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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 San Marino

Communication
Secretary General of the Parliamentary Assembly

Contents **Page**

1. List and curricula vitae of candidates submitted by the Government of San Marino 3

2. Description of the national selection procedure for the transmission of a list of three candidates to the post of judge on the European Court of Human Rights 3

3. Election of the national judge to the European Court of Human Rights 3

Appendix 1 – Gilberto FELICI 5

Appendix 2 – Gian Paolo PASQUALI 8

Appendix 3 – Silvia ROSSI 10

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

Letter from Mr Dario Rossi, Chargé d'Affaires a.i. of San Marino to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 25 April 2018.

[…]

I am pleased to submit to you the list of candidates for the post of judge to the European Court of Human Rights in respect of San Marino:

The names of the candidates, in alphabetical order, are:

– Mr Gilberto FELICI

– Mr Gian Paolo PASQUALI

– Ms Silvia ROSSI

The curricula vitae, the call for applications and the description of the procedure followed for the selection of candidates are attached to this letter.

[…]

2. Description of the national selection procedure for the transmission of a list of three candidates to the post of judge on the European Court of Human Rights

9 March 2018

On 17 July 2017, by Decision No. 1, the Congress of State (Government) approved the issuance of public calls for candidates to the post of judge on the European Court of Human Rights and approved the establishment of an ad hoc Selection Committee.

On 25 July 2017 the call for candidates was published through the press, on San Marino institutional websites and was disseminated as widely as possible, through the help of the Professional Register of Lawyers and Notaries Public of the Republic of San Marino, and was posted publicly in the Government Building. Please find below the copy of the call for candidates.

The Selection Committee referred to in Government Decision no. 1 of 17 July 2017 met on the following dates:

– 26/10/2017: examination of the applications received;

– 07/11/2017: evaluation of the candidatures, on the basis of the CV received, and definition of a first ranking of the candidates.

– 14/11/2017 and 22/11/2017: interviews with candidates and assessment of their language knowledge; drawing up of the list of candidates to be submitted to the Government.

The Government, by Decision No. 6 of 5 December 2017, established the list of three qualified candidates, after acknowledging the applications submitted, on the basis of their curricula vitae and of the minutes drawn up by the Selection Committee.

3. Election of the national judge to the European Court of Human Rights

The Ministry of Foreign Affairs and Justice informs that on 20 September 2018 the term of the current judge of the European Court of Human Rights in respect of San Marino will expire. Therefore, the Government of the Republic of San Marino shall submit a list of three candidates among whom the new national judge will be elected.

The Minister of Foreign Affairs and Justice shall submit to the Government, for acknowledgement, the list of three candidates who have been chosen by the Selection Committee referred to in Government Decision no. 1 of 17 July 2017. The list will then be transmitted to Strasbourg and examined by the competent bodies of the Council of Europe. The judge will be elected by the Parliamentary Assembly of the Council of Europe from the list of three candidates proposed by the Government, pursuant to Article 22 of the European Convention on Human Rights.

Applications can be submitted by jurists of San Marino nationality, possessing the qualifications required by the European Convention on Human Rights and by the relevant Resolutions and Recommendations of the Parliamentary Assembly of the Council of Europe.

Qualifications required to submit an application:

1. San Marino citizenship;

2. degree in law, preferably with professional qualification in San Marino;

3. experience in the legal field, preferably in the area of human rights;

4. active knowledge of one of the two official languages of the Council of Europe (English or French) and at least a passive knowledge of the other official language;

5. up to the age of 60;

Moreover, pursuant to Article 21 of the European Convention on Human Rights:

1. The judges shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.

2. The judges shall sit on the Court in their individual capacity.

3. During their term of office the judges shall not engage in any activity which is incompatible with their independence, impartiality or with the demands of a full-time office; all questions arising from the application of this paragraph shall be decided by the Court."

Interested parties meeting the requirements are invited to send to the e-mail address of the Department of Foreign Affairs dipartimentoaffariesteri@pa.sm their curriculum vitae preferably in English and in French, in Word format along with a covering letter, no later than 2 p.m. on Tuesday, 5 September, 2017. CVs shall contain professional and private contact information of candidates and be drawn up in accordance with the model curriculum vitae adopted by the Parliamentary Assembly of the Council of Europe:

Http://assembly.coe.int/CommitteeDocs/2009/ModelCVEN.doc

http://assembly.coe.int/CommitteeDocs/2009/ModelCVFR.doc

The above mentioned Selection Committee will examine the applications submitted and convene the applicants for an interview, if necessary, in order to select the three candidates that the Government of San Marino will present to the Council of Europe.

