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04 March 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 Andorra**

#### **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 Andorra

Letter from Mr Joan Forner Rovira, Deputy Permanent Representative of Andorra to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 27 January 2015

...

Following the letter of 9 January 2015 from the Secretary of the Advisory Panel, ... informing us of the approval of the list of three candidates for the post of judge to the European Court of Human Rights in respect of Andorra, I have the honor to transmit attached (in alphabetical order) the *curricula vitae* corresponding to these three candidates:

- Mr Francesc Badia
- Mr Pere Pastor
- Ms Patricia Quillacq

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

### 1. Publication of announcement in the Official Gazette

At the Council of Ministers meeting on 17 September 2014, the Government of the Principality of Andorra approved the announcement to commence the procedure for selecting the three candidates to be included on the national list.

The announcement was published in the Official Gazette on 24 September 2014 (BOPA No. 55 of 24/09/2014). Any interested individuals who met the criteria laid down in the Parliamentary Assembly's recommendations and the European Convention on Human Rights were required to submit their candidatures and CVs in English and French to the Ministry for Foreign Affairs by 5 pm on 17 October 2014 at the latest.

We received four candidatures, i.e. two men and two women.

### 2. Setting up of a selection commission

The selection commission comprised the following five members:

- The Director of Multilateral Affairs and Co-operation, Ministry for Foreign Affairs, Chair
- The Head of the Private Office of the Head of Government
- The Director for the Interior, Ministry of Justice and the Interior
- A lawyer in the Government's legal office
- A lawyer and professor of European law from the University of Barcelona.

The commission met twice. The purpose of the first meeting was to analyse and assess the various candidatures received, in particular to check that the candidates' CVs met the requirements. The purpose of the second meeting was to prepare for the interviews.

The candidates were invited by email, and all confirmed that they would attend the interviews.

The four candidates were interviewed on 25 November 2014. Each candidate was interviewed for an hour. The selection commission assessed the individual candidates according to the following criteria, *inter alia*: their CVs, experience, reasons for applying and language skills.

Following deliberation, the selection commission decided to submit the national list of three candidates to the Council of Ministers for approval at its meeting on 3 December 2014.

The Council of Ministers approved the proposed national list and the candidates were informed of the result.

The list was forwarded to the Advisory Panel on 5 December 2014.

## Appendix 1 – Francesc BADIA

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

#### I. Personal details

Surname, name: Badia Francesc

Gender: Male

Date and place of birth: Barcelona, 4<sup>th</sup> October 1956

Nationality: Andorran

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

- Law degree (equivalent of Master's degree, 5 years). University of Navarra (Pamplona, Spain), 1974-1979
- Collaborator at the International Public Law Department of the Law School (University of Navarra)

#### III. Relevant professional activities

##### a. Description of judicial activities

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

- Lawyer in Andorra, since September 1979 (35 years):
  - (1979 – 1989) Arqués, Canturri & Badia Advocats
  - (1989 – 2006) Canturri & Badia Advocats
  - (Since 2006) Badia Advocats
- Member of the Andorran Bar Association
- Dean of the Andorran Bar Association (Since 2012)
- Member of the Council of the Catalanian Bar Associations, CICAC
- Representative of the Andorran Bar Association at the CCBE (Council of Bars and Law Societies of Europe)
- Representative of the Andorran Bar Association at the Dean Council of South-West France (“Conférence des Bâtonniers du Grand Sud-Ouest, France”)
- Representative of the Andorran Bar Association at the FBE (European Federation of the Bar Associations)

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

- Member of the Board of the “EENS Meritxell” in Andorra (destined to the education and habilitation of handicapped people)
- Member of the Board of the school “Col·legi St. Ermengol” (1997 – 2014), Andorra, (elementary and high school)
- Vice-president of the “Automòbil Club d’Andorra” (Andorran Automobile Club)
- **Member of the Board of the Foundation “Valentí Claverol” (2009)** (destined to the promotion of an audiovisual fund and of the Andorran culture), Andorra
- **Professor of Andorran Civil Law at the Andorran University**, collaborating with the Toulouse University Law School (Seminars)

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

- **Member of the University Council of the Andorran University**
- **Co-founder Intermón-Oxfam Andorra**
- **Member of the “Germandat de Poblet (Monastery of Poblet)”**, Tarragona, Spain
- **Member of the “Institut d’Estudis Catalans, Secció de Filosofia i Ciències Socials”** (Catalan Academy)

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

- Round table with the participation of the Section III judges of the European Court of Human Rights, Andorra la Vella 6<sup>th</sup> July 2012. Organised by the Andorran Bar Association
- Seminar “Actualité sur la jurisprudence de la CEDH en matière civile et pénale”, Monaco 3<sup>rd</sup>, 4<sup>th</sup> May 2013. Organised by the UIA
- Course on human rights. Andorra la Vella, 18<sup>th</sup> and 19<sup>th</sup> October 2013. Organised by the Andorran Institute of Human Rights
- Course on the ECHR, Barcelona, May 2014. Organised by the CICAC (Council of the Catalan Bar Associations)

#### V. Public activities

None.

