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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 Austria

Communication[1]
Secretary General of the Parliamentary Assembly

1. The curriculum vitae are presented and published as submitted by the Government of Austria.

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

Letter from Ms Aloisia Wörgetter, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Austria to the Council of Europe, to Ms Chatzivassiliou-Tsovilis, Secretary General of the Parliamentary Assembly, dated 5 March 2024.

With reference to your letter dated 1 February 2023, I am honoured to inform you that the Federal Government of Austria decided to nominate the following three candidates for the election as judge to the European Court of Human Rights in respect of Austria (in alphabetical order):

– Mr Gregor HEISSL

– Ms Ursula KRIEBAUM

– Ms Brigitte OHMS

[…]

This list of candidates together with the report of the Austrian national Selection Committee was approved by the Austrian Federal Government on 20 December 2023.

[…]

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

2.1. Background

1. The term of office of the incumbent Austrian judge at the European Court of Human Rights (ECtHR), Univ.-Prof. Dr. Gabriele Kucsko-Stadlmayer, ends on 31 October 2024. In accordance with Article 22 of the European Convention on Human Rights (ECHR), the judges are elected by the Parliamentary Assembly (PA) of the Council of Europe (CoE) by a majority of votes from a list of three candidates proposed by the respective Contracting State. In a letter dated 1 February 2023, the Secretary General of the PA invited the Republic of Austria to submit a list of three Austrian candidates to the General Secretariat of the PA by 13 May 2024.

2. Before the election at the PA, Austria must submit its list of three candidates, including all necessary documents, to the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights (Panel of Experts) for examination by 13 February 2024 at the latest. The documents required include – in addition to detailed CVs of the candidates – a comprehensive description of the oral hearing and the national selection procedure so that the Panel of Experts may fully assess the national list of three candidates.

3. The Panel of Experts has been established by the Committee of Ministers of the CoE. Its seven members are composed of representatives of the highest courts of the Contracting States, former judges of international courts, including the ECtHR, and other jurists of the highest competence. The task of the Panel of Experts is to support the Contracting States in the procedure for drawing up their list of three candidats so that the candidates fulfil the requirements for the office set out in Article 21 of the ECHR in particular.

4. The Committee of Ministers of the CoE itself has set out key criteria of "fairness and transparency" for the preparation of the list of three candidates, which the national procedure must fulfil. Important criteria listed are the type of qualifications, including language skills in at least one of the two official languages of the ECtHR, experience and qualities required of the candidates, including personal qualities such as independence and impartiality, the procedure applied by the national selection panel, sufficient application deadlines, transparent rules for the national selection procedure, the selection criteria applied at national level and the transparency of these criteria.

2.2. Selection procedure

2.2.1. Call for applications and submissions thereto

5. The call for applications for a vacant position as an Austrian judge at the ECtHR was published on 9 September 2023 on the electronic announcement and information platform (EVI) of the Federal Government (i.e. digital Official Gazette of the Republic of Austria). On the same day, a paid announcement was also

published in the print and online editions of the Austrian daily newspapers "Die Presse" and "Der Standard". In addition, the law faculties of all Austrian universities were requested by letter to publicise the call for applications.

6. The application period of four weeks ended on 7 October 2023. A total of eight applications were received by the BMEIA in electronic form before the application deadline. On 23 November 2023 one application was withdrawn for personal reasons. The Selection Commission therefore examined seven applications in the selection procedure.

2.2.2. Selection Commission

7. In its decision of 13 September 2023 (see Item 12 of Resolution Minutes No. 69), the Federal Government reaffirmed its intention to carry out a fair and transparent national selection procedure that meets all the requirements of the ECHR and the institutions of the CoE. To this end, the Federal Government has entrusted a Selection Commission with the task of organising the procedure for drawing up a list of three candidates to replace a judge at the ECtHR. The Federal Chancellor, the Vice-Chancellor, the Federal Minister for European and International Affairs and the Federal Minister of Justice appointed one member of the Selection Commission each. The persons selected were highly qualified lawyers capable of ensuring that the candidates fulfil the requirements of Article 21 of the ECHR.

8. All decisions of the Selection Commission were to be unanimous, abstentions permitted. The Commission's tasks included: the written evaluation of all applications received by the deadline; the organisation of a hearing and the timely preparation of a list of three candidates for the Federal Government. […]

9. The following persons were appointed as members of the Selection Commission (in alphabetical order):

– Dr. Konrad Bühler, Ambassador, Head of the International Law Office at the Federal Minister for European and International Affairs

– Prof. Dr. Daniel Ennöckl, LL.M., University of Natural Resources and Life Sciences, Vienna

– Dr. Albert Posch, LL.M., Head of the Constitutional Service at the Federal Chancellery

– Dr. Ingrid Siess-Scherz, Member of the Constitutional Court

10. The Selection Commission met on 20, 21 and 24 November 2023 for consultations and to conduct the oral hearing. At the constituent meeting of the Selection Commission on 20 November 2023, Amb. Dr. Konrad Bühler was appointed chairperson. The Commission also established that there were no important reasons beyond collegial contacts that could cast doubt on the impartiality of the Commission members.

