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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 Cyprus

Communication

Secretary General of the Parliamentary Assembly



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1. List of candidates submitted by the Government of Cyprus and information on the national selection procedure¹

Letter from Ms Helene Josephides, Deputy to the Permanent Representative, Permanent Representative of Cyprus to the Council of Europe, to Ms Despina Chatzivassiliou-Tsovilis, Secretary General of the Parliamentary Assembly of the Council of Europe, dated 30 July 2024

[...]

I have the honour to submit here below, on behalf of the Government of the Republic of Cyprus, the names of the three candidates for the election of the Cypriot Judge to the European Court of Human Rights, for your further actions:

- Ms Elena Efrem
- Ms Natasa Mavronicola
- Ms Marika Papathoma Kalligerou

Please note that the names are submitted in alphabetical order. The curricula vitae of the three candidates are enclosed.

As regards the national procedure followed for the selection of the three candidates, I would like to inform you that the nomination of candidates was based on a pre-determined procedure that was established by a decision of the Council of Ministers of the Republic of Cyprus in 2015. This decision was amended in 2023 to take into consideration the change of the structure of the Judiciary.

The nomination process was initiated via State official channels, i.e. by the publication of the announcement of the nomination process in the Official Gazette of the Republic of Cyprus. The announcement for the initiation of the process was also published in the daily press and on the websites of Ministries, Courts, the Legal Service, the Office of the Law Commissioner, and other relevant bodies involved in the process. A timeframe of more than two months was granted, giving the adequate time to interested candidates for the submission of their applications.

According to the procedure set by the Council of Ministers Decision, a National Selection Body was established. The National Selection Body was comprised of members whose technical knowledge and command of respect and confidence, as well as their freedom from influence, are undoubtful. All applicants were invited to an interview before this Body. The linguistic abilities of the applicants were assessed both based on the certificates provided, and during the interviews.

The National Selection Body presented a list of four candidates to the President of the Republic of Cyprus, in order of preference. The final decision was taken by the President of the Republic who, considering the recommendations of the Selection Body, decided to select the first three candidates presented by the National Selection Body.

[...]

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

Appendix 1 - Curriculum vitae of Elena EFREM

I. Personal details

Name: EFREM, Elena

Sex: female

Date and place of birth: 20 February 1969 in Nicosia, Cyprus

Nationality: Cypriot

II. Education and academic and other qualifications

- 1986 Acropolis Gymnasium/Lyceum (Nicosia) – School Leaving Certificate (awarded for second place)
- 1989 LLB with Honours – University of East Anglia, Norwich (UK)
- 1990 Barrister-at-Law, Gray's Inn (UK)
- 1991 LLM – King's College, University of London (UK)
- 1992 Called to the Cyprus Bar – Cyprus Bar Exams (awarded for first place)
- 2012 Course Diploma – Judicial Co-operation in Criminal Matters in Europe (5th Edition) – European Judicial Training Network (EJTN) (Madrid, Spain)
- 2014 Course Diploma – The Judge in the European Judicial Area in Civil and Commercial Matters – European Judicial Training Network (EJTN) (Barcelona, Spain)
- 2015 Certified as a HELP Trainer – Training of HELP Trainers, The European Program on Human Rights for Legal Professionals (HELP) (Council of Europe) (Strasbourg, France)

III. Relevant professional activities

a. Description of judicial activities

- 1/7/2023 Supreme Court – Judge
- 2022 District Court of Limassol – Administrative President (District Court)
- 2021 District Court of Larnaca and Famagusta – Administrative President (District Court)
- 2020 District Court of Nicosia – President (District Court)
- 2018 District Court of Limassol – President (District Court)
- 2016 Assize Court of Nicosia – President
- 2015 District Court of Nicosia – President (District Court)
- 2013 Assize Court of Nicosia – Senior District Judge
- 2010 District Court of Limassol – Senior District Judge
- 2009 District Court of Larnaca – District Judge
- 2006 Assize Court of Nicosia – District Judge
- 2000 District Court of Nicosia – District Judge
- 1997 District Court of Larnaca – District Judge

b. Description of non-judicial legal activities

- 1994 Chryssafinis and Polyviou Law Firm – Lawyer
- 1992 Panayiotou and Pelekanos Law Firm – Lawyer
- 1991 Panayiotou and Pelekanos Law Firm – Pupillage