#### VI. Other activities

None.

#### VII. Publications and other works

- Conference “European Code of Ethics”. Andorra la Vella, November 2013. Organised by the Andorran Bar Association.
- Conference “From Manual Digest to the ECHR”, Andorran Civil Law. XIX “Jornades Dret privat andorrà: entre el ius comune i la codificació”. Organised by the Science Andorran Society (SAC). Andorra la Vella, November 2013.
- Conference “lawyers in a crisis environment”. 25a. jornada d’Andorra a la Universitat Catalana d’Estiu. Prades, August 2012.
- “El dret a un procés degut: visió jurisprudencial de l’article 10 de la Constitució i de l’article 6.1 del Conveni europeu dels drets humans”. Aspectes de la jurisprudència andorrana. Balanç de 20 anys de Constitució. (Aspects of the Andorran jurisprudence. 20 years balance of Andorran Constitution) Andorra la Vella 2014. <http://www.justicia.ad/documents/LibreAJA.pdf>

#### VIII. Languages

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

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

Yes, I do confirm my intention, if I am elected, to follow intensive language courses if necessary.

**X. Other relevant information**

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

Yes, I do confirm that, if I am elected, I will have my permanent residence in Strasbourg.

## **Appendix 2 – Pere PASTOR VILANOVA**

### **CURRICULUM VITAE**

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

Name, forename: Pastor Vilanova, Pere

Sex: Male

Date and place of birth: 29 November 1968, Andorra la Vella, Principality of Andorra

Nationality: Andorran

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

- PhD Public Law, University of Toulouse 1 (Université Toulouse 1) France, 1999-2002
- Master's Degree in Public Administration, National School of Administration (École Nationale d'Administration) Paris, 1992-1994
- MSc Finance and Business Economics, Montpellier Business School (École supérieure de commerce et d'administration des entreprises, Montpellier) 1990-1992
- MSc Political Science, Toulouse Institute of Political Science (Institut d'Études Politiques, Toulouse) 1987-1990

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

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

- Judge of the Supreme Court of Andorra, in charge of Administrative and Civil Litigation, from October 2011 to present
- Judge of First Instance, in charge of Administrative and Civil Litigation, Andorra, 1998-2011

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

- Lecturer at the University of Andorra and the University Toulouse 1, France, from 2005 to present

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

- Member of the Bioethics Committee of the Council of Europe (DH-BIO), from 2005 to present

#### **V. Public activities**

##### *a. Public Office*

Head of the Home Office, Andorra, from 1995 to 1998. Civil servant. Resigned 1998.

##### *b. Elected posts*

None

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

None

## VI. Other activities

### a. Field

Sports clubs

### b. Duration

From 2012 to present

### c. Functions

Member of the Andorran Tennis Federation

## VII. Publications and other works

### Books:

- Selecció de jurisprudència de la sala civil del Tribunal Superior de Justícia 1998-2006 (“Selection of Jurisprudence of the Civil High Court of Justice 1998-2006”), Andorra, Consell Superior de la Justícia, 2007, 141 pages.
- Contribution à l’étude du droit public andorran (“Contribution to the Study of Andorran Public Law”), Andorra, Consell Superior de la Justícia, 2002, 311 pages.

