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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 Monaco

Communication

Secretary General of the Parliamentary Assembly



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1. List and curricula vitae of candidates submitted by the Government of Monaco¹

Letter from Ms Isabelle Berro-Amadeï, Government Counsellor, Minister for External Relations and Cooperation, to Ms Despina Chatzivassiliou, Secretary General of the Parliamentary Assembly of the Council of Europe, dated 21 January 2025.

[...] Dear Secretary General,

In a note, dated 1 February 2025, you kindly drew my attention to the expiry of the term of office of the judge elected to the European Court of Human Rights in respect of Monaco.

In reply, I have the honour to inform you that the authorities of Monaco have submitted a list of three candidates to the Advisory Panel of Experts on candidates for election as judge to the European Court of Human Rights [...].

I therefore have the honour to submit the following list of candidates:

- Mr Sébastien BIANCHERI;
- Ms Peggy DUCOULOMBIER;
- Mr Yves STRICKLER.

You will find attached the curricula vitae of the three candidates, as well as a description of the national procedure followed for the establishment of the said list.

[...]

2. Information on the national selection procedure for candidates for the post of judge at the European Court of Human Rights in respect of Monaco

On 16 September 2024, Ms Stéphanie MOUROU-VIKSTRÖM's 9-year (non-renewable) term of office as a national judge to the European Court of Human Rights expired.

The procedure for selecting a national judge provided that the Government was to submit a list of three candidates (names and curricula vitae) in accordance with the criteria set out in the guidelines on the selection of candidates for the post of judge at the Court, to the Consultative Panel of Experts on Candidates for the Election of Judges to the European Court of Human Rights by the end of December 2024 at the latest, in view of an election by the Parliamentary Assembly of the Council of Europe.

The purpose of this note is to describe the national procedure for selecting candidates for the post of judge to the Court in respect of Monaco.

It should be noted that in drawing up the selection procedure, the authorities of Monaco have taken into account the guidelines adopted by the Committee of Ministers.

A new public call for applications was published in the Journal de Monaco on 8 November 2024, in the daily newspaper Monaco Matin on 14 and 21 November 2024 and on the Government of Monaco's linkedin page.

As with the previous procedure, a national candidate selection body was set up to advise the government on the applications. This committee was set up by administrative decision.

2.1. Composition of the National Selection Committee

The authorities of Monaco showed their willingness to take into account the guidelines adopted by the Committee of Ministers by emphasising, when appointing members, that the composition of this body is 'an essential consideration' in the procedure, 'its members should collectively have sufficient technical knowledge and command respect and confidence' (Committee of Ministers' guideline No. 1 on the procedure for drawing up the recommended list of candidates).

The National Selection Committee, which was forwarded to the government and which was responsible for issuing an opinion on the applications, was composed as follows:

- the President of the High Council of Judges and Prosecutors;

1. The curriculum vitae were submitted by the Government of Monaco in French; the translation into English was provided by the Council of Europe's services.

- the President of the Supreme Court
- the First President of the Court of Revision;
- a representative appointed by the Minister of State, in this case the Director of Legal Affairs;
- the Government Counsellor-Minister for External Relations and Cooperation.

2.2. Public call for applications

A new public call for applications, [...], was published in the Journal de Monaco (Official Journal) on 8 November 2024, with a deadline of 5 December 2024 for receipt of applications by the Minister of State.

2.3. Reception of applications

Five applications were received by the Minister of State before the expiry of the deadline, of which receipt was officially acknowledged. These applications were forwarded to the Chairman of the National Selection Committee for consideration by the committee. Official acknowledgement of receipt was sent to candidates by letter from the Minister of State.

2.4. Examination by the National Selection Committee

In a confidential letter dated 17 December 2024 addressed to the Minister of State, the Chairman of the committee informed the Minister of State that the committee had met at the Palais de Justice on 13 December 2024 from 11 a.m., under his chairmanship, in his capacity as Chairman of the High Council of Judges and Prosecutors.

In addition to its Chairman, Mr Samuel VUELTA SIMON, the committee was composed of:

- Ms Isabelle BERRO-AMADEÏ, Government Counsellor-Minister for External Relations and Cooperation;
- Mr Stéphane BRACONNIER, President of the Supreme Court;
- Ms Cécile CHATEL-PETIT, First President of the Court of Revision;
- Mr Arnaud HAMON, Director of Legal Affairs.

The members of the committee were assisted by Ms Magali GINEPRO, General Secretary of the Judicial Services Department and Secretary of the High Council of Judges and Prosecutors, who provided secretarial services.

The Chairman indicated that the members had received correspondence dated 21 September 2023 specifying the committee's mission, i.e. to check that the applicants fulfilled the conditions laid down by the European Convention on Human Rights and the various bodies of the Council of Europe, as set out in the national public call for applications.

The committee noted that the applicants' files were sent to the Minister of State within the deadline set in the call for applications.

A written convocation was sent by the Chairman of the committee to the five candidates, both by letter and by e-mail, as a matter of urgency, on 10 December 2024.

They were successively and individually interviewed, either in person or by videoconference, on Friday 13 December 2024, for an interview of identical length (30 minutes each) with the members of the committee.

The five candidates are:

- Ms Aline BROUSSE, born on 29 January 1972 in Monaco, of Monegasque nationality;
- Mr Sébastien BIANCHERI, born on 5 June 1980 in Monaco, of Monegasque nationality;
- Mr Giuseppe MUSCHIETTI, born on 13 January 1964 in Lugano (Switzerland), of Swiss nationality;
- Ms Peggy DUCOULOMBIER, born on 11 December 1978 in Valenciennes (France), of French nationality;
- Professor Yves STRICKLER, born on 31 July 1965 in Strasbourg, of French nationality.

