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Election of Judges to the European Court of Human Rights

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

Communication
Secretary General of the Parliamentary Assembly

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

Letter from the Permanent Representation of Montenegro to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 13 February 2018.

[…]

The Permanent Representation of Montenegro to the Council of Europe presents its compliments to the Parliamentary Assembly of the Council of Europe and has the honor to forward the copy of the letter of Mr Srđan Darmanović, Minister of Foreign Affairs of Montenegro to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, informing of the list of candidates for the post of a judge to the European Court of Human Rights in respect of Montenegro for consideration and further procedure.

[…]

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

Letter from Mr Srđan Darmanović, Minister of Foreign Affairs of Montenegro to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 8 February 2018.

[…]

In accordance with the procedure of election of the Judge of the European Court of Human Rights, and after receiving information on successful completion of the evaluation by the Advisory Panel[1] of Experts on Candidates for Election as Judge of the European Court of Human Rights, I am honored to invite you to find below the List of three candidates for the election as Judge in respect of Montenegro.

The List, comprising the names of three candidates, given in alphabetical order along with their biographies enclosed herein, endorsed by the Government of Montenegro at the session of September 21, 2017, is as follows:

– Mrs Ivana JELIĆ, PhD in Law, associate professor of the Faculty of Law of the University of Montenegro;

– Mrs Mirjana POPOVIĆ, Judge of the High Court in Podgorica;

– Mr Boris SAVIĆ, President of the High Court in Podgorica.

In addition, the present list is the outcome of the national procedure of selection of candidates that, we strongly believe, reflects the principles of democratic procedure, the rule of law, non-discrimination, accountability and transparency.

As the first step in the process, the Government of Montenegro, by way of the decision, established on 22 June 2017 the Commission for establishing the list of candidates to be endorsed by the Government. The Commission's composition is as follows:

– Mr Zoran Pažin, Deputy Prime Minister and the Minister of Justice, Chairman of the Commission, and members:

– Mrs Vesna Medenica, President of the Supreme Court of Montenegro,

– Mr Dragoljub Drašković, President of the Constitutional Court of Montenegro,

– Mr Adrijan Vuksanović, Chairperson of the Committee on European Integration of the Parliament of Montenegro,

– Mr Dragan K. Vukčević, President of the Montenegrin Academy of Sciences and Arts,

– Mr Momir Jauković, Head of the Division for Organization of Judiciary in the Ministry of Justice, Secretary of the Committee.

1. Established by the Resolution CM/Res(2010)26.

The Government's decision laid down the Commission's competences as follows:

– to assess whether the candidates fulfil the requirements set out in the public vacancy call for the establishment of the list of three candidates to be elected as a judge of the European court of human rights and that should be in line with the guidelines of the European Convention for the Protection of Human Rights and Fundamental Freedoms and other relevant Council of Europe documents,

– to submit to the Government the List comprising three candidates for the election as judge to the ECHR.

At the same time, in order to perform this Commission's task, the Government's conclusion as of 22 June 2017 laid down the obligation to the Ministry of Justice to announce, in line with the guidelines of the European Convention for the Protection of Human Rights and Fundamental Freedoms, a public call for the election of three candidates for the election as judge of the ECHR in the Official Gazette of Montenegro, and in the daily media outlets in Montenegro.

Accordingly, the public vacancy call was published on 23 June 2017 in the Official Gazette of Montenegro, website of the Ministry of Justice and daily newspapers Pobjeda, Dan, Vijesti and Dnevne Novine. The public call enlisted the requirements for the post of a judge to the European Court of Human Rights, documents to be submitted, as well as the deadline and manner of filing the application.

Namely, in addition to the general criteria for entering the state administration employment as laid down in the Law on Civil Servants and State Employees (Montenegrin citizenship, age of majority, medical capability, educational qualification certificate, clear criminal records certificates (no criminal liability for an offence that would make an applicant unfit for the work state administration body and no ex officio criminal prosecution underway), the candidate for the post of a judge to the European Court of Human Rights shall meet the following additional criteria:

– Law Faculty Diploma,

– Judicial State Exam Certificate or the similar academic certificate in line with the special law

– The minimum of 15 years of professional experience in the law profession

– The maximum of 65 years of age

– The appropriate experience in the area of human rights

– High moral character and fit for performing the office of a judge

– Fluent in English or in French, whereas the fluency in both languages is to be considered as an asset.

The deadline for submission of the applications was 15 days as of the date of the publication of the public vacancy call.

The following nine applicants have submitted required documentation in a timely manner: Mr Vladan Đuranović, lawyer; Ms Ivana Jelić PhD, associate professor of the Law Faculty of the University of Montenegro; Ms Desanka Lopičić, Judge of the Constitutional Court of Montenegro; Ms Valentina Pavličić, Representative of Montenegro before the European Court of Human Rights; Ms Mirjana Popović, Judge of the High Court in Podgorica; Ms Vesna Ratković, PhD, Member of the Prosecutorial Council; Ms Jelena Ružičić, judge of the Basic Court in Nikšić; Mr Boris Savic, President of the High Court in Podgorica and Ms Danka Živković, Head of the Basic State Prosecutor's Office in Kotor.