11. At the meeting on 20 November 2023, the Selection Commission also discussed the criteria for the national selection procedure and determined that, in addition to the requirements of Article 21 of the ECHR (paragraph 1: high moral character; requirements for the exercise of high judicial office or jurisconsults of recognised competence; paragraph 2: age less than 65 years on the cut-off date; paragraph 3: judicial office in their individual capacity; paragraph 4: no incompatibilities; independence and impartiality), the selection criteria of the Advisory Panel of Experts of the CoE should be the basis for the Selection Commission's assessment (see “A short guide on the Panel's role and the minimum qualifications required of a candidate”, Doc. SG-AS (2023) 01rev01 (17 January 2023), see https://assembly.coe.int/LifeRay/CDH/Pdf/GuideRoleQualification-EN.pdf). These criteria include relevant professional experience (judicial and/or other, by level, type and duration), language skills in at least one of the two official languages of the ECtHR, motivation, knowledge and experience about the CoE and the ECtHR system, clarity and precision of thought and expression, as well as judgement and other specific skills. The criteria were brought to the attention of the candidates.

12. The Selection Commission also discussed the objective of strengthening gender equality: According to the provisions of the CoE, the list of three candidates submitted by the Contracting States must include in principle at least one man and one woman. However, due to the existing under-representation of women at the ECtHR (currently 35%), it is possible to deviate from this, and the list of three submitted by Austria may also include three women. In this sense, the Selection Commission also took into account the general requirement to promote women, according to which female applicants who are equally qualified for the respective function to the best qualified male competitor are to be given priority.

13. At the meeting on 21 November 2023, the Selection Commission examined all written application documents received, including the formal requirements, and carried out a preliminary assessment of the applications. Furthermore, the modalities and conduct of the oral interview following a standardised format were discussed as well as the selection of standardised questions for all candidates was determined. It was specified that at least one question would be asked in English and one in French, which must be answered in one of the two foreign languages.

2.2.3. Oral Hearing

14. On 24 November 2023, the Selection Commission held an oral interview with the seven candidates on the premises of the Federal Chancellery / Constitutional Service with the aim of gaining a personal impression of the candidates and their fulfilment of the criteria for the ECtHR position. The interview with each candidate lasted around 25 minutes. At the beginning, all candidates were given the opportunity of an introductory statement of 5 minutes to present themselves, their application and their motivation.

15. This was followed by two rounds of questions. The questionnaire in the first round of questions related to the candidates' personality, qualifications and motivation; in the second round of questions, specialised issues on legal topics were examined. In order to objectify and compare the respective answers, the first questions were standardised, complemented on a case-by-case basis by questions relating to the respective person and their career or qualifications.

16. Questions were also asked in English and French to assess language skills. Candidates were free to answer these questions in one of these two foreign languages. Passive comprehension was sufficient for the questions in the other foreign language.

2.3. Evaluation by the Selection Commission (list of three candidates)

17. After examining the application documents and conducting the oral hearing, the Selection Commission met on 24 November 2023 to evaluate the applications of all candidates.

18. The Selection Commission unanimously came to the conclusion that in light of the selection criteria the following three candidates are most suitable and best qualified for the office of judge at the ECtHR and should therefore be included in the list of three to be forwarded to the CoE Committee of Experts (in alphabetical order):

– Dr. Gregor Heißl, E.MA

– Prof. Dr. Ursula Kriebaum

– Dr. Brigitte Ohms

Appendix 1 – Curriculum vitae of Gregor HEISSL

I. Personal details

Name: HEISSL, Gregor

Sex: male

Date and place of birth: on 7 August 1978 in Innsbruck, Austria

Citizenship: Austrian

II. Education and academic and other qualifications

01/16: Habilitation at the University of Innsbruck for Constitutional Law and Administrative Law (Priv.-Doz.)

– Habilitation Thesis: "Grundrechtskollisionen am Beispiel von Persönlichkeitseingriffen sowie Überwachungen und Ermittlungen im Internet" [Fundamental Rights Collisions Using the Example of Privacy Interferences as Well as Surveillance and Investigations on the Internet]

– Habilitation Lecture: "Polizeiliches Staatsschutzgesetz" [Police State Protection Act]

09/05–09/06: European Inter-University Centre in Venice, Italy-Irish Centre for Human Rights in Galway, Ireland

– European Masters' Programme in Human Rights and Democratisation (E.MA)

– Thesis: "EU Refugee Camps Outside of Europe: Salvation or Nightmare?"

10/03–06/04: University of Innsbruck, PhD Studies in Law (Dr. iur.) – cum laude

– Dissertation: "Menschenrechtliche Schranken der Polizeigewalt" [Human Rights Barriers for Law Enforcement]

03/98–10/03: University of Innsbruck

– Diploma in Law

01/02–06/02: Erasmus semester abroad in Milan, Italy

– Exams (in Italian): International Law and European Union Law

III. Relevant professional activities

a. Description of judicial activities

– **Since 07/20: Administrative Court of Tyrol – Judge (Human Rights Complaints, Epidemic Law, Construction Law) – Member of the Distribution Committee (since 2022)**

– 10/17–06/20: Administrative Court of Salzburg – Judge (Human Rights Complaints, Gambling Law)

b. Description of non-judicial legal activities

– **Since 10/17: University of Innsbruck – Institute of Public Law, State and Administrative Studies – Senior Lecturer and Examiner**

– 01/15–12/17: Private university in the Principality of Liechtenstein – Head of the PhD Studies in Law (Dr. iur.) (20%)

– 02/11–09/17: University of Innsbruck – Institute of Public Law, State and Administrative Studies – *University Assistant (Postdoc)*

– 09/07–01/11: University of Vienna – Institute of Public and Administrative Law – University Assistant (Postdoc)

