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Election of judges to the European Court of Human Rights¹

List and curricula vitae of candidates submitted by the Government of the Slovak Republic

Communication

Secretary General of the Parliamentary Assembly

1. In accordance with Article 22 of the European Convention on Human Rights.



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

Letter from Mr Drahoslav Štefánek, Ambassador of the Slovak Republic to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 12 August 2015

[...]

With reference to your letter of 3 October 2014 concerning the list of candidates for the post of judge of the European Court of Human Rights in respect of the Slovak Republic, we hereby submit the names and *curricula vitae* of the three candidates nominated by the Government of the Slovak Republic for the position of judge at the European Court of Human Rights.

The candidates on behalf of the Slovak Republic are as follows:

- Ms Zuzana Dlugošová,
- Mr Ladislav Duditš,
- Ms Alena Poláčková.

Please find enclosed also the information on the procedure by which the candidates were selected.

[...]

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

In the Slovak Republic the procedure of selection of the candidates for the position of the judge of the European Court of Human Rights (hereinafter “the ECHR”) is regulated in detail by law which meets required international standards and, in particular criteria enshrined in Article 21 of the European Convention on Human Rights (hereinafter “the Convention”).

According to Article 141a § 4 d) of the Constitution of the Slovak Republic, it is under the authority of the Judicial Council of the Slovak Republic (hereinafter “the Judicial Council”) to submit to the Government of the Slovak Republic proposals of candidates for judges who should act in respect of the Slovak Republic in international judicial bodies.

Respecting this provision of the Constitution of the Slovak Republic, when endorsing the selection of the candidates, the Government of the Slovak Republic may act only upon proposal submitted to it by the Judicial Council.

It is thus the Judicial Council which is vested by the Constitution with the functions of selecting the aforementioned candidates. The Judicial Council is the judiciary's highest body, independent from the legislative and executive power. This body is consisted of 18 members, almost all of them are serving judges.

When selecting candidates for the position of the judge at the ECHR in current case, the Judicial Council performed its duties in accordance with national procedure provided for in Section 27g of the Act 185/2002 Coll. on the Judicial Council of the Slovak Republic as amended (hereinafter the “Act on Judicial Council”).

Section 27g § 1 of the Act on Judicial Council stipulates that the nomination for the election of the candidate for the position of a judge, who should act in respect of the Slovak Republic in international judicial bodies, can be submitted to the Judicial Council by:

- a. a member of the Judicial Council,
- b. the Minister of Justice of the Slovak Republic,
- c. professional organisation of judges,
- d. other professional organisation of lawyers.

Requirements for the candidates for the position of the judge of the Slovak Republic in international judicial bodies are as follows:

- a. acquired legal education by completion of a MA course at the law faculty of a university in the Slovak Republic, or possesses recognised or nostrified document of law education obtained by completion of studies of the same level at foreign university,
- b. is of integrity; is probably a credible personality in the field of law and his/her moral qualities give a guarantee that he/she will dully perform his/her mandate.

- c. has permanent residence in the territory of the Slovak Republic,
- d. has full legal capacity and health conditions which allow him/her to perform the judicial mandate,
- e. passed the judicial professional exam, prosecutor's exam, bar exam or notary exam and has at least 5 years of legal practise.

Nomination for a judge, who should act in respect of the Slovak Republic in international judicial body, shall be submitted to the Judicial Council. For the nomination to be approved it has to obtain majority of votes of all Judicial Council members in secret ballot.

Following the vote, the Judicial Council adopted the Resolution No. 459 of 13 April 2015 approving the following candidates for the position of judge at the ECHR: Ms Zuzana Dlugošová, Mr Ladislav Duditš, and Ms Alena Poláčková.

The Judicial Council subsequently submitted nominations for a judge of the ECHR to the Government of the Slovak Republic, which endorsed the proposed list of candidates (Resolution No. 206 of 22 April 2015).

