



CANDIDATE INFORMATION BOOKLET

**Selection and nomination of candidates for election as a judge of the European Court
of Human Rights in respect of Ireland**

Deadline for applications: 5:00pm (IST), 9 October 2023

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Introduction

The purpose of this booklet is to provide information for candidates concerning the procedure for the selection, nomination, and election of Ireland's next judge on the European Court of Human Rights.

Background

The European Court of Human Rights ('the Court'), based in Strasbourg, is an international court established in 1959 under the European Convention on Human Rights ('the Convention'). The Court is tasked with ensuring the observation of the engagements undertaken by the contracting parties to the Convention.

The jurisdiction of the Court extends to all matters concerning the interpretation and application of the Convention and its Protocols which are referred to it in the context of inter-state applications, individual applications, and referrals made by the Committee of Ministers of the Council of Europe ('the Committee of Ministers'). The Court also enjoys advisory jurisdiction under Protocol No. 16 to the Convention.

The Court is comprised of judges elected by the Parliamentary Assembly of the Council of Europe in respect of each of the contracting parties to the Convention. While judges are elected in respect of a contracting state, they do not represent that state, and are required to be independent and impartial in the exercise of their functions.

The Court has 46 members, including a President, and two Vice-Presidents. The Court may sit in a single-judge formation, in Committees of three judges, and in a Grand Chamber of seventeen judges.

The Court is organised into five Sections, each of which comprises a Section President, a Section Vice-President, and a number of judges. The Court is assisted in the performance of its functions by its Registry, and has adopted Rules of Court which govern the organisation and working of the Court. The official languages of the Court are English and French.

Criteria for office

The criteria for office as a judge of the Court are prescribed by Article 21 § 1 of the Convention, which provides that judges must be of high moral character, and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.

Candidates must be under 65 years of age by 1 February 2023 (this being the date on which the Parliamentary Assembly requested the Government to submit a list of three candidates for election).

Judges sit on the Court in an individual capacity, and during their term of office must not engage in any activity which is incompatible with their independence, impartiality, or the demands of full-time office.

Judges are elected for a non-renewable period of nine years.



Selection, nomination, and election

The procedure for the selection, nomination, and election of judges to the Court comprises two discrete stages: (a) the selection and nomination of candidates by the Government, and (b) the election of judges by the Parliamentary Assembly.

The shortlisting, interview, and selection of candidates will be carried out by an expert panel convened and chaired by the Attorney General.

The criteria for the selection of candidates, as prescribed by the Convention and the Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights, will be as follows:¹

1. Candidates shall be of high moral character.
2. Candidates shall possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.
3. Candidates must, as an absolute minimum, be proficient in one official language of the Council of Europe (English or French) and should also possess at least a passive knowledge of the other, so as to be able to play a full part in the work of the Court.
4. Candidates need to have knowledge of the national legal system(s) and of public international law. Practical legal experience is also desirable.
5. If elected, candidates should in general be able to hold office for at least half of the nine-year term before reaching 70 years of age.
6. Candidates should undertake not to engage, if elected and for the duration of their term of office, in any activity incompatible with their independence or impartiality or with the demands of a full-time office.
7. If a candidate is elected, this should not foreseeably result in a frequent and/or long-lasting need to appoint an *ad hoc* judge.
8. Lists of candidates should as a general rule contain at least one candidate of each sex, unless the sex of the candidates on the list is under-represented on the Court (under 40% of judges) or if exceptional circumstances exist to derogate from this rule.

The three candidates recommended by the expert panel will be brought by the Tánaiste and Minister for Foreign Affairs to Government with a view to approval. A reserve list of candidates deemed qualified for nomination may be formed.

¹ Adopted by the Committee of Ministers on 28 March 2012 (as amended), available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cb1ac



The Government will submit the list of three candidates to the Advisory Panel on Experts on Candidates for Election as Judge to the European Court of Human Rights ('the Advisory Panel').² The function of the Advisory Panel is to advise contracting parties as to whether candidates for election as judges of the Court meet the criteria provided for in the Convention. Further information concerning the Advisory Panel is available [here](#).