During the respective interviews, each of the applicants described his or her background, motivations and particular skills that would enable them to perform the duties of national judge at the Court.

In its opinion, the committee detailed the motivations and skills of each candidate and stated that, in general, the candidates' answers to the members' specific questions highlighted their perfect knowledge of the European institution, the applicable texts and case law.

On the basis of the files submitted and the interviews, it concluded that three of the five applications received for the post of judge in respect of Monaco at the European Court of Human Rights met the criteria laid down both by the European Convention on Human Rights (articles 21 to 23) and by the relevant texts of the Parliamentary Assembly of the Council of Europe.

They also meet the conditions of age, good character, independence and impartiality.

The applicants have made a written commitment to take up permanent residence in Strasbourg if elected; they will thus have the availability that the position of national judge at the Court requires.

Lastly, the committee wishes to point out that, in view of the knowledge that its members have of the candidates, it confirms that the references, qualities and details given on the *curricula vitae* correspond to objective realities.

2.5. Drawing up the list of candidates

On receipt of the committee's opinion, the Minister of State communicates, in the light of this particularly reasoned opinion, the following list of three names, presented in alphabetical order, comprising two men and one woman:

- Mr Sébastien BIANCHERI;
- Ms Peggy DUCOULOMBIER;
- Mr Yves STRICKLER.

The authorities of Monaco would like to emphasise that, despite a small population of Monegasque nationals and the need to fill positions of public responsibility in the country, they are presenting serious candidates who meet the criteria.

Appendix 1 - Curriculum vitae of Sébastien BIANCHERI

I. Personal details

Name, forename: BIANCHERI, Sébastien

Sex: male

Date and place of birth: 5 June 1980 in Monaco

Nationality: Monegasque

II. Education and academic and other qualifications

- 2001: Diplôme d'Etudes Universitaires Générales (DEUG) (university diploma taken after two years of study) in Law, University of Nice Sophia-Antipolis (with distinction)
- 2002: Degree (Licence) in Law, University of Nice Sophia-Antipolis (mention bien (merit)). Certificate of International Law (grade: B), summer programme, Hofstra University (New York)
- 2003: Master's Degree in Private Law, University of Nice Sophia-Antipolis (merit, first in his year)
- 2004: Advanced Postgraduate Diploma (DEA) in private law and criminal sciences, University of Nice Sophia-Antipolis (merit). Member of the Private Law Research Centre (CERDP) at the University of Nice Sophia-Antipolis
- 2004-2005: Legal trainee at the French legal service training college (ENM), Bordeaux Secondment to the Avignon Tribunal de Grande instance. Awarded a foreign legal trainee diploma (with distinction)

III. Relevant professional activities

a. Description of judicial activities

- 2006: Substitute judge at the Monaco Court of First Instance: Associate judge for the civil and criminal benches, all types of case, judge in charge of labour disputes over accidents at work.
- 2007: Substitute prosecutor serving as a deputy to the Principal State Prosecutor of Monaco: Prosecution at criminal and youth court hearings, management of investigations in real time, settlement of judicial investigations, processing of extradition cases.
- 2008-2011: Judge at the Monaco Court of First Instance: General civil proceedings, conciliating family affairs judge, enforcement of sentences, juvenile delinquency criminal and trial benches. Alternating presidency of the trial office of the Labour Court, labour disputes.
- 2012-2018: Chief judge at the Monaco Court of First Instance: General administrative (state liability), civil and criminal proceedings. Urgent applications judge at the Labour Court. Exclusive presidency of the commercial bench, presiding judge in flagrante delicto hearings. Judge in charge of the execution of international requests for judicial assistance in civil cases. Responsibility for urgent applications cases through delegation by the President. Presiding judge in civil advisory division hearings (protection of adults, guardianship disputes).
- 2018-March 2021: Vice-President of the Monaco Court of First Instance: Regular presiding judge in hearings on civil cases and urgent applications, administrative proceedings, occasionally presided over criminal and flagrante delicto hearings, exclusive presidency of the commercial bench. Cases delegated by the President of the Court, participation in Criminal Court proceedings. Disputes relating to care without consent and compulsory hospitalisation (2018-2021).
- **Since March 2021: Judge at the Monaco Court of Appeal:** all civil, criminal, administrative, labour and commercial appeal proceedings, investigation division, extradition cases (Convention ETS No. 24 of 13 December 1957 and consideration of the reports of the Committee for the Prevention of Torture), Criminal Court.

b. Description of non-judicial legal activities

- **Since September 2012: Secretary of the Council of State of the Principality of Monaco** (post which is required by law to be occupied by a member of the judiciary): preparation of minutes of meetings and of the opinions of this constitutional advisory body; drafting of activity reports; questions relating to freedom of association, work on the 4th GRECO evaluation round concerning Monaco; opinions on freezing of criminal assets (UN resolutions), personal data protection and conformity with Council of Europe Convention 108+ and a Code of Private International Law
- **Since 2021: Chair of the Disciplinary Division of the Monégasque Anti-Doping Committee:** in his capacity as appeal court judge: application of the provisions of the World Anti-Doping Code and the rules of WADA; monitors developments in the case law of the European Court of Human Rights on sport, particularly on the public nature of hearings and the statutes of the Court of Arbitration for Sport.
- **Since 2021: Member of the campaign auditing committee:** in his capacity as appeal court judge: auditing of election campaign funding and the accounts of candidate lists, in accordance with the recommendations of GRECO (3rd evaluation round, 2017); Rapporteur on list audits for the 2023 municipal elections.
- 2012-2015: Member of the Drafting Committee of the law review, the *Revue de Droit Monégasque*.
- 2010-2014: Full member of the Monégasque judicial service commission, the Haut Conseil de la Magistrature: Justice Council in Monaco set up in 2009: opinions on career development and responsibility for ethical and disciplinary matters; Rapporteur in 2011 on the project to draw up a set of rules on in-service judicial training; participation in the organisation of an exchange with the Italian judicial service commission and a conference hosted by the Vice-Chair of the Italian commission on 6 June 2011 on the role of elected judges and prosecutors on Justice Councils