Candidates elected by the Parliamentary Assembly are required to reside permanently in Strasbourg.

Since the entry into force of the Protocol no. 14 to the European Convention on Human Rights, elected judges shall serve on the Court for a single term of nine years. Their term ends, in any case, at their 70th birthday.

Appendix 1 – Gilberto FELICI

CURRICULUM VITAE[1]

I. Personal details

Name, forename: Felici, Gilberto

Sex: male

Date and place of birth: 15th June 1972, San Marino, Republic of San Marino

Nationality: San Marino, Italy

II. Education and academic and other qualifications

– 1991 – graduation of commercial accountant ("Istituto Tecnico Molari" – Santarcangelo di Romagna – Italy, vote 60/60)

– 1996 – Bachelor's degree in law (University of Urbino – Italy, vote 110/110 cum laude)

– 1998 – achievement of the eligibility for teaching in schools (University of San Marino, biennial)

III. Relevant professional activities

a. Description of judicial activities

– 1999 – winner of the public competition for "Uditore giudiziario" (judge training);

– 1999–2003 – "Uditore giudiziario": research in the fields of civil, criminal and procedural law, under guidance and supervision of the judge-in-chief; inquiry activities in civil proceeding and in the field of international cooperation, by delegation issued by judges holding the specific proceedings; draft decisions in criminal and civil proceedings;

– **2003-, Commissario della Legge: first instance single judge, with full jurisdictional powers, mainly in the civil sector (labour law, commercial – bankruptcy – law, protection law, voluntary jurisdiction, contractual rights and liability; Since 2013, the prevalent activity has been carried out in the criminal field, as a judge of the decision-making process);**

b. Description of non-judicial legal activities

– 1998 – enrollment in the profession of lawyer and notary

– 1998–1999, notary

c. Description of non-legal professional activities

– 1991–1992 – office worker at Cassa di Risparmio della Repubblica di San Marino (bank)

– 1998–2001 – lecturer assistant at the Institute of History and Philosophy of Law at the University of Urbino: participation in the exam sessions, lectures of a monographic character in the field of San Marino common law, law and civil procedure

– 2003-, member of the European Commission against Racism and Intolerance, Council of Europe (participation in plenary meetings, participation in visits to countries monitored and participation in drafting reports, participation in drafting general policy recommendations)

– October 2008-. lecturer, on behalf of the High School Sant'Anna-Istituto universitario, Pisa, on human rights and international law

– **2010 – member of the Scientific Committee of "Istituto Giuridico", University of San Marino, and lecturer**

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

– **2014 – deputy director of the School of Specialization in Sammarinese Law, organized by "Istituto Giuridico" and the University of Urbino**

IV. Activities and experience in the field of human rights

See above, IIIc.

– 1993–1995 – participation in the activities of the NGO Amnesty International-Marche section (protection of human rights)

V. Public activities

a. Public office

See above, IIIa

b. Elected posts

c. Posts held in a political party or movement

VI. Other activities

a. Field

b. Duration

c. Functions

VII. Publications and other works

– 1999 – Profili di diritto costituzionale Sammarinese-L'organizzazione dei pubblici poteri, 320 pages (book)

– 1998–2002 – publication of four articles, comments on judgments

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
– Italian	X			X			X		
***b*. Official languages:**									
– English		X			X				X
– French	X			X				X	

IX. I confirm – in the event that I will not meet the level of language proficiency required for the post of judge in the second official language – 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 on the Court.

X. Other relevant information

2004-2013, member of various committees, set up by government and parliament: reform of foreign residence and residence regulations; compulsory healthcare and measures for the protection; reconnaissance and revision of the rules of civil procedure; implementation in the national law of the obligations arising from the Oviedo Convention on Human Rights and Biomedicine; the reform of civil proceedings.

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

Appendix 2 – Gian Paolo PASQUALI

CURRICULUM VITAE

I. Personal details

Name, forename: Pasquali, Gian Paolo

Sex: male

Date and place of birth: Born on 2nd February 1971 in San Marino (Republic of San Marino)

Nationality: San Marino citizen

II. Education and academic and other qualifications

– 1999 – qualification to practice as a lawyer and notary (member of the Bar of San Marino);

– 1997 – law degree with a final mark of 110/110 magna cum laude, University of Urbino (Italy);

– 1990 – high school diploma in accounting and business, Istituto Tecnico Statale Commerciale of Morciano di Romagna (Italy).