IV. Public activities

a. Public Office

- Judicial Service, Supreme Court – Republic of Cyprus (1997 until present)

b. Elected Posts

- Junior and Senior School Board of Governors – Member (2009 –2011)

During that time, I served as the Chairperson on the Senior School Committee and the Teachers' Provident Fund Committee. This invaluable experience granted me an insider's view on the establishment and development of a school to the highest academic standards. It has also enhanced my leading, organisational and communication skills.

V. Other activities

- Consultative Council of European Judges: 2023 – ongoing; Representative for Cyprus, appointed by the Cyprus Supreme Court
- Cyprus Judicial Training School: 2018 – ongoing; Trainer, facilitator and organiser of training seminars on judgecraft, new civil procedure rules and children as vulnerable witnesses
- Cyprus-based project “Strengthening National Policies to Stop Sexual Violence Against Children”; Training for prosecutors, judges and defence lawyers on “Understanding and Handling Child Victims of Sexual Violence”, organised by The Parliamentary Assembly of the Council of Europe: 2015 – ongoing; Representative of the Cyprus Judiciary, appointed by the Cyprus Supreme Court (responsible to help organise a series of training seminars for various professionals in this field)
- Cyprus Police Academy: 2018 – 2022; Guest Trainer on video recorded statements and their presentation in court
- Network to stop sexual violence against children, organised by The Parliamentary Assembly of the Council of Europe: May 2014; Panellist of the round table of the Network meeting
- Workshops; Participated in a number of Judicial Workshops of The Children's House on children as vulnerable witnesses
- Public Speaking; Delivered speeches and presentations at universities and other academic institutions on children within the judicial system
- Other Participations; Attended various seminars in Cyprus and abroad organised by the European Judicial Training Network

VI. Languages

- Greek – native
- English – proficient (CEFR equivalent C2)
- French – independent user (CEFR equivalent B1)

Language	Reading			Writing			Speaking		
	Excellent	Good	Fair	Excellent	Good	Fair	Excellent	Good	Fair
a. First Language: Greek	X			X			X		
b. Official Languages:									
English	X			X			X		
French		X			X			X	

VII. Other relevant information

In my 24-year tenure as a Judge, upholding fundamental human rights has been paramount. I've presided over diverse cases where human rights issues emerged, often influencing the case's outcome. Addressing these issues entails a comprehensive analysis of international and European human rights instruments and caselaw. Some cases even necessitate the establishment of new legal principles within national caselaw. As a Supreme Court Judge, considerations of human rights, particularly in Prerogative Orders applications, remain prominent. Given the dynamic nature of human rights, the courts must continually adapt to society's evolving values, ensuring that caselaw progresses to safeguard human rights across all aspects of life. This commitment reflects my enduring dedication to the ever-evolving landscape of human rights jurisprudence.