The first meeting of the Commission took place on 31 July 2017 when the Commission established its working methods and took note of the submitted applications and the required documentation. At the same meeting, the Commission concluded that all applicants meet the requirements defined in the public call.

Along with the relevant legal experience and high moral character, the English or French language knowledge was a sine qua non condition for the candidates for a post of a judge to the European Court of Human Rights. Thus, the Commission concluded that the active knowledge of English or French language of applicants should be separately assessed during the interview, which was indicated in the public call. To that end, the Commission concluded that experts for English and French languages, from amongst the court interpreters for these languages, should be hired for the interviews.

All applicants were timely and properly informed that the interview would be conducted in one of the official languages of the Council of Europe, depending on what was stated in their applications. Interviews were held on 4 September 2017 at the premises of the Supreme Court of Montenegro. Experts for English and French

language were present during the interviews, in addition to the chairperson, members and the secretary of the Commission. All applicants have attended individual interviews, according to the established sequence (alphabetical order by family name of applicant).

The Commission addressed the following topics during the interviews with all applicants:

– experience in the area of human rights;

– carrier path;

– motivation for applying to the public call.

The candidates were obliged to provide answers in French or English language. The Commission did not question the level of the candidates ' legal knowledge.

Having assessed that the candidates met the requirements contained in the public call of 23 June 2017 and after conducting the interviews with professional assistance of experts for English and French, the Commission voted on the candidates in camera and the voting resulted in the proposal to the list of three candidates for the Government's final endorsement.

Distinguished Secretary General of the PACE,

The list of candidates that I have hereby presented is the same list that was established by the relevant commission and subsequently endorsed by the Government. After the Advisory Panel successfully concluded its evaluation, I have a particular pleasure to forward you the list of candidates for the Judge of the ECHR on behalf of Montenegro.

[…]

Furthermore, I avail myself of this opportunity to thank you and the Parliamentary Assembly of the Council of Europe for all the support provided to Montenegro since our accession to the Council of Europe. Allow me to ensure you about our readiness to permanently enrich our relations.

[…]

Appendix 1 – Ivana JELIĆ

CURRICULUM VITAE[2]

I. Personal details

Name, forename: Jelić, Ivana

Sex: female

Date and place of birth: 17.03.1975 in Podgorica, Montenegro

Nationality: Montenegrin

II. Education and academic and other qualifications

Education:

– LL.B (1994-1998, three years of general legal study academic program and one year of specialist legal study academic program in the field of Public International Law; graduated as one of the best students of the generation), Faculty of Law, University of Montenegro, Podgorica, Montenegro;

– LL.M (2001-2004, "old classical" three years academic program for the title of magister of laws, in the field of Public International Law and Human Rights Law; the LL.M thesis "Contemporary Legal Protection of National Minorities, with Special Emphasize on the SEE" defended and the program finished with *summa cum laude*), Faculty of Law, University in Belgrade, Belgrade, Serbia;

– One year non-degree specialization and doctoral research at the Faculty of Law of the University of California Berkeley – Boalt Law School (academic year 2004/2005), Berkeley, California, followed by doctoral internship – research in the Centre for the Study of Human Rights of Columbia University in the city of New York (May-July 2005), New York, within the program *Junior Faculty Development Program*, sponsored by the USA;

– PhD in Law (2004-2007, doctoral academic program in the field of Public International Law; the PhD thesis "International State Responsibility for the Unlawful Acts Done by Natural Persons" defended and the program finished with *summa cum laude*).

Academic titles:

– Associate Professor of the Faculty of Law and Faculty of Political Science of the University of Montenegro (28.03.2013. – 27.03.2018),

– Distinguished Visiting Professor – Mercator Fellow (life-long academic title, acquired in 2016) at the Law Faculty of Freie Universität Berlin – *Joint Interdisciplinary Doctoral and Postdoctoral Program "Human Rights under Pressure: Ethics, Law and Politics"*.

Other qualifications:

– Member of the Board for Legal Sciences of Montenegrin Academy of Sciences and Arts, elected in June 2015.

– Trainer of the European human rights law, ECHR and minority rights protection, in The Centre for Training in Judiciary and State Prosecution of Montenegro, elected on 16.05.2016.

III. Relevant professional activities

a. Description of judicial activities

– **As a member (2015-2018) and Vice President (as of March 2017) of the UN Human Rights Committee**, I have taken part in consideration of the cases and adoption of Views concerned.

Although the Committee is an international treaty body and not a court, its jurisdiction of taking decisions in respect of alleged violations of civil and political rights, as guaranteed by the ICCPR, is *de facto* connected with international judicial activity, although treated in theory of law as a *quasijudicial* activity.