### Articles:

- “Drets humans i urbanisme” (“Human Rights and Urban Planning”), in Enric Casadevall and Joan Miquel Casajuana (dir.), *Introducció al dret de l’urbanisme d’Andorra* (“An Introduction to Andorran Urban Planning Law”), Andorra, Universitat d’Andorra i Fundació Crèdit Andorrà, 2015, pp. 19-28.
- “The Improbable Dialogue between the European Court of Human Rights and the Supreme Court of the United States” (article written with Juli Minoves), to be published in a United States law journal.
- “L’Andorre et la Convention européenne, 20 ans après” (“Andorra and the European Convention, 20 years later”), in Michel-Louis Martin (dir.), *Annales de l’Université Toulouse 1 Capitole*, vol. LV (“Annals of the University of Toulouse 1 Capitole, vol. LV”), Toulouse, Presses de l’Université Toulouse 1 Capitole, 2014, pp. 57-69.
- “La protecció del treballador en la jurisprudència civil. Especial referència a l’extinció del contracte de treball” (“The Protection of Workers in Civil Jurisprudence. Special Reference to the Termination of Employment Contract”), in Pere Pastor Vilanova (dir.), *Aspectes de la jurisprudència andorrana. Balanç de 20 anys de Constitució* (“Andorran Aspects of Jurisprudence. Balance of Constitution 20 years”), Andorra, Universitat d’Andorra, 2014, pp. 113-124.
- “Les deux visages du président de la République en Andorre: prince et président” (“The Two Faces of the President of the French Republic in Andorra: Prince and President”), (article written with Bernard Beignier), in André Cabanis (dir.), *Mélanges en hommage à Henri Roussillon* (“Mixed Tributes to Henri Roussillon”), Toulouse, Presses de l’Université Toulouse 1 Capitole, 2014, pp. 79-103.
- “La plasticité du droit andorran” (“The Malleability of Andorran Law”), in Michel-Louis Martin (dir.), *Annales de l’Université Toulouse 1 Capitole*, vol. LIV (“Annals of the University of Toulouse 1 Capitole, vol. LIV”), Toulouse, Presses de l’Université Toulouse 1 Capitole, 2013, pp. 139-147.
- “Aspectes generals del medi ambient a Andorra” (“General Aspects of Environmental Law in Andorra”), “Medi Ambient. Part especial” (“Environmental Law. Special part”), “L’estrangeria” (“Immigration Law”), “Dret administratiu sancionador” (“Administrative Sanction Law”), in Pere Pastor Vilanova (dir.), *Dret administratiu andorrà* (“Andorran Administrative Law”), Andorra, Universitat d’Andorra i Fundació Crèdit Andorrà, 2006, pp. 289-343.
- “Le droit à l’instruction en Principauté d’Andorre” (“The Right to Education in the Principality of Andorra”), in Jan de Groof-Gracienne Lauwers (eds.), *No Person shall be denied the Right to Education: the Influence of the European Convention on Human Rights on the Right to Education and Rights in Education*, Nijmegen, Wolf Legals Publishers, 2004, pp. 105-115.

**VIII. Languages**

Language	Reading			Writing			Speaking		
	Very good	good	fair	Very good	good	fair	Very good	good	fair
<i>a. First language:</i>									
– Catalan	X			X			X		
<i>b. Official languages:</i>									
– English		X				X		X	
– French	X			X			X		
<i>c. Other language:</i>									
– Spanish	X			X			X		

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

I agree.

**X. Other relevant information**

I have taken an active role in the drafting of a number of laws, particularly with regard to guardianship and review process of national stoppages due to the conviction of Andorra by ECHR.

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

I agree.

## **Appendix 3 – Patricia QUILLACQ ALBAJES**

### **CURRICULUM VITAE**

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

Name, forename: QUILLACQ ALBAJES, Patricia

Sex: Female

Date and place of birth: 10 May 1971, Andorra la Vella

Nationality: Andorran

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

- 2003-2008: PhD in Law (Law Department, European University Institute, Fiesole, Italy)
- 1999-2001: Master of Laws (LLM), Environmental Law (Law Faculty, University of Auckland, New Zealand)
- 1989-1994: Maîtrise of International and European Law (Law Faculty, Toulouse I, France)
- 1993-1994: University Certificate of Informatics applied to Law (Law Faculty, Toulouse I, France)
- 1989-1992: Diplôme of the Institut d'Etudes Politiques of Toulouse (Toulouse I, France)
- June 1989: Baccalauréat B, Mention 'Assez Bien' (Lycée Comte de Foix, Andorra la Vella)

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

*February 2014 – present*

Ministry of Foreign Affairs – Government of Andorra

Legal adviser

- Analysis of the compatibility of national legislation with international treaties and agreements prior their signature, ratification, adhesion; reservations and declarations.
- Drafting, correction and negotiation of bilateral agreements.
- Multilateral treaties follow-up, International Law, Human Rights & Environmental issues.
- Legal routine of the Ministry (contracts, publications to the official gazette, law preambles, database update...), including legal support to the other areas of the Ministry of Foreign Affairs and to other Ministries and Departments of the Government.

*November 2011 – March 2012*

Department of Environment – Government of Andorra

Legal adviser (consultant)

- Draft Decree on the ban of single-use plastic bags (in force since 01/01/2013).
- Draft Law on Landscape.

*July 2010 – July 2011*

Permanent Secretariat of the Alpine Convention

Collaborator (consultant)

- Follow-up of the implementation of the Action Plan on Climate Change in the Alps.
- Editor and Coordinator of the publication "Towards decarbonising the Alps: national policies and Strategies, Regional initiatives and Local Actions".