III. Relevant professional activities

a. Description of judicial activities

Advocate in numerous judicial proceedings (criminal, civil and, less frequently, administrative proceedings). Court-appointed official receiver in insolvency proceedings.

b. Description of non-judicial legal activities

Legal advice and notarial activity. Occasionally, paid teaching activities (including tutoring/supervision of students writing their theses) in the field of criminal law and gender violence (national and international law) at San Marino's Advanced Training School for lawyers, notaries, certified public accountants and accounting experts («Scuola sammarinese di alta formazione per le professioni di avvocato, notaio, commercialista ed esperto contabile») periodically organized by San Marino's Juridical Institute («Istituto Giuridico Sammarinese») of the University of San Marino.

Member of the Scientific Committee of the University Centre for Security Training [«Centro Universitario di Formazione sulla Sicurezza (CUFS)»], appointed on 7th November 2017 by Decree of the Rector of the University of San Marino.

Years 2015-2016: paid teaching activities in the field of criminal law (and member of the relevant Examination Board) in the training course for police officers («Corso di formazione per agenti di polizia») organized by the University Centre for Security Training [«Centro Universitario di Formazione sulla Sicurezza (CUFS)»] of the University of San Marino.

Years 1997-1998: scholarship holder at the «Istituto Giuridico Sammarinese» (after graduating and winning, together with other candidates, the relevant public competition) responsible for searching and indexing the criminal case-law of the Court of San Marino (years 1964 <->1990).

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

Above-mentioned teaching activities (point III, letter b) in the field of gender violence, including detailed consideration of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention, 11 May 2011).

Several years of experience as speaker, for legal aspects, in seminars/courses periodically organized by the University of San Marino, in collaboration with the Authority for equal opportunities («Authority per le Pari Opportunità») of the Republic of San Marino, aimed at the continuing vocational training of police officers, social-health workers and school personnel in the field of gender and domestic violence (including, obviously, violence against women).

V. Public activities

a. Public office

– Member, on several occasions, of the State Examining Board for lawyers and notaries («Commissione Esaminatrice per l'Esame di Stato per l'abilitazione alla professione di Avvocato e Notaio»).

– 2004 – Public defender (one-year appointment)

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

None

VII. Publications and other works

None

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
- Italian	X			X			X		
***b*. Official languages:**									
– English		X			X			X	
– French			X			X			X
***c*. Other languages:**									
none									

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.

Yes, I confirm that.

X. Other relevant information

None

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

Yes, I confirm that.

Appendix 3 – Silvia ROSSI

CURRICULUM VITAE

I. Personal details

Name, forename: Rossi, Silvia

Sex: female

Date and place of birth: 29 December 1962

Nationality: Sammarinese

II. Education and academic and other qualifications

– Graduated in Law, Facoltà di Giurisprudenza, University of Bologna, 1986
– Master degree in Journalism, LUISS, Rome, 1990
– Bar exam diploma,1992

III. Relevant professional activities

a. Description of judicial activities

– Public Prosecutor 1993 – 1995 (Pro-Fiscale/Procuratore del Fisco)

b. Description of non-judicial legal activities

– Lawyer for San Marino State 1996 – 2006
– Director of San Marino State Office for Patent, Trademark and Design, 2006 – present.

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

V. Public activities

a. Public office

2009–present – Head of San Marino delegation in the Administrative Council of EPO (European Patent Organisation)

b. Elected posts

2015 – 2017 – President of Authority for Media Freedom (Autorità Garante per l'Informazione)

c. Posts held in a political party or movement

VI. Other activities

a. Field

b. Duration

c. Functions

VII. Publications and other works

– “Ricerca e Sviluppo a San Marino” I protagonisti e le norme. 2008, San Marino.

– “Spunti di riflessione e aneddoti sullo Stemma di San Marino”, in Identità Sammarinesi, Società Dante Alighieri, San Marino. 2014

– Piano di Azione in materia di proprietà Intellettuale, 2013

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
- Italian	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.

I confirm my commitment to follow intensive language class for French language.

X. Other relevant information

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

I confirm I will take up permanent residence in Strasbourg, in case of election.