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

Having in mind that the above mentioned jurisdiction of the Committee at universal level is a pandan to the jurisdiction of the ECtHR at regional European level, as well as that the proceedings are almost identical, the members of the Committee take part in decision making process concerning applications on violations of civil and political rights and make decisions in the form of Views of the Committee.

As a member of the Committee, and in particular of its Working Groups deciding on the individual applications (communications) against the states, as contracting parties, concerning alleged violations of civil and political rights protected by the ICCPR, I took part in consideration, reporting and adoption of the Views concerning about 210 cases.

b. Description of non-judicial legal activities

– As a **member of the UN Human Rights Committee**, I have been a member of numerous Task Forces (and a rapporteur) in charge of considering the state reports and conducting dialogues with the states – High Contracting Parties, and finally adopting concerned Concluding Observations of the Committee. I have also taken part in drafting and adopting its General Comment no. 36 on the right to life.

– As a member of the CDDH (2008-2012), on regular basis I took part in its complex work on advancing the human rights agenda and was elected by the colleagues to serve among fourteen experts of the Council of Europe, with the task to negotiate with the EU certain legal aspects of the accession of the Union to the Convention, and consequently to propose the draft accession agreement.

– As a member of the ACFC (2012-2016), I took part in the work on minority rights protection, through its plenary sessions and also field missions to five states (Latvia, Denmark, Spain, Finland and Armenia). In addition, I represented this body at the international conference on Sami people in Finland in 2014. As of 2014, I also served as a Gender Equality Rapporteur, representing the ACFC within the structure of the Council of Europe.

– **As an Associate Professor of the Faculty of Law and Faculty of Political Science of the University of Montenegro** (appointed from March 2013 to March 2018), I teach the following courses: Public International Law, International Human Rights Law, International Legal Clinic and Diplomatic and Consular Law (for BA and Specialist academic programs) and European Protection of Human Rights (for MA academic program).

– As an Assistant Professor of the Faculty of Law and Faculty of Political Science of the University of Montenegro (appointed from April 2008 to March 2013), my teaching obligations were focused on the following courses: Public International Law, International Human Rights Law, International Legal Clinic and Diplomatic and Consular Law (for BA and Specialist academic programs).

– As a Senior Teaching Assistant of the Faculty of Law of the University of Montenegro (March 2004 – March 2008), I had obligations of conducting practical teaching and trainings, as well as certain number of theoretical classes for Public International Law and all courses of the Specialist Program in Public International Law, among which is the course of International Human Rights Law.

– As a Teaching Assistant of the Faculty of Law of the University of Montenegro (March 2001 – March 2004) I had obligations concerning practical teaching and trainings for Public International Law and all optional courses of the Specialist Program in International Law, such as International Human Rights Law.

– As a Legal Officer in the International Committee of the Red Cross (ICRC) in sub-Delegation in Montenegro (1999-2001), I was responsible for monitoring the protection of human rights of the victims of war and application of international humanitarian law, as well as in charge of dissemination of international legal standards concerned. This work was done in English and French, as official working languages of the ICRC.

c. Description of non-legal professional activities

– Involved in trainings and dissemination of human rights within civil sector, as of 1997, initially participating as a trainee and, as of 2004 as a lecturer.

– Coach and legal advisor of student teams for the moot court competitions in the field of public international and human rights law (ex. Jussup Moot Court – Washington D.C. 2006, IHL Moot Court – Belgrade 2005 and 2006, IHL regional Moot Court – Sarajevo 2008, winning team). Judge at Balkans Case Challenge Moot Court – Vienna, 2010.

– As of 2013, in the capacity of a **Deputy Director of Straniak Academy for Democracy and Human Rights**, which is joint academic educational project of the University of Montenegro, University of Vienna and Ludwig Boltzmann Institute for Human Rights in Vienna, I was involved in management, teaching and overall organization of four circles of summer academy for the advanced students of law and cognate disciplines from EU and non-EU universities (2013-2016).

IV. Activities and experience in the field of human rights

Twenty years of experience in the field of human rights and eighteen years of employment, which includes numerous activities and significant experience in the field of education, promotion and protection of human rights, through work in the following bodies and institutions (by chronological order):

– International Committee of the Red Cross (1999-2001), legal officer;

– Faculty of Law, University of Montenegro (since March 2001, and currently), regular academic career from Teaching Assistant to Associate Professor, full time teaching;

– Faculty of Political Science, University of Montenegro (since 2005, and currently), part time teaching;

– Center for Human Rights, University of Montenegro (since its establishment in 2001 until 2008), researcher;

– Government of Montenegro – independent expert, participating in the process of harmonization of Montenegrin legislation with the EU standards; legal expert for negotiating the Chapter 23 with the EU (2012-2013); legal expert regarding drafting several human rights oriented laws in accordance with European legal standards; president of the Expert Working Group of the Government of Montenegro for resolution of the issue of citizenship of refugees from Vraka/Albania which had been unsolved problem for more than twenty years; as well as an independent academic member in the Gender Equality Council (since its establishment in July 2016);