c. Description of non-legal professional activities

Not applicable

IV. Activities and experience in the field of human rights

- **Since 2022: Member of the list of ad hoc judges at the European Court of Human Rights in respect of the Principality of Monaco.**
- **Since 2015: Member of the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe:** activities and votes on the preparation of CEPEJ guidelines and tools (relating in particular to judicial time management, gender equality in recruitment, the promotion of judges and the European Ethical Charter on the use of artificial intelligence (AI) in judicial systems); national correspondent in charge of co-ordinating, managing and drawing up replies to the biennial questionnaire for the CEPEJ report assessing the quality and efficiency of judicial systems; member of the network of pilot courts; point of contact for working groups (in particular the SATURN group on case-weighting in judicial systems); member of the judging panel for the Junior Crystal Scales of Justice (June 2020) on behalf of CEPEJ.
- June, July, September 2022: Three-month study visit to the European Court of Human Rights: secondment to the French unit of the Registry, active participation in the unit's daily work: processing of applications and drafting of many single judge notes in co-operation with the non-judicial rapporteur; preparation of draft communications and research documents and drafting in connection with Chamber decisions; prior preparation of documents and attendance at a section meeting for Chamber decisions (French, Ukrainian and Latvian cases); preparation and attendance with the senior French legal expert at a Grand Chamber hearing (*Sanchez v. France*); interim measures (Rule 39 of the Rules of Court); attendance at a "country meeting": organisation and planning of the processing of a French case in Court section V; preparation and running of two training sessions in Monegasque law for members of the unit.

Examples of proceedings related to human rights, the Council of Europe and international law at the Court of First Instance and the Court of Appeal:

- a. Criminal judgments and decisions: many cases in which Articles 5 and 6 of the ECHR were applied: presence of a lawyer during police custody, right to remain silent, issues of access to the case file, being brought before a judge within the meaning of Article 5, frequent application of other Council of Europe conventions (including ETS No. 141 on the confiscation of proceeds of crime of 8 November 1990)
 - b. Nullity cases during judicial investigations
 - c. 2018: Chair of the Board of Appeals on decisions of the remand prison disciplinary board and questions relating to detention conditions in the context of the enforcement of sentences
 - d. 2008-2021: Liberties and detention judge: supervision of custody extensions and oversight of administrative interception of electronic mail to preserve national security
 - e. Civil and labour law proceedings: many judgments and decisions on questions of discrimination in companies and in public service, right to private and family life, right to freedom of the press and of expression, gender transition issues. Decisions on family affairs in the context of international abductions of minor children. Decisions on applications to enforce foreign judgments and on the application of foreign laws in private international law
- 2023: Hearing by a delegation from GRETA, 3rd evaluation round, “Access to justice and effective remedies for victims of human trafficking”.
 - 2022: Mission to assess the needs of the OSCE Office for Democratic Institutions and Human Rights (ODIHR): presentation of the Court of Appeal’s role in electoral disputes.
 - 2018: Working visit to Monaco by the European Union’s Counter-Terrorism Coordinator: as Vice-President of the Court of First Instance, presentation of the court’s powers and the balance between anti-terrorism measures and respect for fundamental rights.
 - 2015: Hearing in his capacity as urgent applications judge of the Labour Court by an ECRI delegation: the tools available to courts to combat discrimination.
 - 2014: Participation in the Council of Europe symposium on legislation on and use of electronic bracelets in member states.

V. Public activities

Not applicable

VI. Other activities

Field, duration and functions

- **Since 2007: Member of examining boards and teacher on training courses for the judicial professions in Monaco:**
 - a. **Since 2009: Regular contributor to the initial training of trainee lawyers (teaching in particular about the proportionality review mechanism)**
 - b. **Since 2020: Contributor to the preparation of examinations for lawyers (Monégasque Training Institute for the Legal Professions)**
 - c. 2007 and 2008: Member of the jury for the recruitment competition for police inspectors and senior and other officers in the police department
- **Since 2016: Higher education teaching activities in France:**
 - a. **Since 2018: Annual contribution to the Private Law Master’s II course in criminal sciences at the University of Nice Sophia-Antipolis.** Themes: Compatibility of Monégasque law on collective procedures with the ECHR; implementation of the principle of subsidiarity under the ECHR: means of application by Monégasque courts.

- b. 2023: Contribution to the Law degree course (licence) at the University of Nice Sophia-Antipolis (Professor Marina Teller). Theme: the CEPEJ Ethical Charter on the use of artificial intelligence in judicial systems: full jurisdiction within the meaning of Article 6 of the ECHR in the light of the use of algorithms.
- c. Law degree course at the University of Nice Sophia-Antipolis: (Professor Marina Teller): introduction to Monegasque law.
- **Since 2009: In-service training:**
 - a. In-service training provided by the French legal service training college (ENM).