– 03/07–08/07: University of Innsbruck – Institute of Public Law, State and Administrative Studies – Project Researcher

c. Fellowships

- 09/16–10/16: Court of Justice of the European Union, Luxembourg
- 07/13–08/13: National University of Ireland, Galway – Irish Centre for Human Rights (funded by Austrian Society for Scientific Support)
- 08/10–10/10: University of California, Berkeley, United States – Institute for European Studies – Marshall Plan Scholarship
- 03/09–04/09: University of New South Wales, Sydney, Australia – Australian Human Rights Centre (fund. Austrian Society for Scientific Support)

IV. Activities and experience in the field of human rights

- **Since 01/24: Equal treatment commission of Tyrol – Member**
- **Since 07/20: Administrative Court of Tyrol – Judge for Human Rights Complaints**
- 10/17–06/20: Administrative Court of Salzburg – Judge for Human Rights Complaints
- 11/20–06/23: Conciliation body regarding the participation act of Tyrol – Chairman
- 01/16: Habilitation at the University of Innsbruck (Thesis on fundamental rights collisions using the example of privacy interferences, as well as surveillance and investigations on the Internet)
- 11/13–08/19: Tyrolian Monitoring Committee on the UN Convention on the rights of persons with disabilities – Representative for Human Rights
- 01/12: Association Initiative Human Rights – founding Member
- **Since 08: Universities of Vienna and Innsbruck – Lecturer in Constitutional Law**
- 09/05–09/06: European Master in Human Rights and Democratisation (Thesis on EU refugee camps outside of Europe)
- 10/03–06/04: PhD Sudies in Law at the University of Innsbruck – cum laude (Dissertation on Human Rights barriers for law enforcement)
- **Since 01/04: Voluntary legal council for refugees in Innsbruck**

V. Public office

- **Since 01/24: Member of the Equal Treatment Commission of Tyrol**
- **Since 07/20: Judge at the Administrative Court of Tyrol**
- 10/17–06/20: Judge at the Administrative Court of Salzburg
- 11/20–06/23: Chairman – Conciliation body regarding the participation act
- 11/13–08/19: Representative for Human Rights at the Tyrolian Monitoring Committee on the UN Convention on the Rights of Persons with Disabilities

VI. Other activities

- **Since 10/16: Member of the Association of German constitutional law teachers**
- **Since 04/09: Member of the Board of Advisors of the Vienna Journal on international constitutional law (ICL journal)**

VII. Publications and other works

a. Books published

- Grundrechtskollisionen am Beispiel von Persönlichkeitseingriffen sowie Überwachungen und Ermittlungen im Internet (2017, Verlag Österreich, 594 pages) [Fundamental Rights Collisions Using the Example of Privacy Interferences as Well as Surveillance and Investigations on the Internet]

- Überwachungen und Ermittlungen im Internet: Sicherheitspolizei – Militärische Nachrichtendienste – Kriminalpolizei (2017, Verlag Österreich, 176 pages) [Surveillance and Investigations on the Internet: Security Police – Military Intelligence Services – Criminal Police]
- Persönlichkeitseingriffe im Internet: Einfachgesetzlicher Rahmen (2017, Verlag Österreich, 80 pages) [Privacy Interferences on the Internet: Legal Framework]
- Polizeiliches Staatsschutzgesetz (2016, MANZ, 159 pages) [Police State Protection Act]

b. Books edited

- Staatsschutz- und Nachrichtendienstgesetz (2023, MANZ, 317 pages) (*with Alexander Figl*) [State Protection and Intelligence Service Act)
- Handbuch Menschenrechte (2009, facultas.wuv, 634 pages) [Handbook Human Rights]

c. Most important titles out of 80 articles and book chapters

- Human Rights Collisions, European Human Rights Law Review 2016, 34–47
- The EU's Accession to the ECHR – Recent Developments together with Remarks on the Relationship between the ECJ and the ECtHR, in Benedek/Benoît-Rohmer/Karl/ Kettemann/Nowak (eds), European Yearbook on Human Rights 2014 (2014) 301–310
- Jurisdiction for Human Rights Violations on the Internet, European Journal for Law and Technology 2011/1 (15 pages)
- Family Protection and Deportation or Removals: The Relevance of the Protection of Family Life for the Assessment of Deportations or Removals in Australia, Vienna Journal on International Constitutional Law 2010, 58–76

VIII. Languages

a. First language

- German: very good reading, very good writing, very good speaking

b. Official languages

- English: very good reading, very good writing, very good speaking
- French: very good reading, fair writing, fair speaking

c. Other languages

- Italian: very good reading, good writing, good speaking
- Spanish: good reading, fair writing, fair speaking

IX. Intention to attend language classes

I intend to take intensive language classes in French prior to, and if necessary also after commencing, my term of duty if elected as Judge to the Court.

X. Other relevant information

- 05/23: Short-listed for President at the Administrative Court of Tyrol
- 11/16: Dr. Otto Seibert Scientific Prize of the University of Innsbruck
- 07/16: Short-listed for professorship of European and international data and information law (W3) at the University of Passau

– 02/16: Short-listed for professorship of public law, IT law and legal informatics (W3) at the University of Passau

XI. Intention to take up permanent residence in Strasbourg

Due to my internationality, which my wife also shares, we, as a family, would be happy to live in Strasbourg for nine years.