- [www.alpconv.org/en/publications/alpine/Documents/Broschuere\\_ENG.pdf](http://www.alpconv.org/en/publications/alpine/Documents/Broschuere_ENG.pdf)
- Research on the mountain legislation from European Alpine countries in order to create the database “MountainLex”.
- <http://mountainlex.alpconv.org/>

*July 2009 – July 2010*

Permanent Secretariat of the Alpine Convention (Innsbruck, Austria)

Project Officer

- Responsible of the implementation of the Action Plan on Climate Change in the Alps.
- Responsible for the Platform on Natural Hazards.
- Editor for the publication: “Implementation Manual of the Alpine Convention for the French Local Authorities”.
- [http://www.alpconv.org/fr/publications/alpine/Documents/Comuni\\_2013\\_FR.pdf](http://www.alpconv.org/fr/publications/alpine/Documents/Comuni_2013_FR.pdf)
- Organisation of the legal Conference “Environmental Protection and Mountains: Is Environmental Law Adapted to the Challenges faced by Mountain Areas?” (April 2010).

*March 2008 – March 2009*

University of Firenze (Florence, Italy)

Department of political and administrative sciences

Researcher (lawyer)

- Research and analysis on European legal and policy literature about the characteristics on territory planning methods and systems, on the quality of participation procedures relating to the quality and sustainability of planning (including landscape), in the framework of the creation of the Monitoring model of the implementation of the Tuscan Land Planning Law.
- Teacher (thematic contributions) within the URBAL training program (local public participation processes).

*May 2008 – June 2009*

GOVERNAT – University of Nova Lisboa (Lisbon, Portugal)

Researcher/consultant – Lawyer (Marie Curie Fellow)

- Legal support to all team members (PhD students, post-doctorate and senior researchers) of the EU FP6 Research Project Governat (Participatory processes in Multi-level Governance in Water and Biodiversity Resource Management). [www.governat.eu](http://www.governat.eu)

*November 2007 – June 2008*

Academy of European Law, European University Institute (Fiesole, Italy)

Experienced Researcher- lawyer

- Legal research and Database creation on Cultural Heritage Law. <http://www.eui.eu/Projects/InternationalArtHeritageLaw/Home.aspx>

*June 2007 – October 2007*

Government of Andorra – Department of Environment

Legal Adviser (consultant)

- Draft Regulation on the access to environmental information (Implementation Decree of the Law on Waste Management).
- Report on the compatibility of Andorran domestic law with the European Convention on Landscape.

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*January – May 2007*

Washington State University – CAPA Firenze (Florence, Italy)

Teacher

- Semestral course on EU Environmental Law & Policy

*October 2004 – October 2005*

Council of Europe (Strasbourg & Paris, France)

Collaborator (legal consultancy)

- Legal expert representing the CO-DBP (Committee for the activities of the Council of Europe on Biological and Landscape Diversity) at the DH-DEV (Committee on the Development of Human Rights) in the task of drafting a publication on Human Rights and the Environment based on the case-law of the European Court of Human Rights (published in 2007).
- [http://book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit\\_aliasid=2126](http://book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit_aliasid=2126)
- Member of the drafting group.

*November 2003 – June 2009*

European University Institute (Fiesole, Italy)

Coordinator of the Working Group on Environmental Law

- Organization of the monthly meetings; Drafting & edition of the Working Papers & Newsletters; Organization of Conference and invitation of guest speakers; Webpage.

*October 2003 – September 2007*

European University Institute (Fiesole, Italy)

PhD candidate

- Writing of the Doctoral thesis «Sources and Manifestations of the Principle of Public Participation in Environmental Matters», (Thesis publicly defended on February 18th, 2008).

*January 2002 – September 2003*

Ministry of Agriculture and Environment of Andorra

*Consultant – Law and Policy*

- International Agreements: legal analysis of the environmental agreements prior to accession.
- Implementation and follow-up of obligations, contact point with the secretariats of international organizations and conventions (Basel Convention on movements of hazardous waste, Bern Convention on European wildlife, Convention on European Landscape, Ramsar Convention, Convention for the fight against desertification, CITES, UNEP, UNDP, FAO, Council of Europe).
- Participation in international meetings and conferences.
- Special assessment for the participation of Andorra to the Johannesburg Summit in August 2002 (attendance to the prepcoms, analysis of the process, suggestions for an active participation, speeches for high officers and ministers).
- Draft of domestic legislation: waste management law, environmental impact law.
- Implementation and enforcement of domestic legislation: training to environmental guards.