– Civil sector – participation in education on and promotion of the European standards on the rule of law, human rights and democracy, as well as giving *pro bono* legal advice to members of vulnerable groups concerning protection of their human rights (constantly as of 2005);

– International organizations (Council of Europe, EU, OSCE, UNDP, ICRC, UNHCR, OECD/EU SIGMA): legal expert in eleven projects on technical assistance and legal support of the international community in strengthening the rule of law and democracy in Montenegro and harmonization of Montenegrin legislation with the international and European legal standards, based in Podgorica, Montenegro (2004 – 2014);

– Various expert bodies of the Council of Europe since 2008, as follows:

– Steering Committee for Human Rights – CDDH (2008-2012) and its working groups (such as ad hoc Working group on drafting the accession agreement of the EU to the ECHR, 2010-2011);

– Committees DH-PR I DH-MIN (2008-2010), member,

– Advisory Committee on the Framework Convention for the Protection of National Minorities – ACFC (2012-2016) member; elected for a Second Vice Chair in November 2014; and finally elected expert eligible to serve on the Advisory Committee in respect of Montenegro elected by the Committee of Ministers on 11.05.2017;

– The UN Human Rights Committee (2015-2018), member; elected Vice President in March 2017.

V. Public activities

a. Public office

Member of the Prosecutorial Council of Montenegro (2008−2012), elected by the Parliament of Montenegro, as an independent academic expert.

b. Elected posts

Member of the Court of Honor of the University of Montenegro (2011-2015), elected by the Senate of the University of Montenegro.

Vice President of Montenegrin Association of Lawyers, elected in July 2008 and re-elected in July 2013 by the Assembly of the Association.

c. Posts held in a political party or movement

None. Neither a member of nor a holder of any post in any political party or movement.

VI. Other activities

a. Field

Education management

b. Duration

2011-2012 and 2015-2016

c. Functions

Vice Dean for International Cooperation of the Faculty of Law, University of Montenegro, in two mandates as above mentioned.

VII. Publications and other works

Published 97 scientific and expert publications, among which are the books, university textbook and handbooks, scientific and professional articles, studies, analyses and reports, most of them written in English. Co-author of four international monographs and one textbook.

Ten most relevant titles in the author's opinion:

Books:

– *Human Rights and Multiculturalism*, Faculty of Law, University of Montenegro, Podgorica, 2013. (published in Montenegrin language),

– *State Responsibility in International Law*, University of Montenegro, Podgorica, 2009. (published in Montenegrin),

– *Human Rights – Introduction to Study*, (co-author with Prof. Kregar et al.), Faculty of Law, University in Zagreb, Zagreb, 2014. (published in Croatian language),

– Grundrechte in Montenegro (co-author), in: Handbuch der Grundrechte in Deutschland und Europa: Band IX: Grundrechte in Ostmittel- und Osteuropa, Merten / Papier (Hg) C.F. Müller; Heidelberg, 2016, pp. 481-534 (published in German),

– *Legal Protection against Discrimination in Montenegro* (co-author), in: "Legal Protection against Discrimination in South East Europe – Regional Study", SEELS Skopje, Ludwig Boltzman Institute for Human Rights, Vienna, 2016, pp. 341–400. (published in English).

Scientific articles:

– European Court of Human Rights and UN Human Rights Committee: Convergence in the Application of International Human Rights Standards?, Legal Journal, vol. 2/2016, Podgorica, 2016, pp. 39-51. (published in Montenegrin),

– *Legal Certainty in the Jurisprudence of the European Court of Human Rights,* in: Book of Proceedings, Faculty of Law, University in Belgrade, Belgrade, 2014, pp. 404-415. (published in Montenegrin),

– *Normes internationales régissant la responsabilité pour le génocide,* dans: "Studime Juridike", vol. 2/2014, Faculty of Law, University of Tirana, Tirana, 2014, p. 188 – 212. (published in French),

– Freedom of Expression v. Right to Privacy: A Contemporary Challenge of Europe and Montenegro, Legal Journal, vol. 1/2014, Podgorica, 2014. pp. 43-56. (published in Montenegrin),

– *Rule of Law and Human Rights Protection in a Multicultural State of Western Balkans,* in: N-J. Heintze et. Al (eds.): "Rule of Law, Human Rights and EU", 2012, SEELS, GIZ, BMZ, Skopje, 2012, pp. 35 – 48. (published in English).

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
Montenegrin	x			x			x		
b. Official languages:									
- English (first foreign	x			x			x		
language)									
- French	x				x		x		
c. Other languages:									
- Italian		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 [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.

Please find confirmed that, in the event that I do not meet the level of language proficiency required for the post of judge in an official language [the second – French], I have intention to follow intensive language classes of the language concerned 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

Specialisations and visiting professorship:

– 2016 – Distinguished Visiting Professor in International Human Rights Law at Faculty of Law Freie Universität Berlin, Berlin, Germany.