Appendix 1 – Zuzana DLUGOŠOVÁ

CURRICULUM VITAE²

I. Personal details

Name, forename: Dlugošová Zuzana

Sex: female

Date and place of birth: 16 October 1975, Stará Ľubovňa

Nationality: Slovak

II. Education and academic and other qualifications

- 1994-1999 – Comenius University in Bratislava, Law Faculty. Title awarded: Master in Law
- 02/1998-06/1998 – Leopold Franzens University, Innsbruck, Austria. Public International Law and European Law
- 14/06/2006-25/06/2006 – Practical Training in International Human Rights Litigation with an Emphasis on Non-Discrimination and Minority Rights and on European Convention on Human Rights, Soesterberg/Netherlands
- 15/09/2003-26/09/2003 – Summer School on European Integration and New Forms of Governance, Trento University/Italy and Leopold-Franzens University, Innsbruck/Austria
- 05/02/2001-10/02/2001 – Study Tour – Anti-Discrimination in Legislation, London/England
- 10/06/2000-30/06/2000 – Study Tour – Transparency in Legislation Process, Washington DC and Lincoln/USA

III. Relevant professional activities

a. Description of judicial activities

- 02/02/2009-31/01/2013 – Lawyer at the European Court of Human Rights. Examining and dealing with applications to the European Court of Human Rights in respect of Slovakia, drafting decisions, minutes, research reports, attending the Court's sessions and presenting applications, supervising trainees

b. Description of non-judicial legal activities

- 01/03/2002-31/01/2009 – Attorney. Litigation and legal analyses in civil law, administrative law including building and planning proceedings, in selected cases also in criminal law, protection of public interest and human rights, representing clients before the Constitutional Court and the European Court of Human Rights. Providing services in drafting legislation – Freedom of Information Act, Ombudsman Act, Administrative Procedure Act, Anti-discrimination Act.
- 05/2003-04/2008 – Legal Expert, Member of the Appeal Committee of the Ministry of Interior. Examining administrative files within appeal proceedings in cases where the Minister of Interior acted as an appeal body, giving expert opinion and recommendation to the Minister of Interior
- 10/1999-02/2003 – Attorney trainee. Preparing legal submissions, representing clients before courts, drafting legal analysis, close cooperation with NGOs on strategic litigation cases in areas of civil, labour, administrative and constitutional law

c. Description of non-legal professional activities

- **Adviser of the Embassy of the United States in Bratislava for Rule of Law.** Providing expert policy advice and analysis on rule of law including existing and upcoming legislation

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

- 11/2004 – 12/2008 – National Legal Expert in the European Network of Legal Experts in the Non-Discrimination Field. Reporting for the European Commission on anti-discrimination legislation and its application in Slovakia, writing reports on the country specific developments on request of the European Commission
- 10/2003 – 06/2006 – Lecturer at the Trnava University, Law Faculty, Department of International and European Law. Preparing and conducting lectures on European law, providing consultations to students and guidance on writing papers

IV. Activities and experience in the field of human rights

- 2009-2013 – Lawyer at the European Court of Human Rights
- 1999-2009 – Legal expert/Consultant/Lecturer in the area of public interest law and human rights. In cooperation with human rights NGOs and state agencies, regular lecturing for judges, police officers, municipal representatives and law students, in particular focused on freedom of speech, freedom of assembly, access to information, right to privacy and principle of equal treatment, including procedural mechanisms of human rights protection
- 1999-2009 – Attorney in the area of human rights. Representing individuals and legal entities in proceedings before domestic courts including the Constitutional Court and the European Court of Human Rights. Successful cases with precedential value, especially in access to information, right to privacy, right to life, freedom of speech and fair trial.

V. Public activities

None.

VI. Other activities

None.

VII. Publications and other works

- Data Collection with Special Emphasis on Roma Ethnicity, In: Strategic document on socio-economic integration of Roma community, Office of the Plenipotentiary of the Government of the Slovak Republic for Roma communities, 2006
- Judges in Implementing Anti-Discrimination Directives in Slovakia, In: Supporting Judges and Prosecutors in Implementing EU Anti-Discrimination Directives, Challenges to Access to Justice in Austria, Hungary, Slovakia and Slovenia, Graz, 2006
- Application of the Principle of Subsidiarity in Decision-Making of the Constitutional Court of the Slovak Republic, In: Principle of subsidiarity in Court's Decision-Making, conference bulletin, The Center for Environmental Public Advocacy, 2006
- Access to Justice in Slovakia, In: Access to Justice in Central and Eastern Europe, The Public Interest Law Initiative, Columbia University Kht, 2005
- Report on Courts' Civil Monitoring, May – June 2005, UNDP, Bratislava, 2005 (co-author)
- Right to Privacy, In Handbook Citizen and Democracy, Bratislava, 2003

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language									
Slovak	X			X			X		
b. Official languages									
English	X			X			X		
French		X				X		X	

c. Other languages									
German		X			X			X	
Czech	X			X			X		

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

Hereby I confirm my intention to follow intensive language classes prior to my term of duty if elected a judge of the Court in order to improve my French.