VII. Publications and other works

(related to human rights and fundamental rights):

- 2004: Drafting of research papers during his DEA and work at the CERDP at the University of Nice Sophia-Antipolis including: urgent applications and freedom of expression and the concept of private life as interpreted by the Strasbourg Court.
- 2009: Speech at the opening of the judicial year, 1 October 2009, “L’humanisme juridique dans les statuts criminels du Prince Louis Ier” in Journal de Monaco (Official gazette of the Principality), 30 October 2009.
- 2022: Research workshop on “Cross-border persons” (“la personne transfrontalière”) of 29 November 2022 (under the direction of Professor Nathalie Rubio, International and Community Research and Study Centre (CERIC), University of Aix-en-Provence): contribution on the theme “The H.F. France v. France judgment [GC] 2022, the interpretation of the concept of borders in the case law of the European Court of Human Rights”.
- 2023: Study: “La protection des lanceurs d’alertes, à propos de l’arrêt Halet c. Luxembourg GC 2023”, Revue Procédures Lexis Nexis 2023 No. 7.
- 2023: Speech at the annual opening of courts and tribunals, 1 October 2023, “La Cour européenne des droits de l’homme à l’ère de la maturité de la protection des droits” in Journal de Monaco (Official gazette of the Principality) (not yet published).
- 2024: Article on “Binationalité et identité au sens de l’article 8 de la CEDH: quelle approche pour le juge monégasque?” in Mélanges en mémoire du professeur Jean-François RENUCCI, Dalloz, 2024.

VIII. Languages

Language	Reading			Writing			Speaking		
	Very good	Good	Fair	Very good	Good	fair	Very good	Good	fair
a. First language:									
French	X			X			X		
b. Official languages:									
English	X (C2)			X (C2)			X (C1/C2)		
c. Other languages:									
Italian	X			X			X		

- French: mother tongue, official language of Monaco.
- English: TOEIC, dating from 2 December 2022: 950/990.
- Italian: regular practice, bilingual (Italian family on mother’s side).

IX. 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

I confirm that I will do so if necessary.

X. Other relevant information

Not applicable

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

I confirm that I will do so.

Appendix 2 - Curriculum vitae of Peggy DUCOULOMBIER

I. Personal details

Name, forename: DUCOULOMBIER, Peggy

Sex: female

Date and place of birth: 11 December 1978 in Valenciennes, France

Nationality: French

II. Education and academic and other qualifications

- 2012: *Agrégation* examination in public law
- 2009: *Maître de conférences* [associate professor] qualification
- 2008: Doctorate in public law, *Les conflits de droits fondamentaux devant la Cour européenne des droits de l'homme* – University of Strasbourg III. Doctoral thesis awarded the René Cassin prize
- 2002: D.E.A. [postgraduate diploma] in human rights protection in Europe – University of Strasbourg III
- 2001: Postgraduate degree in private law – University of Lille II
- 2000: Postgraduate degree in public law – University of Lille II
- 1999: Bachelor's degree in law – University of Valenciennes
- 1998: D.E.U.G. diploma in law – University of Valenciennes

III. Relevant professional activities

a. Description of judicial activities

Not applicable

b. Description of non-judicial legal activities

- **Since 2014: Professeur agrégé in public law – University of Strasbourg, France**
- 2012-2014: Professeur agrégé in public law – University of Perpignan – *Via Domitia*, France
- 2011-2012: Maître de conférences – University of Strasbourg, France
- 2009-2011: Lecturer – University of Aberdeen, United Kingdom
- 2008: Lecturer – Keele University, United Kingdom

c. Description of non-legal professional activities

Carried out within the Faculty of Law, these duties involve administrative and management responsibilities.

- **Since 2023: Creator and Director of the double degree Master's programme run by the universities of Strasbourg and Zurich: International and Comparative Law (Zurich) and Human Rights Law in a Changing World (Strasbourg)**
- **Since 2023: Creator and Director of the Master's course in Human Rights Law in a Changing World – Faculty of Law, University of Strasbourg**
- **Since 2021: Director of the Master's programme in civil liberties law and the Master's course in European Human Rights Law – Faculty of Law, University of Strasbourg**
- **Since 2021: Director and lecturer for the university degree programme on the Rule of Law in Europe, which is delivered off-site at the University of Sofia, Bulgaria**
- **Since 2017: Vice Dean in charge of International Relations – Faculty of Law, University of Strasbourg**
- 2016-2017: Vice Dean in charge of Master's courses in Law – Faculty of Law, University of Strasbourg

IV. Activities and experience in the field of human rights

Since gaining my DEA, I have specialised in European human rights law, mainly while studying for my doctorate. The various positions I have held have given me an opportunity to pursue this interest in the law of the European Convention on Human Rights and international human rights law. I have also developed a knowledge of British constitutional law through my work in the UK. My lecturing activities, in French and English, are now focused on European and international human rights law at Master's level. My expertise in these different areas has led me to take part in numerous conferences, research activities and visiting lecturer assignments, in France and abroad, and to sit on various editorial and scientific committees for legal journals concerned with fundamental rights, in particular the *Revue trimestrielle des droits de l'Homme*. I have also directed and continue to direct theses on human rights protection, in French and English, and am regularly invited to sit on thesis defence committees.

I run a Master's programme in civil liberties law, and two courses within this programme: "European Human Rights Law" and an English-language course entitled "Human Rights Law in a Changing World" which I created in 2023. The aim of these Master's courses is to train French, European and international students in European and international human rights law, with a focus on the law of the European Convention on Human Rights in the case of the former and a more cross-disciplinary approach, including other international human rights systems, for the latter.