VIII. Residency in Strasbourg

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

Appendix 2 - Curriculum vitae of Natasa MAVRONICOLA

I. Personal details

Name: MAVRONICOLA, Natasa

Sex: female

Date and place of birth: 21 September 1985 in Nicosia, Cyprus

Nationality: Cypriot

II. Education and academic and other qualifications

- 2014: PhD in Law, University of Cambridge: *Thesis title*: 'Delimiting the Absolute: The Nature and Scope of Article 3 of the European Convention on Human Rights'. *Supervisor*: Professor David Feldman KC FBA. *Examiners*: Professors Liora Lazarus (University of Oxford) and Mark Elliott (University of Cambridge).
- 2010: Passed the Cyprus Bar Examinations: Distinction (Άριστα), First Place in National Examinations. *Courses completed*: Article 146 (Administrative Law); Civil Litigation; Civil Wrongs; Company Law; Constitutional Law; Contract Law; Courts/Lawyers/Ethics; Criminal Law; Criminal Litigation; Evidence.
- 2009: College of Law's Linklaters Legal Practice Course (solicitors' qualification): Distinction.
- 2008: BCL (Masters in Law), University of Oxford: Distinction, recipient of Bruce Reynolds Prize for Worcester College's highest performance on the BCL and Worcester College Prize for Distinction on the BCL.
- 2007: LLB (Hons), University College London: First Class, Dean's List and recipient of Faculty of Laws' Andrews Medal and Prize for the highest performance on the LLB degree and the Agha Abdur-Rashid Prize for high standard of overall performance in undergraduate study.
- 2004: Graduate of The English School, Nicosia. *A Levels*: Classical Greek; English Literature; French; History; Mathematics; Modern Greek (all As). *AS Level*: Economics (A).

III. Relevant professional activities

a. Description of judicial activities

Not applicable

b. Description of non-judicial legal activities

Activities as Legal Academic

Education & Research Posts (Permanent and Full-Time):

- **August 2022 – present: Full Professor of Human Rights Law, Birmingham Law School, University of Birmingham.** I lecture in subjects including *Decolonising Legal Concepts; European Human Rights Law; Human Rights and Criminal Justice; and International Human Rights Law*. I have supervised 5 PhDs to completion.
- August 2019 – July 2022: Reader in Law, Birmingham Law School, University of Birmingham.
- September 2016 – August 2019: Senior Lecturer in Law, Birmingham Law School, University of Birmingham.
- July 2013 – September 2016: Lecturer in Law, Queen's University Belfast School of Law.

Education & Research Posts (Part-Time or Visiting):

- **October 2016 – present:** Guest Lecturer, University of Oxford.
- July 2023: Lecturer, Koufa Summer Courses on *International Law and Human Rights*, Kalliopi Koufa Foundation, Thessaloniki.

- October – November 2021 and 2022: Diaspora Faculty, University of Cyprus.
- June 2013 – June 2015: Visiting Lecturer in *English Administrative Law*, University of Osnabrück.
- August 2012 – October 2012: Doctoral visitor at Harvard Law School.
- October 2011 – January 2013: Graduate Teaching Assistant in *Civil Liberties and Human Rights* (LLM), University of Cambridge.
- October 2010 – December 2012: College Tutor in *Constitutional Law and Administrative Law*, University of Cambridge.
- September 2008 – August 2012: Teaching Fellow in *Public Law and Human Rights*, UCL Faculty of Laws.

Research Community Activities:

- Editorial Board, *Europe of Rights & Liberties* (2023–present); *Human Rights Law Review* (2021–present); *Cyprus Human Rights Law Review* (2014-2015).
- External Examiner in *Human Rights* courses (undergraduate and postgraduate), University of Galway (2021-present).
- Member, UK Prohibition of Torture Network; Society of Legal Scholars; Socio-Legal Studies Association.
- Associate, Oxford Human Rights Hub.

Activities as legal practitioner

- 2010-2012: Trainee Lawyer at Chryssafinis & Polyviou LLC (criminal law and public law): practising in criminal law and public law; junior advocate for the defence in negligent manslaughter case.