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 a judge of the Court.

Appendix 2 – Ladislav DUDITŠ

CURRICULUM VITAE³

I. Personal details

Surname, forename: DUDITŠ, Ladislav

Gender : male

Date and place of birth: 27 March 1968, Košice, Slovakia

Nationality : Slovak

II. Education and academic and other qualifications

- 2001 – Post-graduate law examination (Doctor of law), Faculty of law, Matej Bel University, Banská Bystrica, Slovakia
- 1993 – Judge examination, Ministry of Justice of the Slovak Republic
- 1986-1990 – Master's degree in law, Faculty of law, P.J. Šafárik University, Košice, Slovakia

III. Relevant professional activities

a. Description of judicial activities

- **2008 – Judge of the Regional Court in Košice (Krajský súd v Košiciach), civil law department**
- 2007-2008 – Director General, Section of the civil law, Ministry of Justice of the Slovak Republic
- 1997-2007 – Judge and the vice-president of the District Court Košice II (Okresný súd Košice II), commercial law department
- 1993-1997 – Judge at the District Court Košice I (Okresný súd Košice II), civil law department
- 1991-1993 – Trainee judge, at the Regional Court in Košice

b. Description of non-judicial legal activities

- **2007 – National expert and the national correspondent of the CEPEJ, Council of Europe, Strasbourg, France**
- **2003 – Guest lecturer, Department of the Civil law, Faculty of law, P. J. Šafárik University, Košice, Slovakia**
- **2009 – Guest lecturer, Judicial Academy, Pezinok, Slovakia**
- **2012 – Member of the commission for the re-codification of civil procedure law, Ministry of Justice of the Slovak Republic**
- 2004-2008 – Appointee of the Slovak Republic to the Joint Supervisory Body of the EUROJUST, the Hague, Netherlands
- 2004-2010 – Contact point of the European judicial network in civil and commercial matters, European Commission, Brussels, Belgium

c. Description of non-legal professional activities

None.

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

IV. Activities and experience in the field of human rights

My personal experience in the field of human rights is connected with the profession of judge which covers the entirety of my professional career to date. The practical decision making process of a judge includes inter alia the application of the international treaties which bind the Slovak Republic. The European Convention on Human Rights is an international treaty which is directly applicable in the Slovak legal system and takes precedence over national law. Every judge is obliged to respect and protect the rights stemming from the provisions of the ECHR. As a judge performing my duties at the appeal court in civil cases I am familiar with the applicable case law of the Court in particular with regard to right to a fair trial which should be protected in every step of judicial proceedings. Besides this we often consider the case law of the Court concerning the right to respect of private and family life, freedom of expression, the prohibition of discrimination and the protection of property.

V. Public activities

None

VI. Other activities

- 2013 – Study visit at the Regional Court of Munich II (Landgericht Munchen II), organized by the EJTN
- 2007 – Study visit at the European Court of Justice, Luxembourg
- 2007 – Speaker at the international conference “The European model of the proceedings in the commercial cases”, Krakow, Poland
- 2005 – Attended the seminar “International conventions in the area of Custody of the children”, Brussels, Belgium
- 2005 – Study visit, at the Department of Justice of Canada, Relations between courts and media
- 2005 – Attended the seminar “Consumer protection law”, Brussels, Belgium
- 2004 – Attended the international seminar “Practical obstacles in cross-border litigation”, Hague, Netherlands
- 2002 – Study visit at the “International visitor program – Judicial issues”, USA
- 2001 – Study visit in London (at the Royal Courts of Justice, House of Lords, Lord Chancellor’s department, Privy Council Office)
- 2001-2002 – International intensive course for the judges – trainers in the Community law, IEAP-EIPA, Luxembourg
- 1999 – International study visit “The Basics of the German Law”, German Judicial Academy, Trier, Germany
- 1998 – Attended the seminar on the EU Law, Danish school for the public administration, Copenhagen, Denmark
- 1995 – Study visit at the Royal courts of justice, Liverpool, UK

VII. Publications and other works

- Co-author of the publication: K. Valova et al.: The Act on voluntary auctions, Commentary, 2nd edition, Bratislava: C. H. Beck, 2013, ISBN 978-80-89603-19-0

Articles:

- The application of the community law in the private law, Bulletin of the Slovak Bar association, 2/2004
- The inheritance procedure and the joint matrimonial property, Ars Notaria 1/2011, 2/2011
- The costs of the enforcement procedure, speeches from the international conference “Judicial officer and the enforceability of law”, Slovak Chamber of Judicial officers, 2011

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language									
Slovak	X			X			X		
b. Official languages									
English	X			X			X		
French		X				X			X
c. Other languages									
Russian	X				X			X	
Czech	X			X			X		

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

I confirm my intention to follow intensive language classes of French prior to and if need be also at the beginning of my term of duty if elected a judge on the Court.