In my role as deputy director of the Carré de Malberg Research Institute, responsible for the General Theory of the State, the Constitution, Freedoms and Human Rights, I also oversee the research team, which includes organising international conferences and seminars on European protection of rights and freedoms.

V. Public activities

a. Public office

- **Since 2014: Professeur agrégé des Universités, University of Strasbourg:** promoted to the rank of "exceptional class" in 2024 by the National Council of Universities
- 2012-2014: Professeur agrégé des Universités, University of Perpignan-Via Domitia
- 2011-2012: Maître de conférences, University of Strasbourg

b. Elected posts

Not applicable

c. Posts held in a political party or movement

Member of MODEM in 2007.

VI. Other activities

- **Since 2023: Member of the board of administration of the Société de Législation comparée**
- **Since 2017: Member of the Faculty Council**
- 2017-2021: Member of the Research Commission and the Commission on the Reconstruction of Career Paths – University of Strasbourg
- 2015-2019: Alternate member of the Public Law Section of the National Council of Universities

VII. Publications and other works

Only the most important publications in peer-reviewed journals are listed here.

Works (author): 1; Co-ordination of works: 2; Articles in works: 34; Articles in peer-reviewed journals: 24; 50 contributions to national and international symposia, most of which led to publications.

Les conflits de droits fondamentaux devant la Cour européenne des droits de l'Homme, Bruxelles, Bruylant, 2011.

- “The protection of sexual minorities in European Law”, in *Protecting Vulnerable groups, The European Human Rights Framework*, F. Ippolito, S. Iglesias Sanchez (éd.), Oxford, Portland, Hart Publishing, 2014, p. 201-223.
- “Tenue correcte exigée: Observations sous l'arrêt CEDH, gr. ch., 1^{er} juillet 2014, *S.A.S. c/ France*”, *Revue trimestrielle de droit européen*, 2015, p. 95-116.
- “The dialogue between the European Court of Human Rights and domestic authorities: between respect for subsidiarity and deference”, in *Judicial Power in a Globalized World – Liber Amicorum Vincent De Gaetano*, P. Pinto de Albuquerque, K. Wojtyczek (éd.), Springer, 2019 p. 131-142.
- “Coup d'arrêt à l'extension de la juridiction extraterritoriale des Etats parties à la Convention européenne des droits de l'Homme (obs. sous Cour eur. dr. h., Gde Ch., décision, M. N. et autres c. Belgique, 5 mai 2020)”, *R. T. D. H.* 2021/125, p. 77-96.
- “Autant en emporte le vent? Retour sur l'interprétation globalisante de la Convention européenne des droits de l'Homme”, in *Défendre les libertés publiques, Mélanges en l'honneur de Patrick Wachsmann*, Paris, Dalloz, 2021, p. 189-202.
- “La Cour européenne des droits de l'Homme et la critique de l'individualisme: de la pertinence d'un rééquilibrage entre droits individuels et intérêts collectifs”, in *Les soixante-dix ans de l'adoption de la Convention européenne des droits de l'Homme, enjeux et perspectives*, L. Milano, K. Gabarczyk (dir.), Paris, Pedone, 2021, p. 129-141.
- “*Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland* and the notion of responsible journalism”, in *The rule of Law in Europe: Recent Challenges and Judicial Responses*, M. Elósegui, A. Miron and I. Motoc (éds), Springer International Publishing, 2021, p. 229-248.
- “Enough is Enough! A brief comment on ECtHR's case *Burmych and others v. Ukraine*, 12 october 2017”, in *L'exécution des arrêts et décisions de la Cour européenne des droits de l'Homme, Pratiques et perspectives après la fin du processus d'Interlaken*, Ch. Giannopoulos (dir.), Paris, Pedone, 2022, p. 73-83.
- “Prendre l'égalité au sérieux. Pour une interprétation morale assumée de la Convention européenne des droits de l'homme en matière d'égalité (obs. sous Cour eur. dr. h., Gde Ch., arrêt *Fedotova e.a. c. Russie*, 17 janvier 2023)”, *RTDH*, Janvier 2024/137, p. 215-230.

VIII. Languages

Language	French	English	Japanese
Reading	C2	C2	B1
Writing	C2	C1	A2
Listening	C2	C1	B1
Speaking	C2	C1	A2
How acquired?	Mother tongue	I learned English while studying. My knowledge improved during the 3 years that I worked as a lecturer in the UK and on returning to France, through lecturing and undertaking research in English.	Individual classes JLPT 4 obtained in 2024

IX. 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. Other relevant information

Not applicable

XI. 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 Yves STRICKLER

I. Personal details

Name, forename: STRICKLER, Yves Christian

Sex: male

Date and place of birth: 31 July 1965 in Strasbourg, France

Nationality: French

II. Education and academic and other qualifications

Higher education: Robert Schuman University – Strasbourg:

- 16 October 1993: Accreditation to supervise research; Doctorate in Law, under the direction of the Honorary Dean, Georges Wiederkehr. Subject: “Le juge des référés, juge du provisoire” (“Urgent applications judges, judges of the provisional”). High distinction (*mention très honorable*) with a special commendation from the examining board; thesis award from the Association for the Development of Relations between the Economy and Research at the Universities of Strasbourg and Haute Alsace (ADRERUS); thesis award from the National Association of Doctors of Law (ANDD); thesis award from the Strasbourg University Faculty of Law, Political Sciences and Management, prize-winner of the Strasbourg University Faculty of Law, Political Sciences and Management; Gaussail Prize from the Toulouse science and literature academy, the *Académie des Sciences, Inscriptions et Belles Lettres*; thesis submitted for a grant from the Ministry of Higher Education and Research.
- February 1989: Advanced Postgraduate Diploma (DEA) in Private Law (pass (*mention assez-bien*)), diploma awarded during the candidate’s national service year (53rd Infantry Regiment, Mutzig, Alsace).
- June 1987: Master’s degree in Private Law (Pass)
- June 1986: Degree (*Licence*) in Law (Merit)
- June 1985: DEUG (university diploma taken after two years of study), specialising in law (Merit)

Secondary education: Fustel de Coulanges state upper secondary school, Strasbourg:

- 1980-1983: Baccalaureate specialising in literature and music (A-6 bis) (Pass).

