



Parlamentul
Republicii Moldova

08 nr. 23
04.04 2022

Deputat în Parlamentul Republicii Moldova

Biroul Permanent
al Parlamentului Republicii Moldova

În temeiul art.73 din Constituția Republicii Moldova și art. 47 din Regulamentul Parlamentului, adoptat prin Legea nr.797/1996, se înaintează cu titlu de inițiativă legislativă, proiectul de hotărâre privind desemnarea unor membrii în Comisia independentă de evaluare a integrității candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor

Anexă:

- proiectul de hotărâre;

Deputat în Parlament

Olena Șaurek Șaurek

| | |
|---|---------|
| SECRETARIATUL PARLAMENTULUI REPUBLICII MOLDOVA | |
| D.D.P. Nr. 116 | |
| "04" | 04 2022 |
| Ora _____ | |

H O T Ă R Ă R E

**privind desemnarea unor membrii în Comisia independentă de evaluare
a integrității candidaților la funcția de membru în organele de
autoadministrare ale judecătorilor și procurorilor**

În temeiul art.5 alin. (1) lit. b) din Legea nr.26/2022 privind unele măsuri
aferente selectării candidaților la funcția de membru în organele de
autoadministrare ale judecătorilor și procurorilor,

Parlamentul adoptă prezenta hotărâre.

Art.1. – Se desemnează în calitate de membrii în Comisia independentă de
evaluare a integrității candidaților la funcția de membru în organele de
autoadministrare ale judecătorilor și procurorilor după cum urmează:

Victoria HENLEY

Nona TSOTSORIA

Herman VON HEBEL

Art.2. – Prezenta hotărâre intră în vigoare la data adoptării.

Art.3. – Prezenta hotărâre poate fi contestată în instanța de judecată în
termenul prevăzut la art. 209 din Codul administrativ al Republicii Moldova nr.
116/2018.

PREȘEDINTELE PARLAMENTULUI

VICTORIA BANKS HENLEY

EMPLOYMENT

INTERNATIONAL CONSULTANT

1998-present

Expert advice on judicial disciplinary systems and anti-corruption measures, judicial ethics and discipline, ethics codes and ethics advisory bodies; training of disciplinary panel members, staff and inspectors.

STATE OF CALIFORNIA

COMMISSION ON JUDICIAL PERFORMANCE

Director-Chief Counsel

1991-2017

Head of the agency and responsible for implementation of the directives of the commission, the disciplinary oversight body for state court judges. Supervised the intake and investigation of complaints and the commission examiner's handling of formal proceedings. Primary liaison between the commission and the judiciary, the public, and the media. Responsible for hiring, budget and all aspects of commission's operations.

LONG & LEVIT San Francisco, California

Member of firm

1985-1990

Associate

1980-1985

General civil litigation practice. Specialization in professional liability and insurance-related matters. Chair of hiring committee.

Martindale-Hubbell rating: AV Preeminent

BAR MEMBERSHIP: State of California; United States Court of Appeals for the Ninth Circuit; U.S. District Court, Northern District of California; United States Supreme Court

INTERNATIONAL CONSULTING AND PRESENTATIONS:

Nominee for appointment to Selection Commission for Judicial Qualifications Commission of Ukraine (September 2021)

One of eight international experts nominated by Ukraine's international donors to serve on six-member commission (three locals; three internationals) established to screen and nominate new members to the Judicial Qualifications Commission of Ukraine which nominates candidates for judicial appointment.

Consultant, USAID— Promoting Rule of Law in Georgia Activity (June - September 2021)

Conducted trainings for the Office of Independent Inspector on topics including fair hearings, investigation and prosecution of bias complaints, ethical issues involving social media.

Consultant, USAID – Judiciary Against Corruption Activity in Bosnia and Herzegovina (March – June 2021)

Produced sections on United States handling of background checks and evaluation of judicial candidates for report on international approaches to background checks on prosecutor and judicial candidates.