c. Description of non-legal professional activities

Not applicable

d. Other professional activities

Knowledge Exchange – Selected Activities

- Invited speaker, “Strip Searches through the Lens of the Prohibition of Inhuman and Degrading Treatment”, European Society of Criminology Conference, 7 September 2023.
- Organiser and speaker, “Minimalism vs. Maximalism? Challenges and Future Directions in the Interpretation of the European Convention on Human Rights”, Zoom webinar, 8 June 2022.
- Book launch and discussion, “(Re)Interpreting Article 3 ECHR: Whither the Absolute Right against Ill-Treatment?”, University of Strasbourg, 10 March 2022.
- Keynote, “The Future is a Foreign Country: Climate Change and (Real Risk of) Ill-Treatment under Article 3 ECHR”, Society of Legal Scholars conference, Human Rights Section, 31 August 2021.
- Invited speaker, “Positive Obligations in Crisis”, webinar on *Human Rights in the Time of Coronavirus*, 7 April 2020.
- Invited speaker, “The Unpopular (and) Article 3 ECHR”, *What has the ECHR Ever Done for the UK?*, British Academy Workshop, 27 November 2018.
- Invited speaker, “Policing of Assemblies: Use of Force and Accountability”: conference with UN stakeholders, Geneva Academy, 1-2 May 2017.
- Invited contributor on the prohibition of torture in Cyprus, *Meeting of European experts on law and practice on prohibition of torture*, European Center for Constitutional and Human Rights, 25-27 November 2011.

IV. Public activities

a. Public office

Not applicable

b. Elected posts

Not applicable

c. Posts held in a political party or movements

Not applicable

V. Other activities

a. Field

Consultancy work for the United Nations and the Council of Europe on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment and its application in various contexts, specifically:

- as Special Advisor to the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Nils Melzer;
- in work relating to preparation of, and reporting on, a roundtable facilitated by Greece and the Council of Europe on 'Professional Policing: Roles and Responsibilities of National Actors in relation to the (Ill-) Treatment of Apprehended Persons in Greece', involving a range of key stakeholders, including senior prosecutors, police officers, government representatives, the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and Council of Europe officials.

b. Duration

- I worked as Special Advisor to the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from March 2017 until July 2019, and from January 2021 until June 2021.
- I undertook consultancy work for the Council of Europe in November 2017 – January 2018 and again in January 2019 – April 2019 in preparing for, participating in and reporting on a roundtable on professional policing and the (ill-)treatment of apprehended persons in Greece.

c. Functions

- *Thematic work of the United Nations Special Rapporteur on Torture, Nils Melzer:* As Special Advisor to the Rapporteur, my functions consisted of engaging in bilateral and multilateral consultations and supporting the Rapporteur in drafting the following six thematic reports (submitted to the United Nations General Assembly and United Nations Human Rights Council):
 1. thematic report on the extra-custodial use of force (UN doc. A/72/178);
 2. thematic report on migration-related torture (UN doc. A/HRC/37/50);
 3. thematic report on achievements of and challenges to the absolute prohibition of torture 70 years after the Universal Declaration of Human Rights (UN doc. A/73/207);
 4. thematic report on the relationship between torture and corruption (UN doc. A/HRC/40/59);
 5. thematic report on domestic violence (UN doc. A/74/148);
 6. thematic report on accountability for torture and other ill-treatment (UN doc. A/76/168).
- *Consultancy on police ill-treatment and human rights for Council of Europe (2017-19):* under contract with the Council of Europe, I prepared a concept note and follow-up report on the (ill-)treatment of apprehended persons in Greece and on pathways to eradicating patterns of torture and ill-treatment and participated in a stakeholder roundtable on these issues in Athens in January 2019.

VI. Publications and other works

Books

- Torture, Inhumanity and Degradation under Article 3 of the ECHR: Absolute Rights and Absolute Wrongs (Hart Publishing 2021).
- Edited with Laurens Lavrysen, *Coercive Human Rights: Positive Duties to Mobilise the Criminal Law under the ECHR* (Hart Publishing 2020).

