Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 14215
08 December 2016

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

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

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 The Netherlands 3
Appendix 1 – Martin KUIJER 8
Appendix 2 – Rick LAWSON 13
Appendix 3 – Jolien SCHUKKING 17

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

Letter from Mr Onno Elderenbosch, Ambassador of The Netherlands to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 21 November 2016.

[…]

With reference to your letter dated 26 April 2016, I have the honor to submit to you the curricula vitae of the three candidates which have been nominated by the Government of the Kingdom of the Netherlands for the election as judge at the European Court of Human Rights as successor of Mr Johannes Silvis, who resigned on 1st September 2016.

[…]

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

Announcement of the vacancy

The vacancy will be advertised:

– in the Nederlands Juristenblad;

– in the listing of international vacancies published by the Ministry of the Interior and Kingdom Relations;

– in the journal *Trema* (published for the Dutch judiciary) and, depending on the nature of the vacancy, in *SEW: Tijdschrift voor Europees en Economisch Recht* (Journal of European and Economic Law).

Contents of the advertisement

The contents of the advertisement will consist of:

– an announcement and description of the position, including the international requirements for appointment under the relevant provision of the international agreement concerned;

– an outline of the application procedure;

substantive requirements:

– the requirements laid down in the applicable international agreement;

– for a position as judge, in principle, judicial experience;

– thorough knowledge of the relevant field of law (EC and EU law or the ECHR);

– ability to express oneself effectively in spoken and written French and/or English;

– relevant international experience and ability to take account of differences in legal culture among the countries of the European Union and the Council of Europe;

an invitation to third parties to suggest in writing candidates whom they consider suitable.

Status of the short list

– The selection panel will recommend at least three persons, presenting their names in alphabetical order.

– This short list will be descriptive in character, indicating the qualifications of each of the candidates. No preference will be expressed for any one candidate. The Government may make a choice on the basis of the description of the candidates' qualifications.

– The Government must give clear reasons if it chooses a candidate who was not among those recommended. However, the Government has the final say.

Composition of the selection panel

The selection panel will consist of the following three persons:

– the President of the Supreme Court (*Hoge Raad*) or the Procurator General at the Supreme Court;

– the Vice-President of the Council of State (*Raad van State*) or the President of the Administrative Jurisdiction Division (*Afdeling bestuursrechtspraak*) of the Council of State;

– a person (other than the person whom the appointee will succeed) with knowledge of European law and extensive experience within either the organisation of which the judicial body forms part or a comparable international organisation.

The nomination procedure as a whole

The nomination procedure will be followed whenever there is a vacancy, unless the Government has decided to reappoint the incumbent.

The consultations that are part of the nomination procedure will in principle begin at least one year before a vacancy to which a Dutch national is to be appointed is expected under the applicable international rules.

The full procedure will consist of:

– the drafting and placement of an advertisement;

– the appointment of a selection panel;

– the submission of the selection panel's short list;

– consultations concerning the short list;

– submission of the short list to the Cabinet;

– presentation of the Dutch Government's nominee to the international body in question;

– the decision by the international body in question.

Done by the Minister of Justice and the Minister of Foreign Affairs.

[signed]

Benk Korthals Jozias van Aartsen

Minister of Justice Minister of Foreign Affairs

Explanatory notes

General

Until the present procedure for nomination to European judicial bodies was drawn up, no transparent, uniform procedure had been adopted for the selection of candidates for European judicial bodies, which would provide the greatest possible safeguards that candidates are selected for these bodies on the basis of objective criteria of qualifications and suitability. The bodies in question are the Court of Justice of the European Communities (based in Luxembourg), the Court of First Instance of the European Communities (based in Luxembourg) and the European Court of Human Rights (based in Strasbourg).

The Benelux Court in Brussels does not fall under the present procedure because a special procedure already exists for appointments to this court: its judges are selected from among the judges of the Benelux countries' highest judicial bodies. The many other international judicial and quasi-judicial bodies are also not included; procedures for appointment to these bodies vary so greatly (for instance, there is generally no requirement that a Dutch national be appointed) that there is no point in adopting a uniform procedure for all of them.

Every agreement on the procedure at national level for putting forward candidates for positions at international judicial institutions must of course take account of the applicable rules for appointment to each of those institutions. The rules for the bodies in Luxembourg and Strasbourg addressed by this procedure are not identical.

The judges and Advocates-General in Luxembourg are appointed by common accord of the governments of the member states. For the judges this means in practice that each member state designates one candidate for the Court of Justice and one for the Court of First Instance; if these candidates are acceptable to the other member states, they are appointed for six-year terms. For the Advocate-General positions, the member states have agreed a system of rotation. For these positions, too, each member state whose turn it is under the system only need put forward one candidate. Governments thus have considerable influence over the appointment of judges and Advocates-General from their countries.

The judges in Strasbourg, by contrast, are elected by the Parliamentary Assembly of the Council of Europe. Each member state is expected to submit a list of three candidates from whom the Parliamentary Assembly will choose. The Assembly is of course not bound by any preference of the governments, even if a government should express one. Governments thus have only limited influence on the appointment of judges from their countries.