Presenter, Virtual Conference: Improving Disciplinary Proceedings in Bosnia and Herzegovina

Hosted by the Organization for Security and Co-operation in Europe Mission to Bosnia and Herzegovina

April 28, 2021

Sarajevo, Bosnia

Presenter, International Remote Roundtable: Judicial Reforms in Transitional Democracies

Presentations on judicial reform by experts from the Czech Republic, Georgia, Italy, Ukraine, Hungary, Serbia, Poland, Slovakia, Albania, and USA.

Hosted by the Group of Independent Lawyers

February 24-25, 2021

Tbilisi, Georgia

Consultant, USAID— Promoting Rule of Law in Georgia Activity (July - December 2020)

Conducted trainings for members of the Supreme Court Disciplinary Chamber, the Disciplinary Collegium and the Office of Independent Inspector on recent legislative amendments to the grounds for judicial discipline, standard of proof and other aspects of disciplinary proceedings.

Consultant, USAID – Promoting Rule of Law in Georgia Activity (January 2018 – September 2019)

Provided evaluation of legislation on disciplinary proceedings; conducted meetings with stakeholders regarding legislation. Provided report suggesting revisions to Code of Judicial Ethics. Designed and led US study tour.

Host and Coordinator, Northern California Study Tour for Georgian Appellate Justices

July 23-27, 2018

San Francisco, California

Presenter, Judicial Winter School Workshop on Ethics for Judicial Clerks

February 26, 2018

Borjomi, Georgia

Trainer, Judicial Inspectors Training

February 24-25, 2018

Borjomi, Georgia

Consultant, USAID – Bosnia and Herzegovina Justice Project (January 2018 – August 2019)

Assisted development of Judicial Disciplinary Benchbook, which was adopted by High Judicial and Prosecutorial Council in September 2019. Assisted preparation of Report on the Monitoring of the Application of High Judicial and Prosecutorial Council Disciplinary Sanctions Guidelines, assessing the extent of compliance of disciplinary panels with applicable law and guidelines regarding disciplinary sanctions. Proposed revisions to the Model Ethics Code for Expert Associates and Advisors in Courts and Prosecutors Offices in Bosnia and Herzegovina. Provided advice regarding proposed legislation concerning the judicial disciplinary system.

Presenter (by Skype), Workshop on Disciplinary System Procedures and Benchbook
May 29-30, 2019
Tarčin, Bosnia and Herzegovina

Presenter, Workshop on Ethics for Expert Associates and Advisors in Courts and Prosecutors Offices
Annual Conference of Expert Associates and Advisors in Courts and Prosecutors Offices in Bosnia and Herzegovina
September 29, 2018
Konjic, Bosnia and Herzegovina

Presenter, Training for the Prevention of Conflict of Interest in the Judiciary
Sarajevo Municipal Court
September 28, 2018
Sarajevo, Bosnia and Herzegovina

Training for the Prevention of Conflict of Interest in the Judiciary
April 25, 2018
Sarajevo, Bosnia and Herzegovina

Workshop on Disciplinary Decisions and Disciplinary Measures for High Judicial and Prosecutorial Council and Disciplinary Panel Members and Staff
April 26, 2018
Sarajevo, Bosnia and Herzegovina

Consultant, USAID – Moldova Open Justice Project (January 2018 – April 2019)

Assisted the newly formed Judicial Ethics Commission of the Superior Council of Magistracy establish procedures for providing ethics advice to judicial officers --- prepared proposals to revise regulations; drafted opinions; drafted internal guidelines, templates for opinion requests and opinions; designed tracking system for opinions. Assisted Ethics Commission drafting commentary to revised Code of Judicial Ethics.

Presenter, Workshop to Strengthen Capacity of Judicial Ethics Advisory Committee
October 12, 2018
Chisinau, Moldova

Presenter, Judicial Ethics Commission Workshop
May 10, 2018
Chisinau, Moldova

Presenter, Workshop on Judicial Ethics Advisory Committees
February 1, 2018
Chisinau, Moldova

Consultant, USAID – Bosnia and Herzegovina Justice Project (2017)

Preparatory work on Judicial Disciplinary Proceedings Benchbook and relevant appendices. Formulated protocol for monitoring disciplinary panels' adherence to Sanctions Guidelines.