X. Other relevant information

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 a judge on the Court.

Appendix 3 – Alena POLÁČKOVÁ

CURRICULUM VITAE⁴

I. Personal details

Name, forename: Poláčková Alena

Sex: Female

Date and place of birth: 6 November 1964, Bojnice, Slovak Republic

Nationality: Slovak

II. Education and academic and other qualifications

- 09/1996-06/2001, Comenius University Bratislava, Faculty of Law, Commercial Law – Philosophiae doctor (PhD.)
- 10/1993 – Ministry of Justice, Judge's exam
- 09/1987-06/1988 – Comenius University Bratislava, Faculty of Law, Legal History – Iuris Utriusque Doctor (Doctor of Law (JUDr.))
- 09/1982-06/1987 – Comenius University Bratislava, Faculty of Law
- 09/1978-06/1982 – High School, Prievidza
- 09/1971-06/1978 – Basic School, Bojnice, Prievidza

III. Relevant professional activities

a. Description of judicial activities

- **05/2011–up to date – Supreme Court of the Slovak Republic, President of the Chamber, Administrative law**
- 07/2007-04/2011 – Supreme Court of the Slovak Republic, Judge, Administrative law
- 01/2007-06/2007 – Supreme Court of the Slovak Republic, Judge, secondment, Administrative law
- 12/2006-01/2007 – District Court Bratislava 1, Judge, Civil law
- 02/2005-11/2006 – Agent of the Government of the Slovak Republic before the European Court of Human Rights
- 01/2005 - District Court Bratislava 1, Judge, Civil law
- 04/2004-12/2004 – Supreme Court of the Slovak Republic, Judge, secondment, Administrative law
- 03/2002-03/2004 – District Court Bratislava 1, Judge, Civil law
- 04/1994-02/2004 – District Court Bratislava 1, Judge, Commercial law
- 09/1991-03/1994 – Regional Court Bratislava, Judge – trainee, Civil, Commercial, Criminal and Company law
- 04/1991-08/1991 – Prvá slovenská investičná a. s. (First Slovak Investment Joint Stock Company), legal adviser
- 09/1988-08/1991 – Secondary Economic School, Bratislava, Law teacher
- 08/1987-08/1988 – Municipal National Committee, Prievidza, Officer at Property Law Dept.

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

b. Description of non-judicial legal activities

- **11/2010-up to date – member of Consultative Council of European Judges**
- **10/2012-up to date – member of the Trial Chamber on the Slovak Bar exam**
- **02/2005-up to date – external faculty member of the Judicial Academy**
- 11/2012-05/2014 – Vice - president of the Slovak Association of Judges (SAJ)
- **05/2011-up to date – Vice president of the Dept. of the SAJ on the Supreme Court**
- **06/2014-up to date – member of the AECLJ (Association of European Competition Law Judges)**

c. Description of non-legal professional activities

- **11/2010-up to date – regular participation on the Plenary meetings of the CCJE (Strasbourg, October, November)**
- 06/2014 – Bucharest, presentation at the International Conference organized by AECLJ (Association of European Competition Law Judges) and the European Commission
- 06/2013 – Becici, Montenegro, presentation at the 3rd Meeting of Presidents of the Supreme Courts of Central and Eastern Europe
- 05/2013 – St. Gallen, Switzerland, participation in the Plenary session, delegates of the European Association of Judges
- 05/2013 – Luxembourg, attendance at a conference on the occasion of the 50th anniversary CJ EU judgment in the case “Van Gend en Loos”
- 12/2012 – Luxembourg, the participation at the Forum of judges, which was held on the occasion of the 60th anniversary of the CJ EU
- 10/2012 – Paris, participation and performance at the 5th Colloquium of the Network of Presidents of the Supreme Courts of the European Union
- 05/2012 – Amsterdam, the participation at the plenary session of delegates of the European Association of Judges
- 11/2011-12/2011 – Brno, traineeship at the Supreme Administrative Court of the Czech Republic
- 03/2002 – Budapest, PHARE Twinning Program - “Continued training of judges trainers in the field of EU law”
- 11/2001 – Visegrad, Hungary, PHARE Twinning Program – “Basic training for trainers of judges in EU law”
- 06/1997-07/1997 – London, Training Program on Legal and Political System of Great Britain organized by SAJ, Slovak Ministry of Justice and the British Know-How Fund
- 05/1996 – The Hague, Netherlands, traineeship at the District Court Den Haag - within the “Internship program” in civil and administrative judiciary departments.