This procedure for nomination to European judicial bodies will be followed for the first time to fill vacancies in Luxembourg: one for a judge on the Court of Justice of the European Communities and one for an Advocate-General at that Court. On the basis of the experience with these two nominations, the procedure will be evaluated and may be modified. The procedure, with any modifications, will then be followed when a vacancy in Strasbourg needs to be filled.

In drawing up this nomination procedure, the Ministers of Justice and Foreign Affairs have consulted and arrived at a consensus with the Vice-President of the Council of State, the President of the Supreme Court and the Dutch judge on the Court of Justice of the European Communities.

Notes to each point

Point 1: Announcement of the vacancy

Placement of the advertisement in the *Nederlands Juristenblad* is prescribed in keeping with the procedure for recruiting judicial officers for Dutch judicial bodies. Under the recruitment procedure for Dutch courts the advertisement is placed only in the *Nederlands Juristenblad*. Under the present procedure for European judicial bodies the advertisement will also be placed in *Trema*, to ensure the greatest possible awareness among members of the judiciary of the search to fill the vacancy. Placement in *SEW* is advisable in the case of vacancies in Luxembourg.

Point 2: Contents of the advertisement

For the courts in Luxembourg, the requirements for appointment under the international agreement concerned include the condition that a judge's independence must be beyond doubt. Judges on and Advocates-General at the Court of Justice of the European Communities must also possess the qualifications required for appointment to the highest judicial offices in the Netherlands or be jurisconsults of recognised competence. Judges on the Court of First Instance of the European Communities must possess the ability required for appointment to high judicial office in the Netherlands. For the European Court of Human Rights in Strasbourg, the requirements are that the judges be of high moral character and that they either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.

To occupy the position of a judge on one of the European judicial bodies, judicial experience is in principle required. This does not mean that judicial experience is an absolute requirement, however; it only means that a lack of judicial experience must be compensated for by the candidate's other qualifications for the post. For the position of Advocate-General, judicial experience weighs in a candidate's favour.

Depending on the vacancy, knowledge of French or English is required. For the positions in Luxembourg, knowledge of French is required; for the positions in Strasbourg, knowledge of French or English. In cases where an otherwise suitable candidate does not have sufficient mastery of French or English, the candidate should be given the opportunity to remedy this shortcoming. The interview with the selection panel will make clear whether the candidate has limitations, and if so what limitations and whether the candidate is willing and able to remedy them.

Third parties are invited to suggest in writing candidates whom they consider suitable. However, all candidates, including those who do not apply themselves but are invited later for an interview at the suggestion of a third party, must complete the entire application procedure. It should be clear from the start that all applicants have been assessed in relation to one another. It must be the case – and must be seen to be the case – that the candidate was not 'parachuted' in at the last minute.

Steps must be taken to ensure that suitable candidates for positions in European judicial bodies do not decline an appointment purely because they are unsure about returning later to their original position in the Netherlands. Explicit attention should be paid to this subject in interviews with candidates who are in public office, and clear agreements should be made on this point.

Point 3: Status of the short list

The selection panel's short list will not be made public.

Point 4: Composition of the selection panel

European law, the international dimension and all facets of the administration of justice at national level (civil, criminal and administrative law) should be represented in the selection panel. At the same time, in the interests of efficiency, the panel's size should be restricted.

The nature of the vacant position will determine the composition of the selection panel. The President of the Supreme Court and the Procurator General at the Supreme Court will agree in each case which of them will sit on the panel, as will the Vice-President of the Council of State and the President of its Administrative Jurisdiction Division. The person who represents European law and the international dimension on the panel will be designated on a case-by-case basis.

It is inadvisable for the person whose term of office is ending to take part in deciding whom to recommend to succeed him or her. In general it is not a good idea to let someone choose his or her successor. However, it is advisable to have a person with relevant international experience in this or some other body help decide on the short list. This should be someone who is thoroughly familiar with the European Union and its culture as a whole, or with the Council of Europe and its culture. Such a person is after all presumably well qualified to judge whether a candidate will be capable of performing effectively in a European court.

The selection panel is of course free to ask advice from others; the decision whether to do so, and if so from whom, must be left to the panel itself. Possible sources of advice include: the chairs of the assemblies of presidents of the District Courts and of the Courts of Appeal, the president of the Dutch Association for the Judiciary (*Nederlandse Vereniging voor Rechtspraak*) and the dean of the Netherlands Bar Association (*Nederlandse Orde van Advocaten*).

Point 5: The nomination procedure as a whole

The substantive decisions on the short list will be taken jointly by the Ministers of Foreign Affairs and Justice, thus ensuring the involvement of the two ministers concerned in the policy aspects (points 2, 3, 4 and 6 of point 5) of the procedure.