Having received the views of the Advisory Panel, the Government will submit the list of three candidates, together with their *curricula vitae*, to the Parliamentary Assembly, accompanied by an outline of the procedure by which the candidates were selected.

The list of three candidates will be examined by the Parliamentary Assembly's Committee on the Election of Judges, which will interview the candidates and make recommendations to the Assembly.

The judge will be elected by the Parliamentary Assembly by a majority of votes cast from the list of three candidates, listed in alphabetical order. It is anticipated that the election of a judge in respect of Ireland will take place during the Parliamentary Assembly's April 2024 part-session.

Timelines

The indicative timelines for this competition, which may be subject to change, are as follows:

September 2023 Open call for applications from qualified candidates.

October – November 2023

Shortlisting, interview, and selection of candidates by expert panel.

December 2023 Submission of list of three candidates by the Government to the Advisory Panel of Experts on Candidates for Election as a Judge to the European Court of Human Rights.

March 2024 Submission of list of three candidates to Parliamentary Assembly of the Council of Europe.

Interviews of candidates by Committee on the Election of Judges to the European Court of Human Rights.

Transmission of recommendations of the Committee to the Parliamentary Assembly.

April 2024 Election of a judge from the list of three candidates, by a simple majority.

The judge elected by the Parliamentary Assembly will commence his or her 9-year term of office on the making of the necessary declaration

² Established by the Committee of Ministers under Resolution CM/Res(2010)26, available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cdf79



(and in any event not later than three months from the date of election).

1 July 2024 Expiry of term of office of judge currently elected in respect of Ireland.

Conditions of service

The status and conditions of service of members of the Court with respect to matters including privileges and immunities, remuneration, expenses, place of residence, medical examination, leave, pension, and medical and social insurance are currently set out in Resolution CM/Res(2009)5 on the Status and Conditions of Service of Judges of the European Court of Human Rights and of the Commission for Human Rights.³

Applications

Applicants should submit a letter of application accompanied by a *curriculum vitae*, which must be in the format set out at Appendix I to this booklet, available to download here:

<https://www.dfa.ie/our-role-policies/international-priorities/human-rights/our-international-engagement/echr-judge-application>

Completed applications must be submitted by email **only** to ecthrapplications@dfa.ie no later than 5:00pm (IST) on 9 October 2023 to: Barra Lysaght, Legal Division, Department of Foreign Affairs, 2 Clonmel Street, Dublin D02 WD63.

Department of Foreign Affairs
September 2023

³ Adopted by the Committee of Ministers on 23 September 2009, and subsequently amended by Resolution CM/Res(2013)4 and Resolution CM/Res(2015)5. A consolidated version of this Resolution is available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c0ce3#_ftn1



Annex I

Model curriculum vitae for candidates seeking election to the European Court of Human Rights

(Parliamentary Assembly Resolution 1646 (2009), Appendix I)

I.	Personal details
Name	
Sex	
Date and place of birth	
Nationality(/ies)	
II.	Education and academic and other qualifications
III.	Relevant professional activities <i>(please put in bold the posts held at present)</i>
a.	Description of judicial activities
b.	Description of non-judicial legal activities
c.	Description of non-legal professional activities
IV.	Activities and experience in the field of human rights
V.	Public activities <i>(please put in bold the post(s) held at present)</i>
a.	Public office
b.	Elected posts
c.	Posts held in a political party or movement
VI.	Other activities <i>(please put in bold the post(s) held at present)</i>



a.	Field								
b.	Duration								
c.	Functions								
VII.	Publications and other works <i>(you may indicate the total number of books and articles published, but mention only the most important titles (maximum 10))</i>								
VIII.	Languages <i>(requirement: an active knowledge of one of the official languages of the Council of Europe and a passive knowledge of the other)</i>								
Language	Reading			Writing			Speaking		
	Very good	Good	Fair	Very good	Good	Fair	Very good	Good	Fair
a. First Language (please specify):									
b. Official languages									
- English									
- French									
c. Other languages									
IX.	In the event that you do not meet the level of language proficiency required for the post of judge in an official language, 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.								
X.	Other relevant information								
XI.	Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court								