Appendix 2 – Curriculum vitae of Ursula KRIEBAUM

I. Personal details

Name: KRIEBAUM, Ursula

Sex: female

Date and place of birth: on 5 August 1971 in Vienna, Austria

Nationality: Austrian

II. Education and academic and other qualifications

Faculté de Droit et de Science Politique de l'Université de Bourgogne (1992)

– Relations Internationales
– Analyse Vie Politique (Conflits régionaux)
– Droit international public II

Institut International des droits de l'homme Strasbourg

– Participation in the 1993, 1994, 1995 Study Sessions
– Participation in the 22nd intensive training session for university teaching and research in human rights (1994)
– Diploma of International and Comparative Law of Human Rights of the International Institute of Human Rights, Strasburg (1995)

Erik Castrén Institute of International Law and Human Rights, Faculty of Law

– 11th Helsinki Summer Seminar on International Law United Nations and International Law Fin de siècle 17-28 August 1998

University Vienna

– Magistra juris, University Vienna (1994)
– Doctor juris, University Vienna (1999) with distinction
– Venia docendi in public international law conferred by the University of Vienna (2008)

III. Relevant professional activities

a. Description of judicial activities

– **Alternate Member of the Court of Conciliation and Arbitration within the OSCE (since August 2013)**
– **Member of the Permanent Court of Arbitration (since September 2014)**
– **Member of the Arbitration Panel for the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its member States and the Republic of Korea (since 2014)**
– **Member of the Panel of Conciliators maintained by the International Centre for Settlement of Investment Disputes (ICSID) in Washington DC/United States (since 2020)**
– **Member of the Arbitration Panel under the Agreement on the Withdrawal of the United Kingdom from the European Union (since 2021)**

b. Description of non-judicial legal activities

– **Professor of International Law, University of Vienna, Austria (since October 2011)**
– Associate Professor of International Law, University of Vienna, Austria (2008-2011)

- Visiting Professor at Paris I Sorbonne, Paris/France (International Investment Arbitration and The Rule of Law) (summer-term 2022)
- Visiting Professor at the Institut des Hautes Etudes Internationales at the University of Paris II Panthéon-Assas in Paris/France (summer-term 2017)
- Lecturer at the University of Vienna Summer School International and European Studies, Strobl/Austria: 2013, 2015, 2016, 2017, 1018, 2019 (International Investment Law and Arbitration)
- **Coordinator of the specialisation: "Law of International Relations" of the Law school of the University of Vienna since 2008**
- Legal expert in various investment arbitrations and human rights cases
- Expert appearance in the German Bundestag on investment protection in CETA, 15 December 2014
- Expert testimony and appearance (written and oral) in a case between the International Finance Corporation (a member of the World Bank Group) and an Italian company dealing with expropriation before the New York Supreme Court, 2010 and 2015 (nominated by the Italian company)
- **Member of the Advisory Board Austrian Review of International and European Law: since 2008**
- **Associate Editor: Transnational Dispute Management since 2008**
- **Member Advisory Editorial Board: Nijhoff International Investment Law Series**

IV. Activities and experience in the field of human rights

- **Member of the Drafting Team – "The Hague Rules on Business and Human Rights Arbitration"**
- Lecturer at the University of Vienna Summer School International and European Studies, Strobl: 2001, 2008, 2009, 2011 ("European and International Protection of Human Rights"), 2023, 2024 ("Business and Human Rights Law")
- Expert for the Human Dimension Mechanism of the OSCE appointed by Austria: 2017-2023
- Member of the Austrian Human Rights Advisory Board nominated by Amnesty International: July 1999 – June 2002
- Austrian Delegate to the Preparatory Commission for the International Criminal Court July 2000 session
- Member of the team of the Special Envoy for Restitution Issues Dr. Ernst Sucharipa for the Austrian Holocaust Restitution Negotiations 2000/2001
- Consultant of the National Fund for Victims of National Socialism of the Republic of Austria since 2001
- External expert in a project of the ministry of the Interior: Police.Power.Human.Rights 2008
- Coach of the "Concours européen des droits de l'homme René Cassin" Moot Court Team of the University of Vienna 1994/95-1999/2000
- Short term expert: EU Twinning Project TR02-JH-01 "Improvement of Statement-taking Methods and Rooms", September 2004 – February 2006
- Lecturer at the University of Vienna (Courses in International Human Rights Law since 1995)
- Professorial Lecturer at the Austrian Diplomatic Academy/Vienna School of International Studies (courses on human rights law) 2002-2009
- Lecturer at the Austrian Federal Academy (Courses in international human rights law): 1998-2001
- Lecturer at the International Civilian Peace-keeping and Peace-building Training Program – Austrian Centre for Peace and Conflict Resolution: 1999, 2000, 2003

Public lectures and addresses in the field of human rights

- "Climate Change & Human Rights", Sommerdiskurs der Sommerhochschule der Universität Wien, 4 August 2023, Strobl, Austria
- "Investment Tribunal Awards and Article 35 ECHR: is the application "substantially the same" as the one before the European Court of Human Rights", International Human Rights and International Economic Law: Interfaces, Challenges, Visions, 25-26 November 2022, Vienna, Austria