It goes without saying that the nomination procedure need not be followed for appointments in Luxembourg if the Government is able to reappoint the incumbent and intends to do so. For appointments in Strasbourg, a list of candidates must always be submitted. With regard to reappointment to courts in Luxembourg, the rule of thumb is that incumbents are reappointed after their first six-year term unless they do not wish to be reappointed or there are compelling arguments not to do so, whereas incumbents are not reappointed after their second six-year term unless there are compelling arguments to do so and the incumbent consents. As the goal should be to allow at least a year for the nomination procedure, consultations within the Government and subsequently with the incumbent about a possible reappointment should be concluded in good time before the beginning of the last year of the incumbent's term.

The selection panel submits its short list to the Ministers of Foreign Affairs and Justice (as noted in point 5 of the procedure). The Minister of Foreign Affairs is responsible for coordinating the various policy aspects of the procedure, submits the short list to the Cabinet on both ministers' behalf (point 7), and presents the Dutch Government's proposed appointee(s) to the international body in question (point 8). The Minister of Justice is responsible for the logistical and administrative aspects of the procedure, such as placing the advertisement and providing an address for replies. This is the most practical arrangement, as the Minister of Justice has appropriate experience with judicial nomination and appointment procedures.

The international institutions may appoint someone other than the Dutch Government's nominee.

Benk Korthals Jozias van Aartsen

Minister of Justice Minister of Foreign Affairs

****

The vacancy was published on 10 June in the Nederlands Juristenblad, in both paper and electronic versions. On the same day it was published in the Government's vacancy sites and the sites of the newspapers NRC Handelsblad and Intermediair. Finally, the vacancy was published at the internal site of the Council for the Judiciary (Raad voor de Rechtspraak). Replies were requested before 1 July 2016. The announcement also called on third parties to inform the Government of potentially qualified candidates.

In the meantime, an advisory committee was constituted, composed of the President of the Supreme Court (Hoge Raad), the Vice-President of the Council of State (Raad van State), both sitting ex officio, and a retired university professor of human rights, sitting on an ad hoc basis.

The publication of the vacancy led to applications and recommendations, approximately 10 persons.

The advisory committee held interviews with several candidates. During the interviews the committee focused on knowledge of the candidates of the European Convention of Human Rights and the national law, their international experience, knowledge of foreign languages and their preparedness to move to Strasbourg.

On the basis of the replies received, the suggestions made by third parties and interviews conducted with selected candidates, the committee issued a recommendation to the minister of Foreign Affairs and the minister of Security and Justice. On a proposal by these ministers, the Council of Ministers (Ministerraad), in its meeting of 14 October 2016, decided to nominate Mr Martin KUIJER, Mr Rick LAWSON and Ms Jolien SCHUKKING as candidates for the post of judge in the European Court of Human Rights.

[...]

Appendix 1 – Martin KUIJER

2. CURRICULUM VITAE[2]

I. Personal details

Name, forename: Kuijer, Martin

Sex: Male

Date and place of birth: 18 January 1972, Voorburg (The Netherlands)

Nationality/ies: Dutch

II. Education and academic and other qualifications

– 1990–1996 – LLM in Law and propaedeutic degree in History, University of Leiden (The Netherlands)

– 1992 – Diploma in French (constitutional) law and politics, Institut d'Etudes Politiques de Paris (France)

– 1996–1997 – Magister Juris (MJur Oxon), graduate course in international public law, European human rights law and EU law, Trinity College, University of Oxford (United Kingdom)

– 1998–2002 – University lecturer and research fellow, University of Leiden (The Netherlands)

– 2004 – Doctoral thesis 'The Blindfold of Lady Justice – Judicial Independence and Impartiality', University of Leiden (The Netherlands)

– 2004–present – **Professor in human rights law**, Vrije Universiteit Amsterdam (The Netherlands)

III. Relevant professional activities

a. Description of judicial activities

– 2008–present – **Court of Appeal Arnhem-Leeuwarden, substitute Justice** in the criminal law section (*raadsheer-plaatsvervanger*)

b. Description of non-judicial legal activities

– 2016–present – **The Legal Advisor** of the Netherlands Ministry of Security and Justice

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

Current positions and activities

– Substitute member of the European Commission for Democracy through Law (the 'Venice Commission')

– Liaison officer for the Kingdom of The Netherlands to the European Committee for the Prevention of Torture (CPT)

– Professor human rights law, Vrije Universiteit Amsterdam (The Netherlands)

Previous experience

– 2003–2016 – Head of the human rights unit at the Ministry of (Security and) Justice

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

Responsible for defending the Netherlands in human rights cases before the European Court of Human Rights, the Court of Justice of the European Union and relevant United Nations bodies if these cases fall within the responsibility of the ministry;

Advising on compatibility of draft legislation and policies with international human rights standards;

Contributions to the periodic reports submitted by the Netherlands to various (UN) Treaty bodies.