IV. Activities and experience in the field of human rights

- 02/2005-11/2006 – Agent of the Government of the Slovak Republic before the European Court of Human Rights
- 06/2014 – Paris, International Conference organized on the occasion of 10th anniversary of GEMMA (European Association of Judges for Mediation) on “Mediation: Peace means to achieve justice in Europe.”
- 11/2010 – Luxembourg, “Program for judges from the Member States of the EU - Lisbon Treaty”, organized by the CJ EU
- 12/2008 – Trier, “EU Anti-Discrimination Directive (2000/43, 2000/78) in Practice” organized by ERA (Academy of European Law)

- 02/2005-11/2006 – Strasbourg, Council of Europe, DH - PR meetings (Committee of Experts on improving the process of the protection of human rights),
- 02/2005-11/2006 – translation and publication of judgments of the European Court of Human Rights concerning Slovakia
- 06/2005 – Strasbourg, attendance at the 928th meeting of the Committee of Ministers' Deputies RE - supervision the execution of ECHR judgments against the Slovak Republic
- 06/2005 – Paris, working meeting with representatives of the French Ministry of Justice and SGCI (General Secretariat of the Interministerial Committee on questions of European cooperation) on cooperation in the field of human rights and European Affairs
- 06/2004 – Strasbourg, 3rd Plenary Session of the CEPEJ (European Commission for the Efficiency of Justice)
- 04/1996-05/1996 – Utrecht, The Netherlands, International training program on "Role of Law, Democracy and Human Rights"

V. Public activities

None

VI. Other activities

None

VII. Publications and other works

- Co-author of the book „Rozsudky Veľkej komory Európskeho súdu pre ľudské práva“ (The judgments of the Grand Chamber of the European Court of Human Rights), published by Poradca podnikateľa spol. s r.o., September 2006
- The co-author of Doing Business in The Slovak Republic in 2002, chap. 2, Legislation, p. 23-40, published by Komapol spol. s r.o. Bratislava 2002
- Professional article "Quo vadis slovenská justícia, alebo skôr kam ťa ženú politické hry? (Quo vadis Slovak justice? On the upcoming draft amendment to the Constitution relating to changes in the Judiciary)", Zo súdnej praxe Magazine, Iura Edition 2014
- Professional article "Kto spôsobuje prieťahy na súdoch? (Who is causing delays in the courts?)", TREND Magazine, 04/2014
- Translation, publishing and dissemination (official website CCJE) of the CCJE opinions, from 2010 until now
- Professional article "Preťaženosť súdov a prieťahy v súdnych konaniach netrápia len slovenské súdnictvo (Court backlogs and delays in judicial proceedings do not bother Slovak judiciary only)", Journal Judicial Review no. 11/2004, p. 1,282
- Professional article „Asociácia štátnych rád a najvyšších správnych súdov Európskej únie a riešenie interpretačných problémov komunitárneho práva (Association of the Councils of State and Supreme Administrative Courts of the European Union and solving problems of interpretation of Community law)", Journal Judicial Review no. 10/2004 str.1122
- Professional Article "Úlohy a postavenie Európskeho súdneho dvora pri aplikácii „acquis communautaire" (The role and position of the European Court of Justice in the application of the "acquis communautaire")", Journal Judicial Review no. 3/2003, p. 341-355

VII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language									
Slovak	X			X			X		

b. Official languages									
English	X			X			X		
French			X			X			X
c. Other languages									
Czech	X				X		X		
Russian			X			X			X

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

I confirm that at this time I am attending French language course at the French Institute in Bratislava and if elected as a judge of the ECHR, I shall continue that intensive language training.

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 if elected as a judge on the Court I will have a permanent residence in Strasbourg.