– 2015 – Visiting Professor in International Human Rights Law at Faculty of Law, Hebrew University, Jerusalem, Israel.

– 2015 – Visiting Professor at University Sophia Antipolis, Nice, France.

– 2013–2014 – Visiting Scholar at Freie Universität Berlin, Berlin, Germany.

– Visiting Professor at the European Regional Master in Human Rights and Democracy (ERMA), University of Sarajevo and University of Bologna, Sarajevo, Bosnia and Herzegovina.

– 2009–2010 – Visiting Scholar at the Centre for the Study of Global Governance, London, School of Economics and Political Science, London, UK.

– 2008 – United Nations in Geneva – International Law Commission / Advanced Seminar in International Law, UN Geneva, Switzerland.

– 2007 – Université de Paris 2 – Assas, Centre de la Recherche du Droit Humanitaire et Droits de l'Homme, chercheur invité.

– 2006 – The Hague Academy of International Law, Certificate of completion the Course in Public International Law, The Hague, Netherlands.

– 2005 – Visiting Scholar in order to do the internship at Columbia University in New York, at the Centre for the Study of Human Rights, New York, USA.

– 2004–2005 – University of California in Berkeley, Boalt Law School, Certificate of successful completion of the Junior Faculty Development Program, specialist program in the field of law – Public International Law and International Human Rights Law, sponsored by The United States Department of the United States of America, Berkeley, California, USA (whole academic year).

– 2002 – University of Bergen, Faculty of Law, Research Fellowship by the Research Council of Kingdom of Norway (winter semester).

I held guest lectures on different topics in the field of international and European human rights protection at the universities in Berkeley, San Francisco, Vienna, Ljubljana, Belgrade, Zagreb, Rijeka, Johannesburg, Berlin, Nice, Prague, etc.

Participation in the research projects:

Participation in international research projects in the field of human rights, conducted in English and French, within the following academic networks:

– SEE Human Rights Centres Network, sponsored by WUS Austria (from 2001 to 2004),

– Network of Faculties of Law of South East Europe – SEELS, sponsored by GIZ from Germany (from 2011 to 2016), and

– European network of legal experts in gender equality and non-discrimination – EELN, sponsored by the European Commission (from 2015 and currently).

Individual researches in human rights, the rule of law and democracy conducted at distinguished academic institutions, including the University of California Berkeley, The Hague Academy of International Law, Freie Universität Berlin, Université Paris 2 – Assas, Université Sofia Antipolis Nice, the University of Columbia in the city of New York, London School of Economics and Political Science.

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

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

Appendix 2 – Mirjana POPOVIĆ

CURRICULUM VITAE[3]

I. Personal details

Name, forename: Popović, Mirjana (MP)

Sex: female

Date and place of birth: 9 March 1974, Podgorica, Montenegro

Nationality: Montenegrin

II. Education and academic and other qualifications

– 1990–1994 – High School “Danilo Kis” Budva (Department of Foreign Languages – English, German, Latin)

– 1994–1998 – Faculty of Law, University of Montenegro

– 1998–2000 – Legal trainee at attorney of law office

– 2000 – Passed mandatory State exam

– 2000–2001 – Legal assistant at the attorney at law office

– 2001 – Passed Bar Exam, eligible to act as a lawyer under Montenegrin law

The most important professional training attended both in Montenegro and abroad on legal courses, in particular (but not limited to):

– Training organized in cooperation with the European Institute of Public Administration (EIPA) on "EU Law-Instruments, Characteristics and Fundamental Principles”;

– Training organized in cooperation with the German Foundation for International Legal Cooperation – IRZ Foundation on "Current Issues in Family and Inheritance Law";

– Training organized in cooperation with the AIRE Center from London and OSCE Mission to Montenegro on "Anti-Discrimination Legislation and European Standardization – Comparative Experience";

– Seminar "Current Issues of Labor Law“, and training organized on the topic of contentious issues in tort law with special emphasis on pecuniary and non-pecuniary damage;

– Training on the topic of the Law on Civil Procedure, focusing on the principle of disposition, the burden of proof and the skill of making judgments;

– Training "The European Convention on Human Rights and Fundamental Freedoms – European Standards and Case Law in Protecting Personal Rights";

– Training Judicial aspects on fight against corruption;

– Seminars "Current Issues of Property Law" and "International Cooperation in Civil Matters";

– Seminar "National Legislation in the Function of Providing International Legal Assistance and International Cooperation in Civil and Commercial Matters";

– Training "Review of the EU Acquis in the Field of International Legal Cooperation in Civil Matters";

– Training "Civil Legal Aspects of Protection of the Rights of the Child" organized by UNICEF Office in Montenegro aimed at improving knowledge and skills of judges in the field of child and forensic psychology, in order to reduce all forms of treatments that may negatively affect mental health of children and also improve their position in civil proceedings;