– 2014–2015 – Chairperson of the Council of Europe Working Group on the longer term future of the European Court of Human Rights

– 2009–2014 – Involvement in the various CDDH activities in the field of the reform of the Court, such as the preparation of Protocol Nos. 15 and 16, Chairperson of GT-GDR-C on inter alia interim measures, rapporteur on inter alia the functioning of the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights

V. Public activities

a. Public office

Not applicable

b. Elected posts

Not applicable

c. Posts held in a political party or movement

Not applicable

VI. Other activities

Member of the editorial board of

– the Netherlands Human Rights Law Journal (Nederlands Tijdschrift voor Mensenrechten)

– the Netherlands Yearbook of International Law (NYIL)

Guest lecturer on (European) human rights law, judicial organisation and legislative matters for

– the Netherlands Institute for the training of Magistrates (**SSR**);

– the Netherlands Academy for Legislation (**Academie voor Wetgeving en Overheidsjuristen**);

– the Netherlands Immigration and Naturalisation Service (**IND**);

– the European Judicial Training Network (**EJTN**);

– the Romanian National Institute for Magistrates (**NIM**);

– the United Nations Interregional Crime and Justice Research Institute (UNICRI, 2014 and 2015);

– Training to Surinam Government officials on international human rights standards (Anton de Kom Universiteit, Paramaribo, 2011);

– Training to the Commission for Human Rights and Good Governance (CHRAGG) on international human rights standards, good governance, and the professional handling of human rights cases (Tanzania, 2013);

– Training to the Conseil national des droits de l'Homme (CNDH) on monitoring, investigation and follow-up mechanisms, and skills of visiting places of detention (Morocco, 2013).

Involvement in the following projects

– European Commission, Phare Horizontal Programme "Reinforcement of the Rule of Law" in order to assist the central and eastern European countries in transposing and implementing the Justice and Home Affairs acquis of the EU (2001-2002)

– Council of Europe, expert opinion on the compatibility of the draft Code of Civil Procedure of Serbia and of Montenegro with the requirements of the European Convention on Human Rights (2003 and 2004)

– Key-expert, trainer and lecturer, “Strengthening the Training Capacity of the National Institute for Magistrates, Romania” in co-operation with the Netherlands SSR and the Romanian National Institute for Magistrates (2000-2006, development of human rights training for magistrates)

– Expert, trainer and lecturer, “Preparation of a Recruitment and Training Strategy in Bulgaria” in co-operation with the Bulgarian Magistrate Training Center (2004-2005, development of human rights training for magistrates)

– Expert, trainer and lecturer, “Human rights training for Czech magistrates” in co-operation with the Czech Union of Judges

– Workshops on human rights law in Albania under the Joint Council of Europe – European Commission Programme for legal system reform

Selected public lectures

– September 2004, Mexico City (Mexico), Congreso nacional Associacion Nacional de Doctores en Derecho, address to the Mexican Senate on the presumption of innocence

– December 2004, Sofia (Bulgaria), National Conference for Judges

– June 2005, Strasbourg (France), Council of Europe high level seminar “Protecting human rights while fighting terrorism”

– November 2005, Tblisi (Georgia), OSCE Supplementary Human Dimension Meeting “Role of defence lawyers in guaranteeing a fair trial”

– November 2006, Vaduz (Liechtenstein), Workshop on Human Rights and International Cooperation while Countering Terrorism (organised by OSCE ODIHR)

– June 2007, Strasbourg (France), Council of Europe “Expert workshop Human Rights Challenges in the Fight against Terrorism: Protecting the Right to Privacy”, organised by the Council of Europe Commissioner for Human Rights Thomas Hammarberg

– November 2007, Oslo (Norway), “ECHR and immigration law”, organised by the Norwegian Ministry of Justice

– November 2009, Parliamentary Assembly of the Council of Europe, ‘Scrutiny by member states legislative organs of Strasbourg Court judgments with the aim of better ensuring the authority and effectiveness of the European Convention of Human Rights’

– October 2010, Astana (Kazakhstan), International conference ‘Sanctioning of the arrest in court: improvement of legislation and law-enforcement practice’, organised by the Senate and the Supreme Court

– April 2011, Strasbourg, Parliamentary Assembly of the Council of Europe, Committee on Legal Affairs and Human Rights, “National Parliaments – Guarantors of human rights in Europe”

– April 2012, London (UK), “Redressing the Democratic Deficit in Human Rights”, organised by the Joint Committee on Human Rights of the British Parliament

– June 2012, The Netherlands, chaired seminar on “The triangular working relationship between SPT, CPT and NPM”

– April 2014, Oslo (Norway), “The long-term future of the European Court of Human Rights”, organised by the Council of Europe, the Norwegian ministry of Justice and the University of Oslo

– June 2015, Maastricht (The Netherlands), ‘The EU Fundamental Rights Landscape After Opinion 2/13’, organised by Maastricht University

– October 2015, St Petersburg (Russian Federation), Constitutional Court of the Russian Federation, ‘Enhancing national mechanisms for the implementation of the European Convention on Human Rights’

– March 2016, Bucharest (Romania), Constitutional Court of Romania, ‘The impact of the European legal order in the domestic legal order’