Presenter, Workshop on Use of Sanctions Guidelines
June 20, 2017
Jahorina, Bosnia and Herzegovina

Consultant, USAID – Promoting Rule of Law in Georgia Activity (2016)

Panelist, Round Table Discussion – “Reviewing and Redefining Grounds for Judicial Discipline,”
sponsored by Georgia High Council of Judges and USAID
November 9, 2016
Tbilisi, Georgia

Consultant, USAID – Bosnia and Herzegovina Justice Project (2015)

Formulated Sanctions Guidelines for disciplinary proceedings involving judicial officials, which were adopted by the High Judicial and Prosecutorial Council in July 2016. Submitted recommendations on additional measures to strengthen the disciplinary system, including the development of a disciplinary proceedings benchbook.

Consultant, USAID – Georgia Judicial Independence and Legal Empowerment Project (2014)

Prepared report on proposed amendments to the law of Georgia on disciplinary liability and disciplinary proceedings of judges of general courts.

Panelist, Seminar for Georgia High Council of Judges and Judicial Disciplinary Panel
December 14-20, 2014
Tbilisi, Georgia

Consultant, USAID – Ukraine FAIR Project (December 2014 – January 2015)

Prepared report and recommendations regarding qualifications, training and evaluation of High Qualifications Commission of Judges' judicial disciplinary inspectors.

Host and Presenter, United States Study Tour for Members of the Georgia High Council of Judges and Members of the Judicial Disciplinary Panel (2014)

March 20- 26, 2014

San Francisco, California

Consultant, USAID – Georgia Judicial Independence and Legal Empowerment Project (2013)

Presenter, Conference on the Independence and Profession of Judges in Georgia

Project Partners: Council of Europe, European Union Delegation, GIZ, IRZ, NORLAG, UNDP, USAID

September 27-28, 2013

Tbilisi, Georgia

Consultant, USAID – Georgia Judicial Independence and Legal Empowerment Project (2012)

Prepared report regarding shortcomings in the Georgia judicial disciplinary system.

Presenter, Workshop for High Council of Judges of Georgia Disciplinary Panel and Disciplinary Department

May 22-23, 2012

Tsinandali, Georgia

Consultant, USAID – Georgia Judicial Independence and Legal Empowerment Project (2011)

Prepared report regarding proposed amendments to the Georgian law on judicial disciplinary proceedings.

Presenter, Workshop for the High Council of Judges of Georgia Disciplinary Department

November 30, 2011

Tbilisi, Georgia

Consultant, USAID – Ukraine FAIR Project/Ukraine Rule of Law Initiative (2011)

Presenter, Training Program for High Qualifications Commission of Judges of Ukraine Disciplinary Inspectors Training Program

December 9, 2011 (by Skype)

Presenter, Seminar on Operation of High Qualifications Commission of Judges of Ukraine in New Environment

February 9 – 11, 2011

Yaremche, Ukraine

Consultant, ABA Rule of Law Initiative, Asia Division – Philippines

Presenter, Judicial Caseload Audits Workshop

May 12, 2009

Manila, Philippines

Presenter, Judicial Investigative Guidelines and Training Program
May 13, 2009
Manila, Philippines

Presenter, Current Ethics Issues for Appellate Justices Seminar
May 14, 2009
Manila, Philippines

Consultant, USAID – Bosnia and Herzegovina Justice Sector Development Project (2008)

Trainer, Trainings for members of the Office of Disciplinary Counsel
November 1-14, 2008
Sarajevo, Bosnia and Herzegovina

Consultant, USAID – Bosnia and Herzegovina Justice Sector Development Project (2007)

Trainer, Trainings for members of the Office of Disciplinary Counsel
September 3-18, 2007
Sarajevo, Bosnia and Herzegovina

Consultant, USAID – World Learning Inc., Bosnia and Herzegovina (2006)