- "Webinaire de l'Ordre des Avocats de Genève sur les Hague Rules on Business and Human Rights Arbitration", panel discussion, 29 June 2022, online
- "Schiedsgerichtsbarkeit und Menschenrechte" #zukunft, Podcast on arbitration, 15 May 2022, online
- "Menschenrechtsverletzungen und Schiedsverfahren", Dispute Resolution Day 2022, Munich Center for Dispute Resolution, 6 May 2022, Munich, Germany
- "What Can Corporate Social Responsibility and Human Rights Assessments Teach to International Arbitration?", Panel Discussion: Washington Arbitration Week, 2 December 2021, online
- "Business & Human Rights Disputes: is Arbitration the Effective Remedy that Everyone is Looking For?", Panel Discussion: Paris Arbitration Week, 22 September 2021, Paris
- "The Hague Rules on Business and Human Rights Arbitration", Panel Discussion: Business and Human Rights Arbitration – 5th ICC European Conference, 28 June 2021, online
- "Arbitration as a remedy for human rights abuses", Arbitration of Human Rights at Sea. Giving International Teeth by Empowering Victims to Enforce it", American Branch ILA International Law Weekend, 23 October 2020, online
- The Hague Rules on Business and Human Rights Arbitration", 2020 ASIL Annual Meeting: Panel: "Protecting Human Rights through International Adjudication", 25 June 2020, online
- "The Hague Rules on Business and Human Rights Arbitration", Roundtable of the Department of European, International and Comparative Law, Section for International Law, 13 May 2020, online
- "The Hague Rules on Business and Human Rights Arbitration", Vienna Arbitration Days 2020, 21 February 2020, Vienna, Austria
- "Taking a closer look at the salient Business and Human Rights issues in the Hague Rules on Business and Human Rights Arbitration through the lens of the UN Guiding Principles on Business and Human Rights", Launch of the Hague Rules On Business and Human Rights Arbitration, CILC, City of The Hague, The Hague, The Netherlands, 12 December 2019
- "Competing Jurisdiction and Parallel Proceedings – The European Court of Human Rights and Investment Tribunals", Thirty First ITF Public Conference: Human Rights in International Investment Law, BIICL, 26 October 2018, London, United Kingdom
- "Investment Protection under the ECHR", Conference "Protection of Foreign Investments in Europe – Perspectives & Solutions, International Investment Law Centre Cologne", 5-6 July 2018, Cologne, Germany
- "The Right to Water before Investment Tribunals", Workshop of the ESIL Interest Group on International Economic Law, ESIL Conference Global Public Goods, Global Commons, Fundamental Values: The Responses of International Law 2017, 6-9 September 2017, Naples, Italy
- "Rule of Law Notions in Human Rights Law", ILA Committee on the Rule of Law and International Investment Law – Vienna Meeting, 6 April 2017, Vienna, Austria
- "Interaction du droit des investissements et des droits de l'homme: Les techniques interprétatives", Université d'Evry-Val-d'Esconne, Institut International des Droits de l'Homme: Convergences et contradictions du droit des investissements et des droits de l'homme: une approche contentieuse, 27 November 2015, Paris, France
- "Investment Tribunals and Human Rights", Friday Lecture, Lauterpacht Centre for International Law, University of Cambridge, 1 May 2015, Cambridge, United Kingdom
- "The right to property in human rights law", Conference "Buying and Owning Property in Europe", Academy of European Law, 16-17 June 2014, Trier, Germany
- "EU-China Investment Agreement: What is at Stakes for Human Rights?", EU Parliament, Committee on Foreign Affairs, Subcommittee on Human Rights, 2 December 2013, Brussels, Belgium
- "The State's Duty to Protect Human Rights, Investment and Human Rights", International conference: Implementation of the UN Framework and GP on Business and Human Rights in Spain, 4-6 November 2013, University of Seville, Spain
- "Foreign Investments & Human Rights – The actors and their different roles", British Institute of International & Comparative Law, Seventeenth Investment Treaty Forum: International Investment Law and Its Intersections, 9 September 2011, London, United Kingdom