– April 2016, London (UK), British Institute of International and Comparative Law, The Bingham Centre for the Rule of Law, ‘An overview of the CDDH Report on the Longer-term Future of the Convention System’

– May 2016, Rome (Italy), Parliamentary Assembly of the Council of Europe, ‘Ensuring respect for ECHR norms: parliamentary structures to supervise compliance’

VII. Publications and other works

– M. Kuijer, “Fundamental rights protection in the legal order of the European Union”, in: S. Blockmans & A. Lazowski (eds.), *Institutional Law of the European Union*, London: Elgar Publishing 2016

– M. Kuijer, “Guaranteeing International Human Rights Standards in the Netherlands: The Parliamentary Dimension”, in: Murray Hunt, Hayley J Hooper and Paul Yowell (eds.), *Parliaments and Human Rights – Redressing the Democratic Deficit*, Oxford: Hart, 2015, pp. 295-305

– M. Kuijer, “The Impact of the Case Law of the European Court of Human Rights on the Political Debate in the Netherlands concerning the Court”, in: M. van Roosmalen, B. Vermeulen, F. van Hoof & M. Oosting (eds.), *Fundamental Rights and Principles – Liber amicorum Pieter van Dijk*, Cambridge: Intersentia, 2013, pp. 99- 114

– M. Kuijer, “The Right to a Fair Trial and the Council of Europe's Efforts to Ensure Effective Remedies on a Domestic Level for Excessively Lengthy Proceedings”, in: *Human Rights Law Review* 2013 13: 777-794

– M. Kuijer, “Human-Rights-Oriented Evaluation of Security Legislation: National Practice and European Guidance from the ECHR”, in: Marion Albers & Ruth Weinzierl (eds.), *Menschenrechtliche Standards in der Sicherheitspolitik. Beiträge zur rechtsstaatsorientierten Evaluierung von Sicherheitsgesetzen*. Baden-Baden: Nomos, 2010

– M. Kuijer, “De betekenis van het Europees verdrag voor de rechten van de mens voor de nationale wetgever”, in: *Wetgever en constitutie* (Preadvies Vereniging voor wetgeving en wetgevingsbeleid), Nijmegen: Wolf Legal Publishers, 2009, pp. 43-86 [the relevance of the ECHR for domestic legislators]

– M. Kuijer, *Van Lawless tot een rechtmatige bestrijding van terrorisme*, Wolf Legal Publishers: Nijmegen, 2005 [on human rights standards in the fight against terrorism, inaugural speech as Professor]

– M. Kuijer, The Blindfold of Lady Justice - Judicial Independence and Impartiality in Light of the Requirements of Article 6 ECHR, Wolf Legal Publishers, 2004 [doctoral thesis]

– M. Kuijer, “Voting behaviour and national bias in the European Court of Human Rights and the International Court of Justice: , in: *Leiden Journal of International Law* 1997, pp. 49-67

– M.K. Bulterman & M. Kuijer (eds.), *Compliance with judgments of international courts*, The Hague/ Boston/London: Martinus Nijhoff Publishers, 1996

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– Dutch	X			X			X		
***b*. Official languages:**									
– English	X			X			X		
– French	X					X		X	
***c*. Other languages:**									
– 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 [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 am planning to further improve my French.

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 as a judge on the Court.

Appendix 2 – Rick LAWSON

3. CURRICULUM VITAE[3]

I. Personal details

Name, forename: Lawson, Rick (Richard Andrew)

Sex: Male

Date and place of birth: 26 July 1964, Rijswijk (NL)

Nationality: Dutch

II. Education and academic and other qualifications

– 1970–1976 – Primary education *(Basisschool)* – Steenvoordeschool, Rijswijk, the Netherlands

– 1976–1982 – Secondary education *(VWO)* – Rijnlands Lyceum, Oegstgeest, the Netherlands

– 1982–1988 – Law Degree *(Internationaal-juridische opleiding)* – Leiden University, the Netherlands

– 1985 – Cours intensif de langue française, suivi par un stage à la Mairie de Meylan – Université de Grenoble, France

– **1999 – PhD *(cum laude)* – Leiden University;** thesis "Het EVRM en de Europese Gemeenschappen – Bouwstenen voor een aansprakelijkheidsregime voor het optreden van internationale organisaties" *[The ECHR and the European Communities – Building Blocks for an Accountability Regime for the Conduct of International Organisations]*

– Master thesis: François Prize – Netherlands Society of International Law, 1988

– PhD thesis: Erasmus Research Prize – Praemium Erasmianum Foundation, 1999

– Best academic lecturer of the year, Leiden Law School, 2004

III. Relevant professional activities

a. Description of judicial activities

None

b. Description of non-judicial legal activities

None

c. Description of non-legal professional activities

– 1988–1990 – Executive secretary, Netherlands Helsinki Committee

– 1990–1999 – Lecturer (assistant professor) in European Law - Leiden Law School

– 1993–1994 – Lawyer (temporary appointment), Secretariat of European Commission of Human Rights, Strasbourg