III. Relevant professional activities

a. Description of judicial activities

No judicial activity within the strict meaning of the word, but:

- **since 17 January 2020: has served as ad hoc judge to the European Court of Human Rights in respect of the Principality of Monaco;**
- completed work placements in courts following his studies and before registering for his doctorate.

b. Description of non-judicial legal activities

Academic functions:

- Professor (special class grade 2 (*classe exceptionnelle 2*) since 2017, when promoted by the National Universities Board (CNU); promoted to special class grade 1 by the CNU in 2012; promoted to first class (*première classe*) by the University of Strasbourg in 2004):
 - a. Professor at the Côte d’Azur University, Nice Faculty of Law and Political Science (since 2010). Subjects taught during this period (courses taught in 2024/2025 are underlined): “Methodology of competitions” and “Contract law” (Institute of Judicial Studies, preparation for competitions for admission to the judiciary); “Civil law of property” (Year 1 and Master’s 1 - Administration and liquidation of Companies in Difficulty), “Civil and business procedure” (Master’s 1 - Business Law); “Civil procedure” (Master’s 1 - Administration and liquidation of Companies in Difficulty; Master’s 2 - Fundamental private law); “Law of obligations (contracts and civil liability)” (Master’s 2 - Fundamental criminal law); “Introduction to ethics”, Master’s 1, DS4H graduate school;

Doctorate Schools); "Introduction to ethics", Master's 2 Corporate tax law and proceedings and University Diploma (DU) Asset management of protected persons; "Introduction to Monegasque Law", "Expedited civil and criminal proceedings" and "Research methodology" (Master's 2 Fundamental private law and Master's 2 Fundamental criminal law - joint courses); "Property disputes" (Master's 2 Case management); "Liability in tort" (Master's 2 Liability Law); "Alternative dispute resolution methods" ("DU Mediation"). Teaching at the University of Strasbourg over the same period: at the Faculty of Law: courses in "Ordinary private law" and "Emergency procedures" (Master's 2, Justice trials and procedures); "Civil liability law" (Master's 2, Fundamental Private Law, 2010-2018); at the Centre for International Intellectual Property Studies (CEIPI): courses in "Civil procedure", "Property law" and "Execution procedures" (Master's Law, Economics, Management, majoring in Intellectual Property Law).

- b. University of Strasbourg (1998 to 2010): 1st year: "Property law"; 2nd year: "Liability law"; 3rd year: "Ordinary private law" DEA in private law, "Research methodology" and "Liability law"; DEA in public law; seminars on "Comparative procedures"; Institute of Judicial Studies: "Preparation for competitions".
- c. University of Nancy (1995 to 1998): 2nd year: "General criminal law"; "Criminal procedure"; 3rd year: "Ordinary private law"; DEA in private law, "Research methodology" and "Liability law"; DEA in criminal sciences, seminars on "Criminal procedure"; DESS in legal proceedings: seminars on "Rapid procedures"; Institute of Judicial Studies: "Preparation for competitions".

– Senior lecturer:

- a. University of Toulouse-Capitole (1994-1995): 2nd year of "capacity in law" catch-up course (capacité en droit), "Civil procedure and execution procedures"; 1st year: "Introduction to law studies", 2nd year: tutorials in civil law (Common company contracts); 3rd year: tutorials in labour law; Institute of Judicial Studies, seminars to prepare for the competition for admission to the legal service training college (ENM).

– Research grantee – Monitor, then temporary teaching and research assistant:

- a. Robert Schuman University, Strasbourg III (1989-1992; 1992-1994): tutorials in: "Civil family law" (1st year); "Commercial law" (3rd year), and "Liability law" (2nd year).

For collective responsibilities taken on during his university teaching career: see c. below.

Member of the Judicial Service Commission of the Principality of Monaco:

- Sovereign Order No. 6.935 of 15 May 2018; renewal: Sovereign Order No. 9.217 of 25 April 2022. Activities at the Commission included recruitment of French judges seconded to the Principality of Monaco and promotion of Monegasque judges.

Legal drafting:

I would like to highlight four experiences in this area, which differed in terms both of their method and of their results.

- a. Member of the Committee for the Revision of the Codes of the Principality since 9 April 2018. Rapporteur for the revision of the Code of Civil Procedure (April 2018 – June 2019: report drafting, initial draft of the law and the explanatory memorandum). Result: Law No. 1.511 of 2 December 2021 *amending the civil procedure*.
- b. International expert for the Republic of Djibouti. Drafting, with two lawyers from Djibouti, of two laws (Law No. 187/AN/I 7/7th L. of 29 May 2017 on payment injunctions in civil and commercial law and Law No. 182/AN/I 7/7th L. of 29 May 2017 amending Law No. 52/AN/94/3rd L. on the jurisdiction of the Civil and Commercial Divisions of the Court of First Instance and the Appeal Court), then a Civil Code (2 412 articles) and Code of Civil Procedure (including provisions on the organisation of the courts, civil procedure and execution procedures; 1 721 articles completed) from June 2016 to April 2018. The legislation to implement the codes was adopted on 9 April 2018 by 90.48% of the votes cast and enacted by the President of the Republic with the date of entry into force set for 12 April 2018. Since this date, the candidate has provided follow-up free of charge on questions arising in connection with the interpretation of the codes.

