

JUDGE OF THE EUROPEAN COURT OF HUMAN RIGHTS WITH RESPECT TO
IRELAND

INFORMATION SHEET

The Parliamentary Assembly of the Council of Europe will in April 2015 elect the judge of the European Court of Human Rights with respect to Ireland from a list of three candidates nominated by the Government.

Criteria for selection

The European Convention on Human Rights provides that “the judges shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.”

Procedure

The deadline for receipt of applications is **16 October 2014 at 6pm**. Persons wishing to apply should submit an application, supported by a curriculum vitae in the format laid out in the Appendix to Parliamentary Assembly of the Council of Europe Resolution 1646 (2009) (<http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewPDF.asp?FileID=17704&lang=en>) to:

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All applications received will be assessed by an independent expert panel. The criteria for the establishment of lists of candidates are as follows:

- Candidates shall be of high moral character
- Candidates shall possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence
- 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
- Candidates need to have knowledge of the national legal system(s) and of public international law. Practical legal experience is also desirable

- 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.
- 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.
- If a candidate is elected, this should not foreseeably result in a frequent and/or long-lasting need to appoint an ad hoc judge.
- 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 independent expert panel will review all applications received and may create a short list of applicants who may be invited to interview. The expert panel will recommend people it deems qualified to be nominated. The Government will choose three candidates for nomination and submit their names to the Council of Europe.

Election Process within the Council of Europe

Before the list of candidates is submitted to the Parliamentary Assembly of the Council of Europe, it must first be transmitted to the Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights for review. It is anticipated this will be done in December 2014. The function of the Advisory Panel is to advise states on the candidates' suitability for the office of judge of the European Court of Human Rights. The Advisory Panel will review the CVs only and does not interview candidates. Consideration will be given to the views of the Advisory Panel before a list of three names is submitted to the Parliamentary Assembly of the Council of Europe. The views of the Panel as to whether the candidates meet the criteria are also made available to the Parliamentary Assembly prior to any election taking place. Additional information on the operation of the Advisory Panel is contained in Resolution CM/Res(2010)26 (<https://wcd.coe.int/ViewDoc.jsp?id=1704555&Site=CM>).

The list of three candidates and their CVs must be formally transmitted to the Parliamentary Assembly of the Council of Europe by 13 February 2015 at the latest.

Following submission of the three names in February 2015, the candidates will be interviewed by the Parliamentary Assembly's Committee on the Election of Judges to the European Court of Human Rights. The timing and details of the interviews are a matter for the Committee. Additional information on the Committee is contained in

Resolution 2002(2014) of the Parliamentary Assembly of the Council of Europe (<http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=21049&Language=EN>).

The judge will be elected by a majority vote at a session of the Parliamentary Assembly of the Council of Europe scheduled to take place on 20-24 April 2015.

Terms and conditions of Office

The office of the judge is described in the European Convention on Human Rights, as amended. The relevant provisions of the Convention are Articles 21, 22 and 23 (http://www.echr.coe.int/documents/convention_eng.pdf).

The term of office for judges of the European Court of Human Rights is for nine years (non-renewable) and each judge's term of office commences generally no later than three months after his or her election.

Judges are employed by the Council of Europe and during their term of office, judges shall not engage in any activity which is incompatible with their independence, impartiality or with the demands of a full-time office. Judges terms of office shall expire at age 70.

Remuneration

The basic monthly salary of judges is currently €14,464.04. Each judge shall also receive a displacement allowance equal to 12.5% of the basic salary. This amount is adjustable yearly by the Council of Europe having regard to the cost of living in France. Pursuant to the General Agreement on Privileges and Immunities of the Council of Europe (1949) and the Sixth Protocol to the General Agreement on Privileges and Immunities (1996) salaries and emoluments paid to judges by the Council of Europe are exempt from taxation.

Additional details on annual leave, sick leave, social insurance and pension provisions are 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 Commissioner for Human Rights (<https://wcd.coe.int/ViewDoc.jsp?id=1508697&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>).

Department of Foreign Affairs and Trade
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