- "Human Rights Protection by the European Committee for the Prevention of Torture", Stanford – Vienna Human Rights Conference, US American and European Approaches to Contemporary Human Rights Problems, 20-22 June 2011, Vienna, Austria
- "Corporate Social Responsibility and Human rights", VIII Forum of Legal Aspects, International Co-operative Alliance, 23/24 November 2009, Geneva, Switzerland
- "Corporate Social Responsibility – the Human rights based approach", 5th Vienna Workshop on International Constitutional Law, 15/16 May 2009, Vienna, Austria
- "Arbitration and Human Rights" at Young Approaches to Arbitration, Conference jointly organized by International Chamber of Commerce and YAAP, Vienna – 4 April 2009, Vienna
- "Human Rights and Managing the Challenges of Human Security on Europe's Borders and Beyond", Seminar, Managing the Challenges of Human Security on Europe's Borders and Beyond, Diplomatic Academy/Vienna School of International Studies, 17 March 2009, Vienna, Austria
- "Human Rights and Investment Arbitration" at Third Annual Conference – Current Issues in Human Rights' Law and Practice (University of London) – 8 December 2008, London, United Kingdom
- "Poverty as Human Rights Issue" at Discussion forum – University Vienna, Law School, Poverty and the Law – 6 June 2008, Vienna, Austria
- Panelist on Restitution in Rem to Victims of National Socialism, Current issues concerning the General Settlement Fund Law, University Vienna, Law School, April 2007, Vienna, Austria
- "Are the International Mechanisms for the Protection of Human Rights an Alternative to Investor State Arbitration" at European University Institute Florence, The Impact of Human Rights on Investor-State Arbitration, 13 December 2007, Florence, Italy
- "The Austrian Holocaust Restitution Negotiations 2000/2001", Ernst Sucharipa Memorial Seminar, Diplomatic Academy/Vienna School of International Studies, 12 January 2006, Vienna, Austria
- "The Development of Standards for Statement Taking and Statement taking rooms in the Turkish Context", EU Twinning Project TR02-JH-01 "Improvement of Statement-taking Methods and Rooms", Final Conference, 4 February 2006, Ankara, Turkey
- "Measures to avoid ill-treatment in the context of Statement-taking", EU Twinning Project TR02-JH-01 "Improvement of Statement-taking Methods and Rooms", Opening Conference, 8 September 2004, Ankara, Turkey
- "The Austrian Human Rights Advisory Council" at Univerzita Karlova V Praze, Evropské Informační Strědisko, International Conference on the Implementation of the Optional Protocol to the UN Anti Torture Convention under the auspice of the Czech Minister of Foreign Affairs, 9-10 February 2004, Prague, Czech Republic
- "The Protection of Indigenous Peoples Rights under Article 27 ICCPR", Symposium, Diplomatic Academy, Vienna, Indigenous People: International Law, Conflict Resolution, Sustainable Development, 28 October 2002, Vienna, Austria
- "Restitution for expropriation and forced labour: The Austrian Restitution Agreement of 17.1.2001", Austrian Institute for East and Southeast-Europe/Institute for International Studies of the Faculty for Social Sciences of the Karls-University Prag/Masaryk University Brno, Symposium, 1-2 July 2002, Brno, Czech Republic
- "Human Rights and Sharia", 26th Annual Meeting of the Austrian Society of International Law in Vienna, June 2000, Vienna, Austria
- "Racial Discrimination a First Step on the Way to Torture", ÖH -AI – Human Rights Week, Vienna – 10 December 2000, Vienna, Austria
- "The situation in Turkish prisons – international law aspects", Prison Watch International, 18 November 2000, Vienna, Austria
- "Other European instruments for the protection of Human Rights: The Convention for the prevention of torture and inhuman or degrading treatment", Council of Europe, VII. European law week, Matej-Bel University Banská Bystrica, 6 – 10 November 2000, Banská Bystrica, Slovac Republic
- "Who is a refugee", University goes public, 9 March 2000, Vienna, Austria
- "All human rights for all", University goes public, 29 February 2000, Vienna, Austria

- "The prohibition of Torture in Public International Law", Master Program University Frankfurt/Oder, Vienna, 23 February 2000, Vienna, Austria
- "Principles of ethics and human rights as basic premises of law", Millenniums Conference Ankara Bar Association, 13 January 2000, Ankara, Turkey
- "Torture as fundamental problem of human rights", Symposium, Vienna: Torture and Persecution (VHS Favoriten), 25/26 November 1999, Vienna, Austria
- "Preventive measures and control mechanisms against human rights violations: The view from the European Committee for Prevention of Torture", University Vienna – International Master of Humanitarian Medicine, 25 June 1999, Vienna, Austria
- "Basic Rights in Austria – Human Rights in Europe", Administrative Academy, 4 May 1999, Vienna, Austria
- "Women's Rights – Human Rights: International Norms against Trafficking in Women", LEFÖ – Seminar: Trafficking in Women, 17 April 1999, Austria
- "The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment: An Overview over its Mandate and Activities", University Miskolc – Nemzetközi konferencia, 6 March 1999, Miskolc, Hungary
- "Latest developments of international mechanisms for the protection of human rights", Law Faculty Vienna – ELSA, 10 December 1998, Vienna, Austria
- "Developments in the field of human rights protection since the Vienna World Conference on Human Rights 1993", Renner Institute, 16 November 1998, Vienna, Austria
- "Current developments in the field of human rights protection" (case law of the ECHR, CJEC; relationship Strasbourg-Luxembourg; human rights violations by non-state actors; recent developments concerning protection mechanisms: ECPT, 11 ad prot. ECHR, collective complaints procedure European Social Charter, ICC), Richterwochende: 17 October 1998, Austria
- "The Prohibition of Refoulement Art 3 ECRK and Art 3 CAT", Weiterbildungsveranstaltung für Flüchtlingsbetreuer nach dem AsylG 1997, 20 March 1998, Vienna, Austria

V. Public activities

a. Public office

- Legal Advisor's Office at the Austrian Federal Ministry for Foreign Affairs (Section General International Law): April 2000 – April 2001
- Austrian Delegate to the Preparatory Commission for the International Criminal Court July 2000 session
- Member of the team of the Special Envoy for Restitution Issues Dr. Ernst Sucharipa for the Austrian Holocaust Restitution Negotiations 2000/2001

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

a. Various other professional activities

- Reporter of the Austrian Science Fund (FWF) Board 2017-2020
- Lecturer at the University of Vienna Summer School International and European Studies, Strobl: 2013, 2015, 2016, 2017, 1018, 2019 ("International Investment Law and Arbitration")
- Lecturer at the Europa-Institut, Saarland University, Winter Term 2016/2017