– Seminar on intellectual property organized by the European Bank for Reconstruction and Development in cooperation with the International Development Law Organization – IDLO;

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

– Training "Jurisdiction, Recognition and Enforcement of Judgments in Civil and Commercial Matters in EU Law and the Law of Montenegro";

– Seminars: "Current Issues of Labor Law with Special Emphasis on Mobbing", "Improvement of Cooperation Between the Judiciary and the Media in Montenegro", "Judicial Cooperation in Civil and Commercial Matters" and "International Legal Assistance in Civil and Commercial Matters";

– TAIEX organized training titled "Effective Remedy";

– Certified national trainer (following completion of the training of trainers programme) of right to freedom of expression and right to a fair trial (Articles 6 and 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms);

– Certified trainer following the completion of the training for trainers programme on freedom of expression matters;

– Panelist at the Conference “The Role of Court Presidents in Ensuring an Independent and Accountable Judiciary” organized in partnership with the Program office of Council of Europe in Podgorica, Supreme Court of Montenegro and Judiciary Council of Montenegro; and

– Sole participant from Montenegro in the Seminar on “Freedom of Expression Online” in Nicosia, Cyprus, April 2017, organized by the Council of Europe in cooperation with the Supreme Court of Cyprus.

III. Relevant professional activities

a. Description of judicial activities

MP’s courtroom experience spans almost 19 years.

As a barrister, MP has given legal advice and executed powers of attorney entrusted by clients, including direct application of the ECHR and its case-law in different litigation cases before regular and Constitutional courts of Montenegro. Once appointed as a judge (2010 – onwards), MP continued to directly implement the Convention and its case-law while delivering justice to parties before the court.

– 1998–2001 – Trainee at law firm. Main duties and responsibilities:

− representing clients before the court;

− carrying out other relevant procedures before different state bodies; and

− providing direct administrative assistance to the *principalis* upon request.

– 2001–2010 – Attorney at law. Main duties and responsibilities:

− Representing parties before the court in civil and criminal matters;

− Representing clients in different administrative proceedings as well as in proceedings of enforcement of judgments. Legal services provided to clients represented included frequent application of international standards and instruments on protection of fundamental rights and freedoms – primarily ECHR and its case law but also relevant UN instruments – International Conventions from so called “big six group” including ICCPR and its protocols, ICSCLR, Convention on Protection of Children and their Committees practice. With regard to the ECHR, the majority of cases handled included but were not limited to Art. 2 (right to life), Art. 3 (prohibition of torture), Art. 5 (right to liberty and security), Art. 6 (right to a fair trial), Art. 8 (right to respect for family life), Art. 12 (right to marry) of the European Convention as well as the provisions of Art. 1 of Protocol 1 to the Convention (protection of property), and Art. 5 of Protocol 7 to the Convention (equality between spouses).

− Representing clients in proceedings before the Constitutional Court of Montenegro. These proceedings included filing of Constitutional Complaints signaling possible violations of the fundamental rights and freedoms in concrete cases by regular courts. These included but were not limited to: right to unhindered enjoyment of family life, right to home, social rights, right to work, child protection etc.

−As attorney at law, acting as external legal consultant for a certain number of NGOs whose scope of work included public awareness of human rights standards as well as mechanisms for their protection. As a part of these activities, legal advice was provided to the NGO “Safe women house”, and MP was a member of the working group which drafted the Law on Witness Protection.

− Representing minorities and women in different court (including constitutional complaints) and administrative proceedings on *pro bono* bases;

− Managing office matters and supervising staff members;

− Registering different forms of legal entities in line with the Law on Business Companies; undertaking procedures as prescribed by the Tax Administration while representing companies and managing cooperation between newly registered companies and the Tax Administration upon the latter's request; obtaining various kinds of licenses for new companies upon clients' requests; and drafting contracts (in line with Business Law, Company Law, Family Law, Law on Properties etc.).

From 2006 to 2009 MP set up and registered more than 50 companies including one bank (preparing all contracts, procedures, licenses, establishing human resource department, contracts and procedures for other departments and branches of the bank).

MP represented various foreign investors in more than 100 procedures of purchasing and selling property (procedures which included negotiation, contract signing, transferring ownership from seller to buyer etc.) These activities also included representation of foreign citizens in various administrative proceedings (proceedings for obtaining residence permits, work permits, and other statutory issues).

– 28 December 2010–8 April 2015 – Judge of the Basic court in Podgorica. As a judge of the first instance court, MP dealt primarily with civil cases, and the scope of work was to hear and determine at first instance:

a) disputes relating to property, family and personal rights, copyrights and other matters except in disputes where the law prescribes the jurisdiction of another court;

b) disputes relating to correction or replying to information provided by the media and petitions relating to violation of personal rights committed through media;

c) disputes relating to: employment, conclusion and application of collective bargaining agreements, as well as all disputes between employers and trade unions; application of the rules on strike; appointment and removal of bodies in companies and other legal entities.