Host and Presenter, Study Tour to California Commission on Judicial Performance for Members of
BiH High Judicial and Prosecutorial Council and Office of Disciplinary Counsel
San Francisco, California
May 20-June 3, 2006

Consultant, USAID - World Learning Inc., Macedonia (2005)

Presenter, Constitutional Law and Selection of Judges Program
Skopje, Macedonia
October 6-7, 2005

**Consultant, Tanzanian Legal Study Project (Judicial Anti-Corruption Project)
Institute for the Study and Development of Legal Systems (2000, 2001, 2003)**

Presenter, Seminar on Judicial Corruption
Dar Es Salaam, Tanzania
July 2003

Presenter, Study Tour of Judges from Tanzania regarding Judicial Accountability and Discipline
San Francisco, California
December 2000 – June 2001

American Bar Association - The Central and East European Law Initiative (1998)

Presenter, Workshop on Codes of Judicial Conduct and Ethics
Budapest, Hungary
December 1998

Presentations to International Visitors (1998 – 2017)

Presentations on judicial discipline to delegations and individuals visiting the United States from countries including Afghanistan, Albania, Argentina, Armenia, Bangladesh, Bosnia and Herzegovina, Bulgaria, Cambodia, Cameroon, China, Colombia, Croatia, Dominican Republic, Egypt, Ethiopia, France, Gaza Strip, Georgia, Germany, Ghana, Greece, Hungary, Indonesia, India, Iraq, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Macedonia, Malawi, Malaysia, Mexico, Moldova, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Philippines, Pakistan, Poland, Senegal, Slovakia, South Africa, Sri Lanka, Sudan, Russia, Taiwan, Tanzania, and Turkey.

PROFESSIONAL ACTIVITIES:

Program lecturer on judicial ethics and discipline, 1991 to present:

American Bar Association Annual Meeting, ABA Council of Chief Judges of Courts of Appeal, National Center for State Courts Center for Judicial Ethics (previously American Judicature Society) National College on Judicial Conduct and Ethics, Association of Judicial Disciplinary Counsel Annual Conference, National Association for Presiding Judges and Court Executive Officers, California Center for Judicial Education and Research, California Presiding Judges Orientation and Court Management Program, California Supervising Judges Institute, California Judges Association Annual and Mid-Year Meetings, California Cow County Superior Court Judges Institute, California Rural Municipal and Justice Courts Forum, National Association of Women Judges Annual Conference, International Association of Women Judges Annual Conference, Texas Center for the Judiciary College of Advanced Judicial Studies, Utah Appellate Courts Conference, State of Washington Commission on Judicial Conduct, Boalt Hall School of Law, Davis School of Law, University of San Francisco School of Law, Hastings School of Law, Golden Gate School of Law, Utah Valley University Ethics Awareness Week, Kiwanis and Rotary Clubs

Member, Task Force on Judicial Selection and Retention—Commission for Impartial Courts
2007-2009

Member, Working Group for Development of Procedures for Supreme Court Committee on Judicial Ethics Opinions 2008-2009

PROFESSIONAL ASSOCIATIONS

Association of Judicial Disciplinary Counsel

President – 2003 to 2007

Vice-President – 2000 to 2003

Board of Directors – 1998 to 2017

Emeritus Member – present

National Center for State Courts - Center for Judicial Ethics

Member of Advisory Committee

American Judicature Society

Member of Project Advisory Committee

Development of *Handbook for Members of Judicial Conduct Commissions*

PUBLICATIONS

Author, CEB Action Guide, “Making A Summary Judgment Motion:
Here’s When And How You Do It” (eight editions, 1987-2002)

EDUCATION

University of San Francisco
School of Law

J.D., June 1978, with honors
McAuliffe Honor Society

University of Pennsylvania

B.A., History, 1975, Cum Laude
Dean’s List
Sphinx Senior Honor Society
Mortarboard Honor Society

COMMUNITY AND OTHER ACTIVITIES

California Pacific Medical Center, California Healthcare System (previously Northern California Health Center/Children’s Hospital of San Francisco)

Director, Board Officer, Chair of Audit Committee, Member of CPMC Merger Task Force
(1981 to 1994)