– Professorial Lecturer at the Loyola University New Orleans College of Law Summer Legal Studies Program (courses on international courts and tribunals) 2008-2014
– Assistant Editorial Manager of the Austrian Review of International and European Law: 1996-2007
– Lecturer at the University of Vienna (Courses in Public International Law since 1995)
– Assistant at the Institute of Public International Law since 1995-2007 (2007-2008 Assistant Professor)
– Assistant at the Institute for Roman Law 1993-1995

b. Professional memberships

– Member of the Council of the German Society of International Law
– European Society of International Law (ESIL), (Interest Group on Business and Human Rights, Interest Group on International Economic Law) since 2004
– International Law Association (ILA, member of the former Committees on Human Rights, member of the Committee on the Rule of Law and International Investment Law), (member of the executive board of the Austrian Branch since 2007) since 2005
– Österreichischer Völkerrechtstag (Austrian International Lawyers' Association) since 1995
– Austrian Arbitration Association – Arbitration Austria, since 2011
– Member, Independent International Jury of the Bruno Kreisky Prize for Human Rights, since 2007
– Member, Austrian Society of Women in International Law

c. Human rights related conferences organised

– "International Human Rights and International Economic Law: Interfaces, Challenges, Visions", together with Univ. Prof. Dr. Christina Binder, Vienna, Austria, 25-26 November 2022
– "Human Rights 2018, 1948/58 – Development and Significance of Human Rights in Austria", together with Univ. Prof. Dr. Katharina Pabel and Dr. Markus Vašek, Vienna, Austria, 10-11 September 2018

d. Numerous public lectures and addresses in other fields of public international law

e. External reviewing

– External reviewer and examiner at various institutions, such as: Schweizerischer Nationalfonds, Cambridge University Press, Oxford University Press, Edward Elgar, University of Warwick, Monash University, McGill University, University Lyon, Leiden University
– Chairperson of the Evaluation Committee of the Department of Law, University of Cyprus, September 2016.

VII. Publications and other works

– Author of four monographs, one together with R. Dolzer and C. Schreuer, co-editor of five books together with (A. Reinisch (3), C. Binder (1), S. Wittich (1), A. Bockley (1) and G. Kucsko-Stadlmayer (1)) and author of about 90 articles and book chapters, most of them in English, one in Frensh and the rest in German.

a. Books

– Folterprävention in Europa. Die Europäische Konvention zur Verhütung von Folter und unmenschlicher oder erniedrigender Behandlung oder Bestrafung, 2000, Verlag Österreich, 786 pages
– Eigentumsschutz im Völkerrecht. Eine vergleichende Untersuchung zum internationalen Investitionsrecht sowie zum Menschenrechtsschutz, Duncker & Humblot, 2008, 623 pages

b. Articles and book chapters

– "Prevention of Human Rights Violations", 2 ARIEL 1997, 155-189.

– "Nationality and the Protection of Property under the European Convention on Human Rights", in: I. Buffard et. al. (eds.), International Law between Universalism and Fragmentation, 2008, 649-666

– "Human Rights of the Population of the Host State in International Investment Arbitration", 10 The Journal of World Investment & Trade 2009, 653-677

– "Art. 1 1. ZP zur EMRK", in: K. Pabel/S. Schmahl (eds.), Internationaler Kommentar zur Europäischen Menschenrechtskonvention, 16. Kommentarlieferung, 2013, 153 pages

– "Interaction du droit des investissements et des droits de l'homme: l'inspiration et l'emprunt – Les techniques interprétatives", in: F. Coulée & W. Ben Hamida (eds.), Convergences et contradictions du droit des investissements et des droits de l'homme: une approche contentieuse/Convergence and Conflicts of Investment Law and International Law: a Dispute Settlement Approach, 2017, 305-318

– "Council of Europe Anti-Torture Committee and Prisons in Austria", in: T. Daems, L. Robert (eds.), Europe in Prisons: Assessing the Impact of European Institutions on National Prisons Systems, 2017, 135-172

– "Rule of Law Notions in Human Rights Law", 3 ZEuS 2019, 369-381

– "The European Court of Humans Rights and Arbitration", in: A. Bjorklund, F. Ferrari, S. Kröll (eds.), Cambridge Compendium of International Commercial and Investment Arbitration: Selected Topics, CUP, 2023, 1981-2005

VIII. Languages

a. First language

– German: Reading: very good; Writing: very good; Speaking: very good

b. Official languages

– English: Reading: very good; Writing: very good; Speaking: very good

– French: Reading: very good; Writing: good; Speaking: very good

c. Other languages

– Spanish: Reading – legal texts: fair

IX. Other relevant information

– Goldenes Verdienstzeichen der Republik Österreich (8 June 2001).

– appointed as a candidate for the 2007 election as judge at the European Court of Human Rights by the Austrian government.

– Intersectional Legal Studies Award (11 March 2009).

– Shortlisted for the Chair in International Law (second place), University Vienna, Law School (2010).

X. Permanent residence

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

Appendix 3 – Curriculum vitae of Brigitte OHMS

I. Personal details

Name: OHMS, Brigitte

Sex: female

Date and place of birth: on 19 February 1961 in Klagenfurt, Austria

Nationality: Austrian

II. Education and academic and other qualifications

1979 – 1983: Graz University, Doctor of Laws

III. Relevant professional activities

a. Description of judicial activities

– 2003 – 2013: Member, Senior Disciplinary Commission at the Federal Chancellery
– 2002 – 2011: Lay judge, Vienna Labour Court (*Fachkundige Laienrichterin)*
– 1991 – 1997: Assistant Lawyer to a judge (*Wissenschaftliche Mitarbeiterin*), Austrian Constitutional Court (including preparation of draft judgments and decisions)
– 1984 – 1985: Legal trainee in the courts in Vienna (District Court for Commercial Affaires; Regional Court for Commercial Affaires; Juvenile Court)