Articles/book chapters

- ‘Human Rights and the Righting of “Historical” Wrongs’ (2023) 74(1) *Northern Ireland Legal Quarterly* 192–208.
- (with Elaine Webster) ‘Strip Searches Through the Lens of the Prohibition of Inhuman and Degrading Treatment in European Human Rights Law’ in Tom Daems (ed), *Body Searches and Imprisonment* (Palgrave Macmillan 2023).
- ‘The Future is a Foreign Country: State (In)Action on Climate Change and the Right against Torture and Ill-Treatment’ (2022) 6(2) *Europe of Rights & Liberties* 211-237.
- ‘*Bouyid v Belgium*: The “Minimum Level of Severity” and Human Dignity’s Role in Article 3 ECHR’ (2020) 1(1) *The European Convention on Human Rights Law Review* 105-124.
- ‘Taking Life and Liberty Seriously: Reconsidering Criminal Liability under Article 2 of the ECHR’ (2017) 80(6) *Modern Law Review* 1026–1051.
- ‘Is the Prohibition against Torture and Cruel, Inhuman and Degrading Treatment Absolute in International Human Rights Law? A Reply to Steven Greer’ (2017) 17(3) *Human Rights Law Review* 479–498.
- (with Kanstantsin Dzehtsiarou) ‘Relationship between Constitutional/Supreme Courts and the ECtHR’ in *Max Planck Encyclopedia of Comparative Constitutional Law* (OUP 2017).
- ‘Crime, Punishment and Article 3 ECHR: Puzzles and Prospects of Applying an Absolute Right in a Penal Context’ (2015) 15(4) *Human Rights Law Review* 721-743.
- (with Francesco Messineo) ‘Relatively Absolute? The Undermining of Article 3 ECHR in *Ahmad v UK*’ (2013) 76(3) *Modern Law Review* 589-603.
- ‘*Güler and Öngel v Turkey*: Article 3 of the European Convention on Human Rights and Strasbourg’s Discourse on the Justified Use of Force’ (2013) 76(2) *Modern Law Review* 370-382.
- ‘*Hirsi Jamaa v Italy*: Human Rights and Expulsion on the High Seas’ (2012) 1(2) *Cyprus Human Rights Law Review* 198-212.
- ‘What is an “absolute right”? Deciphering Absoluteness in the Context of Article 3 of the European Convention on Human Rights’ (2012) 12(4) *Human Rights Law Review* 723-758.

VII. Languages

Language	Reading	Writing	Speaking	How acquired?
Greek	Fluent	Fluent	Fluent	Mother tongue
English	Fluent	Fluent	Fluent	Education and work (teaching and research)
French	Advanced	Confident	Confident	Education (A Level) and usage
Spanish	Basic	Basic	Basic	Education
German	Basic	Basic	Basic	Education
Italian	Basic	Basic	Basic	Education

VIII. Other relevant information

a. Research awards

- 2022 “Constantinos Emilianides” Award for Law, awarded by the Cyprus Review for monograph *Torture, Inhumanity and Degradation under Article 3 ECHR: Absolute Rights and Absolute Wrongs* (Hart Publishing 2021).
- 2022 Society of Legal Scholars Peter Birks Book Prize for Outstanding Legal Scholarship for monograph *Torture, Inhumanity and Degradation under Article 3 ECHR: Absolute Rights and Absolute Wrongs* (Hart Publishing 2021).
- 2019 University of Birmingham Award for Outstanding International Impact, for informing UN policy on the prohibition of torture.

b. Research reach

- My academic work has been cited in Separate Opinions issued by judges of the European Court of Human Rights in *Svinarenko and Slyadnev v Russia* [GC] (nos 32541/08 and 43441/08, 17 July 2014), *Savran v Denmark* [GC] (no 57467/15, 7 December 2021), *YP v Russia* (no 43399/13, 20 September 2022), and *Semenya v Switzerland* (no 10934/21, 11 July 2023).

IX. Upgrading language skills

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

Yes, I confirm.

X. Residency in Strasbourg

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

Yes, I confirm.