Aircraft Owners and Pilots Association Air Safety Foundation

Graduate, Pinch-Hitter Course
(1990)

CURRICULUM VITAE

PERSONAL INFORMATION

Name **NONA TSOTSORIA**
Address
Telephone
E-mail
Nationality Georgian and U.S.
Date of birth 13 April 1973

Professional Summary

Rule of law • Human Rights • Anti-Corruption

- Former Judge, European Court of Human Rights
 - Former Deputy Prosecutor General of Georgia
 - Successfully managed rule of law projects in Georgia, Tunisia and Libya
 - Secretary of Anti-Trafficking Working Group responsible for three P's government performance in Georgia
 - Extensive experience developing/implementing/assessing justice-sector programs
 - Extensive experience interpreting European Convention on Human Rights
 - Proven record of training high-ranking officials, judges and prosecutors
 - Regular featured speaker at international conferences on the European Convention on Human Rights
 - Exceptional inter-cultural communication skills
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Professional Experience

- | | |
|------------------|---|
| Current | <p>International Consultant</p> <ul style="list-style-type: none"> - Legal expert specializing in assessing/implementing human rights, anti-corruption, rule of law projects <p>Member, Commission for Selection of Administrative Personnel Specialized Anti-Corruption Prosecutor's Office of Ukraine</p> <ul style="list-style-type: none"> - Advising on recruitment, hiring and retention of qualified administrators of independent structural unit of General Prosecutor of Ukraine |
| 2020-2021 | <p>Country Director, Tunisia and Libya – American Bar Association Rule of Law Initiative (ABA ROLI) Tunis, Tunisia</p> <ul style="list-style-type: none"> - Responsible for developing, implementing, evaluating, monitoring, and enhancing program priorities - Managed a portfolio of diverse justice sector reform initiatives focused on criminal law processes, gender-based violence, anti-money laundering, continuing legal education, community dialogue, and human rights - Represented ABA ROLI with USG, international donors, host governments, host countries legal leaders, NGOs - Responsible for ensuring compliance with ABA, donor and host countries policies, practices, procedures, and regulations - Undertook actions necessary to conduct the operations of the ABA's Tunisia and Libya programs |
| 2018-2019 | <p>Anti-Corruption Legal Expert – EU Anti-Corruption Initiative in Ukraine Co-Funded by European Union and Ministry of Foreign Affairs of Denmark</p> <ul style="list-style-type: none"> - Provided peer review of draft <i>amicus curie</i> submission to the Constitutional Court of Ukraine concerning criminal offence of illicit enrichment - Conducted needs assessment and training of judges of High Anti-Corruption Court on European standards of human rights protection - Prepared expert opinion on compatibility of draft Ukrainian laws with the European Convention on Human Rights of criminal offence of illicit enrichment and non-conviction confiscation of unjustified assets |
| 2018-2019 | <p>Anti-Corruption Legal Expert – Prosecutor's Office of Lithuania</p> <ul style="list-style-type: none"> - Developed training program for prosecutors and pretrial investigation officers on European Court of Human Rights case law related to safeguarding human rights during investigative and prosecution phases of corruption-related crimes |