As a judge of a first instance court, MP was also a member of a panel of judges which was authorized to resolve matters related to enforcement and disputes arising in the course, or due to, enforcement proceedings as second judiciary instance.

– **08.04.2015 to present – Judge of the High Court in Podgorica. As a judge of the High court in Podgorica, MP has been assigned to the Civil Division of the Court as a member of three judges' panel, as well as to the criminal judicial panel (three judges). Acting as a judge of the High Court in Podgorica she:**

1) hears and determines criminal proceedings for criminal offences punishable by law by imprisonment for a maximum of 10 years as principal punishment, regardless of the character, profession and position of the person against whom the proceedings are initiated, and for criminal offences of: manslaughter, rape, unauthorized production, keeping and releasing for circulation of narcotic drugs, instigation of ethnic, racial and religious hatred, discord and intolerance, etc.

2) decides at second instance (civil matters) on appeals against decisions rendered by the basic courts, and

3) resolves conflict of jurisdiction between basic courts

b. Description of non-judicial legal activities

– 2003−2005 – Special consultant to the UN Office of the High Commissioner for Human Rights on right to a fair trial matters. In this capacity, MP provided legal advice on matters related to fair trial issues in cases which concerned potential severe human rights violations. These included, but were not limited to, cases of police torture, violence against women and war crimes.

– **2015−present – Lecturer at the Judicial Training Center of Montenegro on freedom of expression, and right to a fair trial within reasonable time**

– **2017−present – Member of the Consultative Council of European Judges (CCJE)**

c. Description of non-legal professional activities

National trainer to judges and prosecutors at the Judicial Training Center on right to freedom of expression and right to a fair trial as regulated by articles 6 and 10 of ECHR.

IV. Activities and experience in the field of human rights

– 2001−2010 – In the course of legal practice as an attorney, MP provided legal assistance in the field of human rights and fundamental freedoms for various clients, with a special emphasis on women and minorities rights in judicial and administrative proceedings as well as in the proceeding before the Constitutional court. The cases included (but were not limited to) rights on citizenship, residence, name, family, custody, social welfare, labour, property, etc. In significant number of cases MP directly applied not only the ECHR and related case law, but also other international treaties such as: UN human rights conventions, (noted above) the Convention on the Rights of Persons with Disabilities, the Termination of Employment Convention (CETS No. 158) on termination of employment of the initiative of the employer etc.

– **2010 − present – As a judge – either of first or second instance court, in cases assigned to her, dealt with direct implementation of article 2 (right to life), article 5 (right to liberty and security), article 6 (right to a fair trial / particularly right to access the court as implicit right), article 8 (right to respect for family and private life), article 10 (freedom of expression), article 1 of Protocol 1 to the Convention (right to property), article 5 of Protocol 7 to the Convention (equality between spouses in their relations with their children) and ECtHR case−law concerning these articles. Several cases – in which she was a judge rapporteur – included balancing and application of different articles – e.g. the right to a home (article 8 of the Convention) and right to property (article 1 of Protocol 1 to the Convention). In certain cases it happened that several different conventions and international treaties were applied, such as: the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the International Convent on Civil and Political Rights, the Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), the Termination of Employment Convention (CETS No. 158) on termination of employment of the initiative of the employer etc. A significant number of judgments confirming what has been stated above were submitted together with the application to the public call for establishing a list of three candidates for the election of a judge of the European Court of Human Rights in Strasbourg no. 01-112-7716 / 17 of 06.23.2017, and can be resubmitted at your request.**

Overall in MP's 19 year long career in the courtroom, she dealt directly with the implementation of ECHR standards through the case in capacities of an attorney and as a judge. Last but not least, MP provided expertise and advise to UN High Commissioner for Human Rights and to NGO sector in Montenegro.

V. Public activities

a. Public office

None.

b. Elected posts

None.

c. Posts held in a political party or movement

Has never been a member of any political party. Has never engaged in any political activity.

VI. Other activities

Organizing of and participating at numerous human rights and legal related events (courses, seminars, round tables)

Member of Consultative Council of European Judges (CCJE)

VII. Publications and other works

She is the author of a significant number articles on the right on freedom of expression and the right to a fair trial. She is co-author on Regional Manual for the Implementation of Articles 6 and 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	Good	fair	very good	good	fair
a. First language:									
Montenegrin, Serbian, Croatian, Bosnian	x			x			x		
b. Official languages:									
– English	x			x			x		
– French			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.

In the event that I do not meet the level of language proficiency required for the post of judge in an official language, I hereby confirm my intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, my term of duty if elected a judge in the European Court of Human Rights.