- c. Consultation by the French Directorate of Civil Affairs and Seals on the transformation of urgent applications on procedural matters into an accelerated procedure on the merits: Order No. 2019-738 of 17 July 2019 issued pursuant to Article 28 of Law No. 2019-222 of 23 March 2019 on the 2018-2022 programme and judicial reform.
- d. Participation in a working group of the French Conseil d'Etat on administrative class actions chaired by Mr Philippe Belaval, member of the Conseil d'Etat and Head of the Administrative Courts Inspectorate (2008-2009).

Scientific Director of the Monégasque Institute of Training in the Judicial Professions:

- The Institute was set up in 2021 in response to the findings of members of examining boards for lawyers' examinations and competitions for admission to the judiciary. Sovereign Order No. 9.766 of 22 February 2023 extended the "initial training" programmes to include preparation for other examinations and competitions giving access to the judicial professions and set up the function of Scientific Director of the Institute.
- The Institute is now tasked with preparing candidates for the competition for admission to the judiciary and for the examination giving admission to the placement needed to begin practising as a lawyer and for all other examinations and competitions giving access to the judicial professions; providing training seminars for judges, lawyers, defending lawyers and the other judicial professions; holding events or colloquia on legal themes; and helping to disseminate Monégasque law (the law review, the *Revue de droit monégasque*, is being reactivated).

Examining and competition boards:

- Monaco: Member of the examining board for lawyers of the Principality of Monaco (2018 to 2022);
- France: Vice-Chair and member of the examining board for admission to the Lawyers' College of South-East France (EDA SUD-EST) (2013 to 2018); examiner for the entrance examination for the written papers on *Civil Liability Law* (2010 to 2023) and for the same examination for Lawyers of Alsace (1999 to 2004: written papers on *liability law* and *main oral examination on fundamental freedoms*); Chair of an examining board for the *main oral examination on protection of fundamental rights and freedoms* for the EDA SUD-EST entrance examination (2010 to 2017); Examiner for the Police Commissioner's competition, written paper on *criminal law and criminal procedure* (1995-2000); Member of the examining board for the entrance examination for the Training Centre for the Profession of Notary, written papers on *summary notes* and *civil law – Liabilities and property* – and oral examinations on *civil law and general knowledge and judicial institutions* (1999 to 2007); Member of the examining board for the entrance competition for admission to the French legal service training college (2nd and 3rd competition), written and oral papers on *general knowledge* (1998); Marker for the competition for admission to the French national public service college, the *École Nationale d'Administration* (external competition), written paper on *civil law* (2006 and 2007).

Legal consultant:

- This is a secondary activity, which enables me every year, to look at 3 to 6 cases proposed by legal practitioners to maintain the essential link between theory and practice.
- To avoid any risk of conflicts of interest owing to my appointment in February 2023, as the scientific director of the Monégasque Institute of Training in the Legal Professions, I took the decision in agreement with the Director of Judicial Services, to refrain from that point on from giving any legal advice requested of me by a Monégasque lawyer concerning a case in the Principality.

Activities linked to the right to arbitration:

- From 2011 to 2021: establishment in Nice of the "Far South" branch of the European Court of Arbitration. Presidency, member of the Board of Directors and appointments committee and management of the registry; improvements to arbitration regulations and translation into English; preparation of model arbitration clauses.
- Outside the Far South Section, carrying out some arbitrations (internal and international) as sole arbitrator and within an arbitration tribunal.

c. Description of non-legal professional activities

Ethics and academic integrity officer for Côte d'Azur University:

- 20 June 2019 to 1 September 2024: the tasks of the ethics and academic integrity officer include, in particular, supervision of the implementation by the university of a policy on all ethical issues (including academic integrity); advising the president and the university authorities on all ethics-related issues; giving opinions when ethical and/or deontological problems arise (examples of themes in the university's files which gave rise to an opinion are academic freedom, freedom of expression and various interpersonal conflicts); setting up mediation procedures or any other form of appeasement for all conflict situations reported; collecting all allegations of breaches and investigating cases from a disciplinary viewpoint in particular and preparing the file where legal action is recommended (including chairing administrative inquiry boards); helping to set up training in ethics for all PhD students; and taking part in national and international networks which support his role.

Chair of the Research Ethics Committee of the Côte d'Azur University:

- 20 June 2019 to 1 September 2024: tasks of the Chair of this 21-member committee include seeing to it that each month, it can assess research files in all the university's academic fields, appointing rapporteurs and preparing reports himself, for presentation, discussion and adoption at committee meetings. The Chair gears the rules on the functions and the functioning of this committee to the university's needs and the ethical demands of research work.