- 2008-2018** **Judge elected in respect of Georgia – European Court of Human Rights
Strasbourg, France**
- Decided admissibility and merits of cases sitting as member of Trial Chamber
 - Decided issues of interpretation of the European Convention sitting as member of Grand Chamber
 - Decided manifestly inadmissible Ukraine applications sitting as single judge
 - Served as president of three-judge committee deciding precedential cases
 - *Ex officio* member of Chambers deciding cases involving Georgia
 - Judge-Rapporteur in cases involving Georgia and other Member States
 - Helped implement initiatives aimed at ensuring judicial efficiency
 - Reviewed judicial matters as Member of the Status Committee on Judges
 - Participated in conferences, meetings and other public outreach to increase awareness of the European Convention
- 2004-2008** **Deputy Prosecutor General – Office of Prosecutor General of Georgia
Tbilisi, Georgia**
- Second in command at Office of Prosecutor General
 - Systematized new approaches to international law enforcement assistance
 - Served as Secretary of Anti-Trafficking Working Group
 - Spearheaded sweeping reforms to optimize transparency and accountability
 - Increased institutional capacity of Legal, Human Resources, Finance and Logistics Departments
 - Increased effectiveness and efficiency of Anti-Money Laundering Unit
 - Coordinated international donor support of national criminal justice reform
- 2001-2004** **Program Director/Legal Advisor – Institutional Reform and Informal Sector (IRIS)
Tbilisi, Georgia**
- Managed then-largest U.S. Government funded rule-of-law project in Georgia
 - Assisted in developing and implementing justice-sector programming
 - Advised Government of Georgia on amendments to the Constitution of Georgia
 - Coordinated assistance of foreign experts in drafting legal analyses
 - Served as organizational liaison to the Georgian Government, the U.S. Agency for International Development (USAID), and other stakeholders
 - Received IRIS special award for "*Lasting Contribution to IRIS Program.*"
- 2000-2001** **Legal Advisor – AMEX International, Inc.
Tbilisi, Georgia**
- Organized/ administered workshops, training programs, legislative assistance
 - Drafted amendments to the General Administrative Code
 - Worked with stakeholders to enact General Administrative Code amendments
 - Assisted public agencies in implementation of the General Administrative Code
 - Served as organizational liaison with international administrative law experts
- 1999-2000** **Lawyer – Kordzadze & Svanidze Attorneys-At-Law
Tbilisi, Georgia**
- Conducted legal research on wide range of civil and administrative matters
 - Represented clients in court proceedings on trial and appellate court proceedings
- 1996-1999** **Law Clerk – Constitutional Court of Georgia
Tbilisi, Georgia**

EDUCATION

- May 2007 **UNIVERSITY OF PENNSYLVANIA**, *Philadelphia, Pennsylvania*
Master of Government Administration (M.G.A.), May 2007
- July 1996 **TBILISI STATE UNIVERSITY**, *Faculty of Law, Tbilisi, Georgia*
Diploma of Law with Honors

LANGUAGES

- Georgian: *Native* (Oral and Written)
- English: *Fluent* (Oral and Written)
- Russian: *Fluent* (Oral and Written)
- French: *Intermediate* (Oral and Written)

PROFESSIONAL AFFILIATIONS

- 2005-2006 Member, **Anti-corruption Working Group**
Drafted Anti-Corruption Strategy of Georgia and implementing Action Plan
- 2005-2006 Secretary, **Anti-Trafficking Working Group**
Coordinated Government efforts in human trafficking prevention/protection/ prosecution
- 2005-2006 Member, **Group of Experts on Reform of the Criminal Justice System of Georgia**
Drafted Strategy of Reform of the Prosecutor's Office of Georgia
- 2003-2004 Board Member, **Fair Elections Foundation**
- 1994–2005 Founding Member, **Member of the Board, Georgian Young Lawyers' Association**

Curriculum Vitae – short version

Herman von Hebel

Email:

Nationality:

PROFILE

Legal profile

- Part-time judge at Court of Appeal, Den Bosch, The Netherlands on criminal cases.
- Expert on rule of law and strengthening of national judicial institutions in projects in Albania, Ukraine, Georgia, Indonesia, and conflict-affected countries.
- 17 years of experience in four international criminal courts, supporting judiciary, prosecution offices, and counsel for the accused and victims, and ensuring effective court management.
- 10 years of experience as legal adviser in the Ministry of Foreign Affairs and the Ministry of Justice on issues of human rights law, international humanitarian law and criminal law.
- Extensive experience in cooperation with and between international and national judicial systems and support to strengthen national judicial and prosecutorial institutions.

Diplomatic profile

- Over 30 years of experience with working in a multilateral environment.
- Extensive experience in diplomatic relations between international courts, the UN, and states, including on issues such as cooperation, capacity building, budget and fundraising.
- Extensive experience in multilateral negotiations in the context of Council of Europe and UN and in chairing expert committees.