X. Other relevant information

Social Skills and competences:

Her strong characteristics are initiative and patience. Has strong expressed self−control. These characteristics demonstrate her ability to work in a team. Has a respectful dialogue with significant number of judges of national courts. During her career she was a part of several projects which resulted in the improved efficiency of judiciary. In particular, these qualities have come into action in the exercise of judicial office, both as judge of the first and second instance (position she still holds). Namely, for the entire duration of the judicial function, she ended each judicial year with a percentage of the fulfilment of the norm of 105-125% and a very high statistical quality data (over 90% of confirmed judgments). Neither a request for review nor action for fair redress were ever instituted in cases allocated to her.

Able to adopt quickly to new people, living and working environments. Very sociable and communicative person.

Actively uses two scripts: Latin and Cyrillic.

Uses operative systems: Windows XP and software applications: Word, WordPro, E–mail, Internet, PowerPoint.

Not married.

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

I hereby confirm that I will take up permanent residence in Strasbourg if elected a judge on the European Court of Human Rights.

Appendix 3 – Boris SAVIĆ

CURRICULUM VITAE[4]

I. Personal details

Name, forename: Savić, Boris

Sex: male

Date and place of birth: 28 November 1961 Ploče, Republic of Croatia

Nationality: Montenegrin

Family status: Married, two children ages 23 and 24

II. Education and academic and other qualifications

– 1987 – Law graduate, graduated from the Faculty of Law, University of Belgrade

– 1990 – Passed Civil Service Exam in Podgorica

– 1991 – Passed Bar Exam in Podgorica

During professional career, I have continued my specialization at numerous seminars and congresses. Only trainings from 2014 are singled out and only part of those considered as the most important:

– Seminar: Best International Case Law in Conducting Financial Investigation and Confiscation of Property, Kolašin, July 2014;

– Symposium on International Law and Human Rights – An Interdisciplinary Analysis of the Role of International Law in Promoting Human Rights, Cetinje, July 2014;

– Conference: EU Judicial Cooperation in Criminal Matters: The practitioner's view, Luxembourg, December 2014;

– Conference on Strategies of Countering Violent Extremism in Montenegro, Budva, March 2015;

– Conference on the Use of Administrative Law in Investigating and Adjudicating Official Misconduct and Corruption Matters, Bečići, April 2015;

– Seminar on Financial Investigations, Anti-Money Laundering and Asset Forfeiture Procedures, Pržno, June 2015;

– Seminar: Financial Investigations and Interagency Cooperation, Budva, November 2015;

– Training Meeting: The New Threat on Counterfeit Euro Currency: The Deep Web and Crypto Currencies, Rome, April 2016;

– Conference of Supreme Courts of the Member States of European Union and EU Candidate Countries, Cetinje, September 2016;

– Study visit to USA, September 2015;

– Conference: International Financial Investigations, Budva, March 2017;

– Conference: Judicial Adjudication of Terrorism Cases, Prague, March 2017;

– Conference: Court Management, Kolašin, February 2017;

– Conference: Plea Bargaining, Kolašin, July 2017.

Apart from that, I was a member of several study delegations during my prosecutorial and judicial career, had the opportunity to visit large number of courts in a significant number of European countries and the United States and become familiar with their work.

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

III. Relevant professional activities

a. Description of judicial activities

– June 1991–November 1994 – Deputy Basic State Prosecutor in Kotor
– November 1994–December 2003 – Judge of the Basic Court in Kotor
– 1998–2003 – Deputy President of the Basic Court
– December 2003–February 2014 – Basic State Prosecutor in Kotor
– **President of High Court in Podgorica (Within the Court there is a Specialized Division for organized crime, corruption, terrorism and war crimes which is the only specialized division for that type of criminal offences in Montenegro) since February 2014.**

b. Description of non-judicial legal activities

– October 1987–June 1991 – Lawyer in business company
– 2005–2014 – Contact point responsible for cooperation of Montenegrin judicial authorities with Eurojust
– 2004–2009 – President of the Assembly of the Association of State Prosecutors of Montenegro

Member of Association of Judges of Montenegro

c. Description of non-legal professional activities

ECDL – European Computer Driving License Start Certificate, Podgorica

IV. Activities and experience in the field of human rights

26 years of experience in performing judicial and prosecutorial duties in Basic Court, Basic State Prosecutor's Office and High court in Podgorica. During that period I have written thousands of indictments and judgments, each directly related to human rights.

V. Public activities

a. Public office

None.

b. Elected posts

None.

c. Posts held in a political party or movement

None. I have never being engaged in any political activity.

VI. Other activities

None.

VII. Publications and other works

Only works during the last three years while holding office of the President of the High Court have been singled out – works presented at the Annual Days of Judiciary and published in the publications "Days of Judiciary":

– 2014 – "Exclusion of Illegally Obtained Evidence in the Criminal Procedure",
– 2016 – "Confiscation of Property Gain Obtained by Criminal Activities".

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
Montenegrin	x			x			x		
(Serbian – Bosnian -Croatian)									
b. Official languages:									
– English	x			x			x		
– French									

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.

X. Other relevant information

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

Should I be elected Judge on the Court, I would reside in Strasbourg.