– 1995 – Visiting Fellow, Europa Institute, University of Edinburgh, UK

– 1999–2001 – Senior lecturer (associate professor) in European Law - Leiden Law School

– 2001–2011 – Professor, Kirchheiner Chair - Leiden Law School

– 2008–2011 – Head of European Law Department - Leiden Law School

– 2011–2016 – Dean of Leiden Law School

– **2011–date – Professor of European Human Rights Law - Leiden Law School**

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

IV. Activities and experience in the field of human rights

My academic career since 1990 has focused on European and international human rights law, against the more general background of public international law, international institutional law and EU law. As a result, I published widely on the European Convention of Human Rights, the Council of Europe, and on the protection of fundamental rights in the EU legal order (see section VII, below). In addition, the following activities may be worth mentioning:

– Served as expert before the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (PACE) on various occasions, including “Areas where the European Convention on Human Rights cannot be implemented” (Paris, 2002), "Guaranteeing the Authority and Effectiveness of the European Court of Human Rights” (Venice, 2007), “The need to avoid duplication of the work of the Council of Europe by the European Union Agency for Fundamental Rights” (Paris, 2009), "The future of the Strasbourg Court and reinforcement of ECHR standards: a contribution to Interlaken" (Paris, 2009); “Accountability of international institutions for human rights violations” (Izmir, 2013)

– Delivered various opinions at the request of the Council of Europe, including Expert Opinion Concerning the Draft Constitutional Agreement between the State of Georgia and the Apostle Autocephalous Orthodox Church of Georgia (published as doc. HRCAD (2001) 3)

– Advised the applicants in the case of *Banković a.o. v. Belgium a.o.* (Appl. no. 52207/99) before the Grand Chamber of the European Court of Human Rights (2001)

– Served, on various occasions, as expert before the Senate and the Second Chamber of the Dutch Parliament, as well as the Dutch Ministry of Justice and the Public Prosecution Service

– Served as main researcher for the Policy Evaluation Inspection (IOB) of the Ministry of Foreign Affairs in its report Vijf jaar Top van Warschau: De Nederlandse inzet voor versterking van de Raad van Europa [Five years after the Warsaw Summit: The Dutch policy aimed at strengthening the Council of Europe] (2011)

– Founding member of the EU Network of Independent Experts on Fundamental Rights (2002-2006); Senior expert of the FRALEX Network of Human Rights Experts, set up by the EU Fundamental Rights Agency (2008-2009)

– Regular lecturer in the Summer School of the International Institute of Human Rights in Strasbourg (France) since 2007; taught the annual Advanced course on the International Protection of Human Rights in Abo (Finland) from 2003-2011; taught the General Course on Human Rights of the Academy of European Law at the EUI, Florence (Italy) in 2006

– Invited speaker at numerous gatherings, including Nordic symposium “The Human Rights Architecture of Europe” (Oslo, 2007), Human Rights Committee of the Senate of the Republic of Poland: “Warsaw Conference on fundamental rights” (2007), Irish Society of European Law, “Human Rights Lecture” (2010), Wilton Park conference: “2020 vision for the European Court of Human Rights” (2011)

– Guest lectures about the ECHR at various universities and institutions in Europe and beyond, including Universidàd Diego Portales (Santiago, Chili), Chinese Academy of Social Sciences (Beijing, China), Université Panthéon-Assas (Paris II, France), Academy of European Law ERA (Trier, Germany), Universitas Indonesia (Jakarta, Indonesia), Scuola Superiore de Sant’ Anna (Pisa, Italy), State University (Chisinau, Moldova), Uniwersytet Mikołaja Kopernika w Toruniu (Toruń, Poland), MGIMO (Moscow, Russia), İstanbul Üniversitesi (Istanbul, Turkey)

– Served as trainer in human rights courses for SSR (the training institute of the Dutch judicial system and the Public Prosecution Service), 1997-2011

– Served in various training programmes organized by the Council of Europe, including in Armenia (Yerevan), Kosovo (Prishtina, Prizren), Moldova (Chisnau), Russian Federation (Moscow, Petersburg), Slovenia (Bled) and Turkey (Antalya)

V. Public activities

a. Public office

None

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

– 1987–1995 – Member of the board (1990-1992 chair) of the *Nederlands Juristen Comité voor de Mensenrechten (NJCM),* the Dutch Section of the International Commission of Jurists (ICJ)

– Since 1992 – Member of the board of editors of the *Nederlands Tijdschrift voor Mensenrechten,* the leading Dutch human rights law review

– Since 2011 – Member of the board of the Praemium Erasmianum Foundation, a cultural institution active in the fields of humanities, social sciences and the arts. The annual Erasmus Prize was awarded, inter alia, to Antonio Cassese and Benjamin Ferencz.