Managerial profile

- Over 5 years of managerial experience in Chambers, supervising teams of lawyers in support of judges in pre-trial, trial and appeal proceedings.
- 12 years of strategic leadership over three Registries, with 100-600+ staff members, budgets from 20-150 million euros, and fundraising of over 250 million euros.
- Extensive experience in leading processes of change, innovation and effective resource management in downsizing, building up or reorganizing judicial organizations.

WORK EXPERIENCE

- **Judge (part-time)**, September 2020 – present, Court of Appeal, Den Bosch, The Netherlands, in criminal cases.
- **Deputy Team Leader and Long-term Expert**, EURALIUS V, Albania, October 2019 – November 2020
 - Supported the Supreme Court of Albania in the development and implementation of backlog strategies, new working methods, IT solutions and legislative amendments to ensure effective and independent judicial functioning, also in relation to the implementation of a vetting process for all judges. Supported Ministry of Justice in development of strategies relating to improvement of functioning of the judiciary.
- **Consultant on Rule of Law**, self-employed, June 2018 – present
 - Variety of short-term assignments relating to the build-up of the rule of law and access to justice. Projects relate to: development of a roadmap for the establishment of a High Anti-Corruption Court (Ukraine); training course for Presidents and court managers on effective court management practices, and development of a Code of Ethics for Judges and Court staff in relation to communication with parties and the public (Georgia); training course on investigations of human rights violations (Indonesia); development of proposal for EU4Justice project in Bosnia-Herzegovina relating to, e.g., judicial training and judicial ethics.
- **Registrar (UN Assistant Secretary-General), International Criminal Court (ICC)**, April 2013 – April 2018
 - Supervised 600+ staff members and responsible for a budget of 120 to 150 million euros.
 - Led a process of reorganization of the Registry, to ensure improved delivery of (legal and other) services to judges, prosecutors, counsel for defence and victims and improvement communication with victims of crimes and the public at large.
 - Strengthened cooperation between the ICC and national jurisdictions, including judicial and prosecutorial cooperation.
- **(Acting) Registrar, Deputy Registrar (UN Assistant Secretary-General/D2), Special Tribunal for Lebanon (STL)**, June 2009 – April 2013
 - Supervised 100-350 staff members and responsible for a budget of 40 to 60 million euros.
 - Led the process of the establishment of the STL Registry, to ensure effective support to judges, prosecutors and counsel for defence and victims.
- **Registrar, Deputy Registrar (UN Assistant Secretary-General/D2), Special Court for Sierra Leone (SCSL)**, July 2006 – June 2009
 - Supervised 200-450 staff members and responsible for a budget of 20 to 30 million euros.
 - Developed and implemented a “completion strategy” for the efficient finalisation of all judicial activities and the closing down of the Special Court.

- Implemented a program of cooperation with the national judiciary and the police.
- **Senior Legal Officer (P-5), Chambers, International Criminal Tribunal for the former Yugoslavia (ICTY), January 2001 – July 2006**
 - Supervised a team of 20+ lawyers to support judges in the running of pre-trial and trial proceedings and the drafting of judgments.
 - Provided legal advice to judges on complicated issues of criminal law and procedure, international criminal law, international humanitarian law and public international law.
- **Legal Advisor, Assistant Legal Advisor, Ministry of Foreign Affairs, the Netherlands, September 1991 – December 2000**
 - Represented the Government of the Netherlands in judicial proceedings before the European Court of Human Rights.
 - Represented the Government of the Netherlands in the Council of Europe and the United Nations and acted as Vice-Chair or Chair of different expert committees.
 - Participated in negotiations relating to the Statute of the International Criminal Court. Chaired the working group on the definition of war crimes (1998) and the elements of crimes (1999-2000).
- **Senior Legislation Lawyer, Ministry of Justice, the Netherlands, April 1990 – September 1991.** Participated in the drafting of legislation of various Ministries to ensure the compatibility of national law with international treaty norms.
- **Legal Researcher, University of Utrecht, April 1987 – December 1989.** Undertook legal research relating to the European Convention on Human Rights.