Collective responsibilities at university:

- Member of a large number of bodies, including the following: the Academic Board of Côte d'Azur University (21 July 2015 – July 2019); Vice-Dean in charge of research at the Nice Faculty of Law and Political Science (13 May 2014 – 14 May 2019); instigator then President of the Federative Research Institute "Interactions" (1 January 2018 – 5 June 2020); member of the Management Board of the Nice Faculty of Law and Political Science (18 April 2014 – 2020) then of the Steering Committee of the University Research School "Lex & Society" (2020 to present); Director of the Master's 2 in private law (until 2021), currently Director of the Master's 2 in fundamental private law and, until 2022, Co-Director of the Master's 2 in criminal law and human rights; Director of the Research and Study Centre in Procedural Law (1 January 2011 – 30 June 2016); member of the board of the Doctoral School of Law, Economics, Politics and Management (2010 – June 2016); and joint drafter of the internal regulations.
- Previously, in Strasbourg: Vice-President in charge of doctoral research and studies; member of the Steering Committee and Select Bureau of the University of Strasbourg (preparing for the merger of Strasbourg's three universities: 2008-2009) and drafter of the joint research section of the university programme contract 2009-2013; instigator then Director of CNRS Research Federation No. 3241 on "*L'Europe en mutation*" (A Changing Europe), set up on 1 January 2009 and bringing together 160 research teachers and research workers; Deputy Dean of the International Comparative Law Faculty (2009-2010); member of the Management Board, the Academic Board and the Grants Commission of the European Doctoral College (2006-2010); Director of the Institute of Judicial Studies of the Strasbourg Law Faculty (1999 – 2005); member and chair of judging panels for the 20th René Cassin Human Rights Competition (2004, 2005 and 2008).

IV. Activities and experience in the field of human rights

Incorporation of Court case law into my lessons, particularly those on *civil and criminal procedure, property law* and, above all, *procedural law*.

Drafting of legal articles and commentaries which take account of European requirements (see below, section VII).

Organisation of a visit to the European Court of Human Rights and a meeting with one of its judges for a delegation of Chinese professors and prosecutors.

Reminder (see above):

- appointed by the Principality of Monaco to serve as ad hoc judge at the European Court of Human Rights since 17 January 2020;
- member and chair of judging panels for the 20th René Cassin Human Rights Competition (2004, 2005 and 2008).

V. Public activities

a. Public office

See above III, b and c.

b. Elected posts

Not applicable

c. Posts held in a political party or movement

Not applicable

VI. Other activities

Work placement at the Strasbourg Tribunal de Grande Instance from 4 September 1989 to 30 October 1989.

Work placement at the Paris Tribunal de Grande Instance from 5 to 30 June 1989.

Member of the National Students' Association for Prisoner Education (Genepi) in 1986, 1987 and 1989.

VII. Publications and other works

Direction of 30 doctoral theses in private law and criminal sciences since the beginning of my career.

Some 400 publications: books (including about twenty as author or as editor of a collective work), articles and commentaries.

Instigator and director of collections:

- “Droit privé et sciences criminelles”, L'Harmattan publishers (established: March 2012);
- “Procédure(s)”, Bruylant publishers (established: November 2012);
- “Études de droit canonique”, L'Harmattan publishers (established with Professor Méлина Douchy-Oudot as co-editor: December 2019).

Member of the editorial board of the review published by GRASCO (Research-action group against organised crime), an online review published since 15 April 2012.

Cited works:

1. “Le droit à un procès équitable”, in *Libertés et droits fondamentaux* (ed. R. Cabrillac), 29th ed., Dalloz, May 2023, update (initial text published in 2013), pp. 611-630.
2. “La procédure civile, d'un droit servant à un droit fondamental”, speech given in the presence of HSH Albert II for the formal annual opening of Courts and Tribunals, 1 October 2020, Monaco. Legal year 2020-2021, Multiprint, pp. 15-23.
3. “Medidas provisórias justificadas pela urgência e pela evidência” (“Interim measures justified by urgency and the evidence”), *Revista de Processo*, vol. 300 year 45, pp. 93-106. São Paulo: Ed. RT, February 2020 (co-ord. T. Arruda Alvim; translation R. Dotti).
4. “De l'effectivité de l'accès au juge: la jurisprudence Platakou contre Grèce à la lumière d'un arrêt de la Cour de Révision de Monaco”, commentary on a judgment of the Monaco Court of Revision, 15 October 2014, JCP ed. G. 2015, 155.
5. “Des limitations au droit d'accès au juge”, Contribution to a *Liber amicorum* in honour of Renée Koering-Joulin, Anthemis, 2014, pp. 719-727.
6. “Le juge unique en procédure pénale”, in *French Legal System and Judicial Reform*, Journal of Justice, Xiamen University Press, China, 2014. 3, pp. 183-294 (translated into Mandarin by Professor Xin Xu and Mr Zhuang Tian).
7. “Pour une nouvelle approche de la provision ad litem. Les soubresauts du volet civil de l'affaire du Médiateur”, *Recueil Dalloz* 2013. Chron., pp. 2588-2593.

8. “Les référés en la forme”, in collaboration with President Marcel Foulon, President of the Honorary Division of the Paris Court of Appeal, Dalloz publishers, September 2013, 340 pp.
9. “Les arrêts pilotes: le pragmatisme au service des droits humains”, in collaboration with Professors Jean-François Renucci and Natalie Fricero, Recueil Dalloz 2013, pp. 201-208.
10. “*La place de la victime dans le procès pénal*”, foreword and post-face, published in partnership with CETEL (Professor Christian-Nils; Robert, University of Geneva, Switzerland) Bruylant publishers, December 2009. 320 pp.

VIII. Languages

Mother tongue: French

Passive knowledge:

- English: diploma in legal terminology
- German

IX. 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

My English language skills are exercised more in writing than orally, so if elected judge at the Court, I confirm that I would take intensive English language classes prior to, and if need be also at the beginning of, my term of duty.

X. Other relevant information

Not applicable

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

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