– Since 2011 – Member of the Human Rights Committee of the Advisory Council on International Affairs (AIV), an advisory body to the Minister of Foreign Affairs

– Since 2013 – Member of the Royal Holland Society of Sciences and Humanities

– Since 2014 – Member of the 'knowledge network' of the Review Committee for the Intelligence and Security Services (CTIVD)

VII. Publications and other works

– Lawson R.A. (2016), "Si vis pacem, para bellum. Application of the European Convention on Human Rights in situations of armed conflict", in L. Early & A. Austin (eds.), *The Right to Life under Article 2 of the European Convention on Human Rights – Essays in Honour of Michael O'Boyle* (Wolf Legal Publ.), pp. 213-230

– Lawson R.A. (2015), "Two Steps Back, Three Steps Forward: Zwarte Piet and the European Convention on Human Rights", in J. Casadevall et al. (eds.), *Mélanges en l'honneur de / Essays in honour of Dean Spielmann* (Wolf Legal Publ.), pp. 323-334

– Lawson R.A. & M. den Heijer (2013), "Extraterritorial Human Rights and the Concept of 'Jurisdiction'", in M. Langford a.o. (eds.) *Global Justice, State Duties - The extraterritorial scope of economic, social and cultural rights in international law* (Cambridge UP), pp. 153-191

– Lawson R.A. (2013), "A Twenty-First-Century Procession of Echternach: The Accession of the EU to the European Convention of Human Rights", in F. Dorssemont a.o. (eds.), *The European Convention on Human Rights and the Employment Relation* (Hart Publ.), pp. 47-59

– R.A. Lawson (2012), "Chapter 18 - The European Convention on Human Rights", in C. Krause & M. Scheinin (eds.), *International Protection of Human Rights: A Textbook* (Abo Akademi University, second ed.), pp. 423-462

– R.A. Lawson (2010), "The Achievements of the Strasbourg Court", in E. Myjer a.o. (eds.), *The Conscience of Europe – 50 Years of the European Court of Human Rights* (Council of Europe), pp. 162-173 (with translations in French and Russian)

– R.A. Lawson (2009), "How to Maintain and Improve Mutual Trust amongst EU Member States in Police and Judicial Cooperation in Criminal Matters? Lessons from the Functioning of Monitoring Mechanisms in the Council of Europe", in M. Dane & A. Klip (eds.), *An additional evaluation mechanism in the field of EU judicial cooperation in criminal matters to strenghten mutual trust* (Celsus), pp. 249-315

– R.A. Lawson & E. Myjer (eds.) (2000), *Vijftig jaar EVRM [Fifty years ECHR]* (St. NJCM-Boekerij), xiv + 644 pp.

– R.A. Lawson (1999), *De internationale rechter en de Nederlandse rechtsorde* [*The international judge and the Dutch legal order*], Handelingen Nederlandse Juristen-Vereniging [Proceedings of the Dutch Law Society] vol. 129, 131 pp.

– R.A. Lawson & H.G. Schermers, *Leading Cases of the European Court of Human Rights* (Ars Aequi Libri – Nomos - Maklu - Schultess Polygrafischer Verlag), first ed. 1997, xxxix + 788 pp.; second ed., 1999, xxxix + 798 pp.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– Dutch	X			X			X		
***b*. Official languages:**									
– English	X			X			X		
– French	X					X		X	
***c*. Other languages:**									
– 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 [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 that I intend to further improve my active knowledge of French.

X. Other relevant information

None

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 – Jolien SCHUKKING

4. CURRICULUM VITAE[4]

I. Personal details

Name, forename: Schukking, Jolien

Sex: Female

Date and place of birth: 9 August 1967, Noordoostpolder, the Netherlands

Nationality: Dutch

II. Education and academic and other qualifications

– 1987–1992 – University of Leiden, the Netherlands, Master's degree in Law

– 1986–1987 – Bennington College, Vermont., United States of America, (*Fulbright Programme*), Freshman year: international relations (including internship at United Nations, New York) and dance

III. Relevant professional activities

a. Description of judicial activities

– **Judge** (*raadsheer*) at the Administrative High Court for Trade and Industry (*College van Beroep voor het bedrijfsleven*), one of the (four) highest Administrative Courts in the Netherlands (2013 - up to present)

– Judge (*rechter*) at the first instance court of Utrecht (2009-2013), Administrative law Chamber (refugee law cases) and Criminal law Chamber

– Substitute-Judge (*rechter-plaatsvervanger*) at the first instance court of Rotterdam (2006-2013), Criminal law Chamber and Administrative law Chamber (refugee law cases)

b. Description of non-judicial legal activities

– Solicitor, international law firm Bird&Bird, The Hague (2007-2009), specialized in administrative law and European law

– Senior legal adviser, Ministry of Foreign Affairs, International Law Division, The Hague (1998-2007). Agent for the Kingdom of the Netherlands, representing the government before the European Court of Human Rights and the United Nations Human Rights Treaty Bodies

– Head of Dutch delegation in treaty negotiations on: Protocol No. 12 to ECHR (General prohibition of discrimination) and Protocol No. 13 to ECHR (Abolition of Death Penalty in all circumstances). Member of Dutch delegation in treaty negotiations on: United Nations Convention against corruption and United Nations Convention against enforced disappearances