*September 2000 – January 2002*

Ministry of Foreign Affairs – Government of Andorra

Legal Adviser (civil servant)

- International Agreements: study of compatibility of the national legislation with the agreements prior to the signature/accession. Follow-up of the conventions, participation to the standing committees (specially in charge of the ECHR, the European Social Charter, and the Environmental agreements).
- Legal routine at the ministry (contracts, publication at the Gazette, etc.).
- Supervision of texts, documents, reports sent to international organizations.

*January 1995 – January 1999*

Ministry of Foreign Affairs – Diplomatic Mission in Strasbourg

Deputy Permanent Delegate of Andorra to the Council of Europe

- Creation and organization of the diplomatic mission.
- Participation to the Committee of Ministers and other diplomatic meetings (Human Rights and Environmental matters).
- Chargé de mission in 1997 (Second Summit of Heads of State and Government of the Council of Europe).

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

- 2012-2014 WaterLex Collaborator (Geneva-based ONG working on the field of the Right of Water)
- 2013 (January-February) – Indian Development Exchange volunteer program (Idex): Women empowering group and Children teaching in Muslim slums and public schools (Margao, Central Goa)
- 2000-2002 President of the Andorran Conservation NGO “Associació per la Defensa de la Natura”
- 1995-1998 Member of the European Commission against Racism and Intolerance, appointed on personal capacity (Rapporteur on Croatia and Portugal)

**V. Public activities**

*a. Public officer*

February 1995- December 2001: Civil servant for the Government of Andorra (see above point III)

*b. Elected posts*

None

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

None

**VI. Other activities and memberships**

Member of the bar of Andorra

Member of the Global Eco-Integrity Group (Study and research group on the links between the ecological crisis, international law and human rights)

**VII. Publications and other works (non-exhaustive list)**

*Is Legal symbiosis possible? The coming synergy between the European Convention on Human Rights and the Aarhus Convention*, January 2006, EUI Law Working paper n°6 (2006), available on-line <http://www.iue.it/LAW>

(Co-drafter), Manual on human rights and the environment – Principles emerging from the case-law of the European Court of Human Rights, Council of Europe Publications (2006).

Dabrowska P. & Quillacq P., “Science goes to court: some reflections on the Precautionary Principle in the community jurisprudence”, EUI Law Working paper n°6/06), January 2006, available on-line <http://www.iue.it/LAW>

“Le Principe de participation publique: la dimension procédurale du Développement Durable”, in Sustainable Development and International Law: The way forward, EUI Working paper 2007/28 (Morgera E. and Quillacq P. eds.), available online at <<http://cadmus.iue.it/dspace/handle/1814/7159>>

Sources and Manifestations of the Principle of Public Participation in Environmental matter, Doctoral thesis (submitted October 2007, defended February 2008).

<http://cadmus.eui.eu/handle/1814/7088/browse?value=QUILLACQ+ALBAJES%2C+Patricia&type=author>

*The Action Plan on Climate Change in the Alps: mirroring reality or encouraging common Alpine dreams?* in: Quillacq P. & Onida M. (eds.) Environmental Protection and Mountains: is Environmental Law Adapted to the Challenges Faced by Mountain Regions? Bolzano/Bozen, (2011), pp.192-203.

Cetara L. & Quillacq P. “Tackling climate change in the Alps: basic remarks on the experience of the Climate Action of the Alpine Convention as an example for other regions worldwide”, contribution presented at the Mountain Partnership side-event, UNFCCC COP-16, Cancún, Mexico, December 2010.

Joint Policy Note with Wesselink A. and others, “Attitudes on public participation affect Water Frame Directive art. 14’s implementation”, INBO Newsletter December 2008-January 2009.

“Human Carrying Capacity: is it possible to debate it publicly” (*La capacità di carico umana*), in: Scelte pubbliche, Quadrimestriale per il governo del territorio e lo sviluppo locale, n.1/2009, pp. 107-123, Firenze.

“Accés a la Justícia i Participació Pública”, in: J. Saura (coord.), Jornades del JEF sobre dret ambiental, Agenda 2008 de l’Universitat d’Andorra, Universitat d’Andorra, 2009.

### VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
<b>a. First language:</b>									
– French (father tongue)	X			X			X		
– Catalan (mother tongue)	X			X			X		
<b>b. Official languages:</b>									
– English	X			X			X		
– French	X			X			X		
<b>c. Other languages:</b>									
– Italian	X			X			X		
– Spanish	X				X		X		
– Portuguese			X						

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

If I am elected as Judge at the European Court of Human Rights, I will take up permanent residence in Strasbourg for the entire duration of the mandate.