b. Description of non-judicial legal activities

– 2021/2022: Lecturer, postgraduate program „Human Rights“, Ludwig Boltzmann Institute, Fundamental and Human Rights
– **2020 – date: Deputy Head of department, Department for EU and International Law, Human Rights Protection, of the Federal Chancellery – Constitutional Service**
– **2020 – 2024: Elected Member, Bureau of the Steering Committee for Human Rights**
– 2013 – 2017 (CDDH)
– **2020 – date: Deputy Head of the Austrian Delegation in the *ad hoc* negotiation group (“46+1”) on the Accession of the European Union to the European Convention on Human Rights**
– 2019: Chair of the Committee of experts on the system of the ECHR (DH-SYSC)
– **2016 – date: Expert representing the CDDH in the Venice Commission**
– **2012 – date: Member or substitute Member, Human Rights Advisory Council at the Austrian Ombudsman Board (NHRI; part of the Austrian NPM according to OPCAT)**
– **2008 – date: Austria’s Deputy Government Agent before the European Court of Human Rights (including coordination and preparation of Austria’s observations)**
– **2008 – date: Austria’s representative in the Council of Europe's Steering Committee for Human Rights (CDDH)**
– **2008 – date: Human Rights Coordinator of the Federal Chancellery (including coordination of the network of Human Rights Coordinators of the Federal ministries)**
– **2008 – date: Member or Head of Austria’s Delegation presenting the regular country reports pursuant to UN treaties**
– **1999 – date: Head of division, Division for cases before the European Court of Human Rights and UN treaty bodies and for other administrative issues and issues of restitution (coordination and preparation of Austria’s observations, member of several European expert committees), Federal Chancellery – Constitutional Service**

– 1999 – 2020: Deputy Head of department, Department for International Affairs and Administrative Affairs of the Federal Chancellery; 2018 – 2020 of the Federal Ministry of Justice

– 1999 – 2003: Lecturer and Examiner in Constitutional Law at the Public Administration Academy (*Verwaltungsakademie des Bundes)*

– **1997 – date: Legal Adviser, Federal Chancellery – Constitutional Service** (including but not limited to the representation of the Austrian Federal Government at the Austrian Constitutional Court, passing of expert opinions on draft legislation, drafting of government proposals for legislation, giving legal advice and information to the Federal Chancellor, the Federal Government and the Federal ministries); 2018 – 2020 located in the Federal Ministry of Justice

– 1988 – 1991: Research and Teaching Assistant, University of Innsbruck, Institute for Public Law, State and Administrative Theory

– 1985 – 1988: Legal Adviser, Federal Ministry for Agriculture and Forestry, Department for fundamental legal issues

– 1985: Research and Teaching Assistant, Vienna University, Institute for Constitutional and Administrative Law

c. Description of non-legal professional activities

– **2007 – date: Austrian National Liaison Officer as primary contact person for the European Union Agency for Fundamental Rights**

– 1999 – 2009: Substitute Member, Advisory Board at the Federal Ministry of the Interior on basic policy issues of the prevention of domestic violence

IV. Activities and experience in the field of human rights

Most of my professional activities relate to matters of human rights

V. Public activities

None.

VI. Other activities

1. Austrian Commission of Jurists

a. Field: academic society

b. Duration: 1998 – date

c. Functions: Member

2. 2006 and 2010: Mentor in a program for young female civil servants

VII. Publications and other works

1. Author, such as:

– Commentary on Articles 28 – 34 (including prolegomena) and Article 54 ECHR, in: Korinek/Holoubek (eds.), Österreichisches Bundesverfassungsrecht (loose-leaf, 2003 – date)

– Die (Europäische) Menschenrechtskonvention. „Welcoming the Applicant“, in: Pabel/Raschauer (eds.), Die Organisation des Grundrechtsschutzes. Nationale und europäische Perspektiven (2014), pp 83 et seqq

– Der Liebe Gott und das liebe Geld. Das sogenannte Schenkungssteuer-Erkenntnis des Verfassungsgerichtshofes vom 2. Juli 2009, B 1397/08, in: Lienbacher/Wielinger (eds.), Jahrbuch Öffentliches Recht 2010, pp 249 et seqq

– Urteile des EGMR mit Österreichbezug, in: Hummer (ed.), Österreich im Europarat 1956 – 2006 (2008), pp 551 et seqq

– The Coming into Force of Protocol No. 14 and the Short but Very Successful Life of Protocol No. 14bis to the European Convention on Human Rights, in: Benedek et al (eds.), European Yearbook on Human Rights 2010, pp 207 et seqq

– Europäischer Gerichtshof für Menschenrechte am Wendepunkt?, Juristische Blätter 2005, pp 14 et seqq

– Bewertung des Diskussionsstandes über die Entlastung des Europäischen Gerichtshofes für Menschenrechte, EuGRZ 2003, pp 141 et seqq

2. Co-author, such as:

– with Christoph Grabenwarter: Manz-Taschenkommentar B-VG (12 edition [2008], 13 edition [2014]; concise commentary on Austrian Constitutional Law)

– with members of the Federal Chancellery – Constitutional Service: The Human Rights Jurisprudence of the European Court of Human Rights in 2011, 2012, 2013, 2014, in: Benedek et al (eds.), European Yearbook on Human Rights

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
***a*. First language:**									
German.(mother tongue)	X			X			X		
***b*. Official languages:**									
– English	X				X		X		
– French		X				X			X
***c*. Other languages:**									

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 this intention.

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 as a judge on the Court.