– Legal counsel, Council of State, Administrative Law Division, The Hague (1993-1998)

– Legal officer, Council of Europe, (former) European Commission of Human Rights, Strasbourg (1996)

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

– Chair/Member of the Council of Europe Committee of Experts for the development of Human Rights (DH-DEV) (1998-2007)

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

– Member of the Council of Europe Group of Specialists on Human Rights and Fight against terrorism (DH-S-TER) (2006)

– Expert to International Commission of Jurists (ICJ) mission on Strengthening the Judiciary in the Russian Federation (2014 and 2016)

– Guest lecturer on human rights law at the University of Leiden (2004 – 2014)

Selection of lectures and courses on Human Rights and Rule of Law issues:

– Lecture for judges and lawyers in Ulyanovsk, Russian Federation, on '*The impact of case-law of the ECtHR on national jurisprudence*';

– Lecture for judges in Opatija, Croatia, on 'The Right to Property; Article 1 of Protocol 1 to the ECHR';

– Training at the Georgia School of Justice in Tbilisi on '*Articles 5 and 6 of the Convention;*

– Lecture at the China-EU Seminar in Beijing, on 'The Dutch ratification procedure of the International Covenant on Civil and Political Rights';

– Lecture ECRI Expert Seminar (Council of Europe) "Combating racism while respecting freedom of expression";

– Moderator at human rights litigation workshops for lawyers, organised by the Netherlands Helsinki Committee;

– Contribution to conference in San Marino on 'The religious dimension of intercultural dialogue';

– Several trainings for the lawyers from the Dutch Bar Association on '*The meaning of the ECHR for the national law practice*';

– Presentation for editorial board and journalists of NRC Handelsblad and NRC.next (Dutch newspapers) on '*Freedom of expression and respect for privacy*'.

– Chair of the workshop 'Responsibility of the public authorities' at a Conference on "Data protection in the digital age".

– Several guest lectures at Dutch universities on Human Rights topics;

– Lecture for students of the University of Chicago Law School on '*The impact of case-law of the ECtHR on national jurisprudence*'

– Trainings at Dutch courts on ECtHR case law;

– Jury Moot Court Competition on European Refugee Law among Dutch university teams.

V. Public activities

a. Public office

None

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

– **Member of the Board of the Foundation Judges for Judges** (www.rechtersvoorrechters.nl) (2009 - up to present)

– **Member of the Advisory Committee of the Dutch Section of the International Commission of Jurists** (*NJCM*) (2010 – up to present)

– **Member of the editorial board of the Netherlands Human Rights Law Journal** (*Nederlands Tijdschrift voor Mensenrechten*) (2010 – up to present)

– **Member of the International Association for Refugee Law Judges** (*IARLJ*) (2010 – up to present)
– Member of the Board of the Dutch section of Defence for Children International (1996-2001)
– Exchange The Upper Tribunal, Immigration and Asylum Chamber, London, United Kingdom (2011)
– EJTN Exchange Administrative Court Tallinn, Estonia (2014)
– President of the Leiden United Nations Student Association for International Relations (1989-1990)

VII. Publications and other works

– "The Netherlands before the European Court of Human Rights" in: Essays in honour of J.G. Lammers, Koninklijke Brill NV, p. 141-164
– "Het Nederlands Agentschap bij het Europees Hof voor de Rechten van de Mens" (*The Office of the Dutch Agent at the European Court of Human Rights*), Böcker en Schukking, NJCM-Bulletin, jrg. 31, No. 1 (2006), p. 65-76
– "Het EVRM en Milieuvraagstukken" (*The European Convention of Human Rights and Environmental issues*), Kuijer en Schukking, TMA (2006), 4, p. 130-142
– "Reflections on the International Criminal Court", *editors*: Von Hebel, Lammers en Schukking, T.M.C. Asser Press, Den Haag 1999
– "Report on Human Rights in a multicultural society, focussing on the themes Hate Speech and the Wearing of religious symbols in public places", (Expert group), Council of Europe
– "Onafhankelijkheid rechter in Europa gewaarborgd?" (*Independence of the judiciary in Europe guaranteed?*), redactioneel NTM/NJCM-Bulletin, jrg. 39 (2014), No. 4
– "Als een kind dat in zijn favoriete speeltuin heeft mogen spelen, interview met Egbert Myjer" (*Interview with former ECtHR Judge Egbert Myjer*), Kuijer en Schukking, NTM/NJCM-Bulletin 2013/2
– "Selection, training and appointment of judges in the Netherlands", Comparative Constitutional Review, No. 6 (103) 2014, published (*in Russian*) by Institute of Law and Public Policy, Moscow
– "Independence, efficiency and quality of justice", to be published (*in Russian*) in next edition of Comparative Constitutional Review, published by Institute of Law and Public Policy, Moscow

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
– Dutch	x			x			x		
b. Official languages:									
– English	x			x			x		
– French		x				x			x
c. Other languages:									
– 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 [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 in French.

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.