EDUCATION

- University of Groningen, Faculty of Law, the Netherlands, 1981-1987, LL.M.

OTHER

Published on issues of human rights, international criminal law, the functioning of international criminal courts and tribunals and the establishment of the ICC.

Lecture regularly at universities and academic institutions.

LANGUAGES

English: Fluent

French: Moderate

Dutch: Mother tongue



Comisia juridică, numiri și imunități

RAPORT

privind examinarea candidaturilor propuse din partea partenerilor de dezvoltare în cadrul Comisiei independente de evaluare a integrității candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor

Comisia juridică, numiri și imunități a examinat candidaturile propuse din partea partenerilor de dezvoltare și expune următoarele.

La data de 16 martie 2022 a intrat în vigoare Legea privind unele măsuri aferente selectării candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor cu nr. 26/2022.

În conformitate cu art.5 din Legea 26/2022, Comisia independentă de evaluare a integrității candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor este formată din 6 membri desemnați după cum urmează:

a) 3 membri cetățeni ai Republicii Moldova – la propunerea fracțiunilor parlamentare, cu respectarea reprezentării proporționale a majorității și a opoziției, aprobați cu votul a 3/5 din deputații aleși;

b) 3 membri – la propunerea partenerilor de dezvoltare, aprobați cu votul a 3/5 din deputații aleși.

În scopul desemnării membrilor prevăzuți la alin.(1) lit. b), partenerii de dezvoltare prezintă Parlamentului, printr-o scrisoare semnată în comun, o listă din cel mult 6 persoane eligibile. În cadrul Comisiei parlamentare juridice, numiri și imunități se examinează candidaturile propuse și se aleg 3 persoane care au obținut cel mai mare număr de voturi în cadrul ședinței comisiei parlamentare și care urmează a fi propuse plenului Parlamentului în vederea desemnării în calitate de membri ai Comisiei de evaluare. Pentru aceasta, comisia parlamentară elaborează proiectul unei hotărâri de Parlament, însoțit de un raport, care urmează a fi dezbătute în plenul Parlamentului și adoptate cu votul majorității prevăzute la alin.(1) lit. b).

Astfel, la Comisia juridică, numiri și imunități au parvenit propunerile din partea partenerilor de dezvoltare, după cum urmează: Carlos Castresana Fernandedez, Victoria Henley, Tilman Hoppe, Nona Tsotsoria, Herman Von Hebel, Ales Zalar.

Întru respectarea prevederilor art.5 alin (8) care stabilește că Membrul Comisiei de evaluare trebuie să corespundă următoarelor cerințe: are studii superioare; are o

reputație ireproșabilă; are cel puțin 10 ani de experiență în unul sau mai multe dintre următoarele domenii: juridic, economic, fiscal, al investigării infracțiunilor de corupție și celor conexe corupției, al verificării integrității; nu a deținut funcția de deputat în Parlament sau de membru al Guvernului în ultimii 3 ani; nu a făcut parte dintr-un partid politic în ultimii 3 ani; nu a deținut funcția de judecător sau procuror în Republica Moldova în ultimii 3 ani; nu a fost membru al organelor prevăzute la art.2 alin.(1) în ultimii 3 ani; cunoaște la un nivel suficient limba engleză, actele necesare stabilirii criteriilor date au fost prezentate comisiei și examinate de membrii acesteia.

Examinând candidaturile prin prisma rigorilor legale înaintate față de membrii Comisia independentă de evaluare a integrității candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor, membrii Comisiei cu votul unanim al membrilor prezenți (7 voturi pentru) propun următoarele candidaturi: Victoria Henley, Nona Tsotsoria, Herman Von Hebel .

Urmare a dezbaterilor, membrii Comisiei juridice, numiri și imunității, propun plenului Parlamentului candidaturile sus menționate, pentru a fi desemnate în funcția de membru al Comisia independentă de evaluare a integrității candidaților la funcția de membru în organele de autoadministrare ale judecătorilor și procurorilor. Proiectul de hotărâre se anexează.



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