Appendix 3 - Curriculum vitae of Marika PAPATHOMA KALLIGEROU

I. Personal details

Name: PAPATHOMA KALLIGEROU, Marika

Sex: female

Date and place of birth: 15 November 1965 in Nicosia, Cyprus

Nationality: Cypriot

II. Education and academic and other qualifications

- (1977-1983) A' Gymnasium of Paphos, High School Diploma
- (1983-1987) Law School, National and Kapodistrian, University of Athens, Law Degree
- (1989) Cyprus Bar Examinations
- (1989) Aglo-Cypriot Legal Studies, Lester University, (Certificate of Attendance)
- (2015) Attending courses of Master of Laws degree (LLM), University of Nicosia (Certificate of Attendance)
- (2017) Exchange Program for Judges – ACA Europe, Council of State of Greece.

III. Relevant professional activities

a. Description of judicial activities

- **(2024) Judge of the Supreme Constitutional Court of Cyprus.** The Supreme Constitutional Court of Cyprus has the jurisdiction prescribed in the Constitution of Cyprus (Articles 133-151) as well as appellate jurisdiction for the appeals against the judgments of the Administrative Court and the Administrative Court of International Protection for the years 2016-2018.
- (2015-2023) President of Administrative Court of Cyprus. The Administrative Court has the jurisdiction to annul administrative acts or omissions of administrative organs and/or Public Authorities. During the period of eight years (2015-2023) as President, I have delivered approximately 740 Judgments (published in Cylaw.org).

b. Description of non-judicial legal activities

- (8/1988-8/1989) Trainee Advocate, Law Firm of Andis Triantafyllides & Sons
- (9/1989-12/1989) Advocate, Law Firm of L. Papafilippou & Co
- (5/1990-9/1990) Employed by the Law Commissioner of Cyprus (Translations of Cyprus Laws (CAPS) from English to Greek)
- (9/1990-12/1994) Advocate, Law Firm of Chrysafinis & Polyviou
- (5/1995-12/1995) Advocate, Law Firm of Markides, Markides and Co
- (1/1996-31/2000) Advocate, Law Firm of Chrysis Demetriades, A. Mousiouttas & Co
- (2/2000-11/2015) Managing Director/Legal Consultant, Marika Kalligerou LLC
- (1991-2015) Editor of the Cyprus Law Reports (CLR), Part 3 and Part 4, (Revisional Jurisdiction of the Supreme Court of Cyprus). 64 Volumes of Cyprus Law Reports were published during said period for the years 1991-2015.

After being registered as an advocate in 1989, I practiced law for 26 years. During my career as a practicing lawyer, I acquired specialisation in Public Law in the areas of Constitutional, Human Rights and Administrative Law.

c. Description of non-legal professional activities

None

d. Other professional activities

None

IV. Public activities**a. Public office**

Judicial office

b. Elected posts

None

c. Posts held in a political party or movement

None

V. Other activities

None

VI. Publications and other works

- The sole editor of the Cyprus Law Reports for the years 1991-1992 and 1998-2015 (Part 3).
- The sole editor of Cyprus Law Reports for the years 1993-2015 (Part 4). (64 volumes)
- Index to Cyprus Law Reports: Administrative Law Cases (Plenary Jurisdiction) 1998-2015 (in progress).

VII. Languages

Language	Reading	Writing	Speaking	How acquired?
Greek	Excellent	Excellent	Excellent	Mother tongue
English	Confident	Fluent	Confident	English language courses (7 years), professional experience, participation in seminars, conferences and workshops, delivered in English.
French	Very good	Fair	Fair	French language courses (3 years).

VIII. Other relevant information

I had the honour to be invited by the European Court of Human Rights and I attended the annual seminars held by the Court regarding the opening of the new judicial year between the years 2018-2024 (4 times).

IX. Upgrading language skills

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

Yes, I confirm.

X. Residency in Strasbourg

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

Yes, I confirm.