives for Concession Agreements: A Comparison of Hungarian Law and the Draft Laws of Belarus, Kazakhstan and Russia, 16 Houston Journal of International Law 1993

## VIII. Languages

Mother tongue: Bulgarian

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

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

I believe that I meet the relevant language proficiency requirements.

## 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