

**Dean SPIELMANN**

**President of the European Court of Human Rights**

**Personal Details**

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Date of birth: 26 October 1962

Nationality: Luxembourg

**Education and academic, other qualifications and distinctions**

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Bachelor's degree in law, Catholic University of Louvain, 1988

Master of Laws in international law, Cambridge University, 1990

Foreign and Commonwealth Office (FCO) scholar

Member of Fitzwilliam College, Cambridge

Final Luxembourg Bar entrance examination, 1992

Honorary Fellow, Fitzwilliam College, University of Cambridge, 2013

Honorary Bencher of Gray's Inn, London, 2013

Honorary Professor, University College London, 2013

Doctor *honoris causa*, State University of Yerevan, 2013

**Relevant professional activities**

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**1. Judicial activities**

Judge of the European Court of Human Rights (elected on 24 June 2004, sworn in on 30 August 2004)

Section President of the European Court of Human Rights since 1 February 2011

Vice-President of the European Court of Human Rights since 13 September 2012

Elected President of the European Court of Human Rights on 10 September 2012

**2. Non-judicial activities**

Lawyer (Luxembourg Bar), 1989-2004

Barrister (Luxembourg), 1992-2004

Partner in a law firm

Bar activities:

– Member of the Luxembourg Bar Council, 1996-1998

- Member and secretary of the Disciplinary and Administrative Council of the Legal Profession, 1999-2001
- Member of the Pardons Board delegated by the Luxembourg Bar, 1996–1997
- Member of the Welfare Board delegated by the Luxembourg Bar, 1998
- Member of the human rights committee of the CCBE (Council of Bars and Law Societies of Europe), 2002-2004
- Member of the CCBE criminal law committee, 2003-2004

### **3. Advisory and expert committees (before 2004)**

Member of the European Union Network of Independent Experts in Fundamental Rights (CFR-CDF), 2002-2004

Member of the Advisory Commission on Human Rights, Luxembourg, 2000-2004

### **4. Teaching activities**

#### **4.a. Principal teaching activities**

- *Catholic University of Louvain*

Assistant lecturer and research assistant (FNRS) in the Department of Criminology and Criminal Law, Law Faculty, Catholic University of Louvain, 1991-1997, working with Professors Jacques Verhaegen and Christiane Hennau-Hublet

In this environment, besides research work and publications, supervised undergraduates' work in the general criminal law field; in conjunction with Professors Christiane Hennau and Jean du Jardin, supervised the seminar for the third degree course (1996-97) on the theme of "Criminal law and human rights"

- *University of Luxembourg*

Lecturer at the University of Luxembourg

- Lecturer in general criminal law (first year, Belgian degree section), 1996-2004
- Joint lecturer in criminal law and criminal procedure (second year, French degree section, intermediate diploma (DEUG)), 2000-2004
- Lecturer in business-related criminal law (fourth year, French degree section, postgraduate qualification (*Maîtrise*)), 2003-2004
- Lectures on Community litigation before the European Court of Human Rights (University of Luxembourg and Institut Universitaire International de Luxembourg), 1999-2005
- Lectures on the European Convention on Human Rights (for the Master's Degree in European Law, speciality in European contentious procedure, 2005, and in business criminal law, 2006)

- *University of Nancy 2*

- Lectures on procedure of the European Court of Human Rights (advanced specialist studies diploma (DESS) in contentious procedure), 1997-2009

- *René Cassin International Institute of Human Rights*

Guest speaker at the 2007 Annual Study Session: "Lecture on Historical development of international protection of human rights: results and perspectives"  
Emile Bernheim Chair, July 2007

#### **4.b. Other teaching activities**

- *University College London*: lectures on the European Convention on Human Rights, since 2007  
Distinguished Judicial Visitor, since 2009, Honorary Professor, since 2013
- *Ministry of Justice, Luxembourg*, 1994-2001  
Lecturer (private international law)

- *University of Padua (Venice)*, 1998 and 2009 – Guest lecturer – European Master’s Degree in Human Rights and Democratisation: course on the European Convention on Human Rights

## **5. Scientific activities**

### **5.a. Membership of the following learned societies and associations**

Member of the Grand-Ducal Institute, Moral and Political Science Section (full member since 2005, associate member from 2002 to 2005)

Member of the René Cassin International Institute of Human Rights, since 2011

### **5.b. Publications**

Co-founder and co-director of publication of *Annales du droit luxembourgeois* (Brussels, Bruylant), since 1990

Member of the editorial board of the *Bulletin des droits de l’homme* (Luxembourg), since 1993

Member of the scientific board since 2005 and editorial board (1996-2005) of the quarterly *Revue trimestrielle des droits de l’homme* (Brussels, Nemesis-Bruylant)

Member of the editorial board of the *Revue de droit pénal et de criminologie* (Brussels, La Chartre), since 2002

Member of the editorial board of the journal *Droit des affaires – Het Ondernemingsrecht (DA/OR)* (Brussels, Larcier), since 2003

Member of the advisory committee of the *European Review of Private Law* (Kluwer), since 2003

Member of the scientific board of the *Annuaire international des droits de l’homme* (Sakkoulas, Bruylant), since 2005

Member of the honorary board of the *Cambridge Student Law Review* since 2008

Member of the scientific board of the *Journal des Tribunaux – Luxembourg* (Brussels, Larcier), since 2008

Member of the consultative curatorium of the German collection of the judgments of the European Court of Human Rights (Kehl am Rhein, N.P. Engel), since 2009

Member of the scientific committee of the *Cyprus Human Rights Law Review* (Antwerp, Intersentia), since 2011

Member of the scientific committee of the *European Journal of Human Rights*, since 2013

Principal publications include \* :

#### **Books**

1) *L’effet potentiel de la Convention européenne des droits de l’homme entre personnes privées (Potential effect of the ECHR as between private individuals)*, (Brussels, Nemesis, Bruylant, 1995), 160 pages

2) *Le Luxembourg devant la Cour européenne des droits de l’homme (Recueil de jurisprudence 1995-2003)* (digest of Court of Human Rights case-law of relevance to Luxembourg), (Brussels, Nemesis, Bruylant, 2003), 462 pages

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\* Complete list of publications is attached.

- 3) *Droit pénal général luxembourgeois* (general criminal law in Luxembourg) (with A. Spielmann), Brussels, Bruylant, 2<sup>nd</sup> edition, 2004, 669 pages
- 4) *La Convention européenne des droits de l'homme, un instrument vivant, Mélanges offerts à Christos Rozakis* (with M. Tsirli and P. Voyatzis), Brussels, Bruylant, 2011, 762 pages

### Articles

- 1) “Les mesures provisoires et les organes de protection prévus par la Convention européenne des droits de l'homme”, in *Présence du droit public et des droits de l'homme, Mélanges offerts à Jacques Velu*, Brussels, Bruylant, 1992, pp. 1294-1317
- 2) “Human Rights Case-Law in the Strasbourg and Luxembourg Courts: Conflicts, Inconsistencies and Complementarities”, in P. Alston, M. Butselo & J. Heenan (ed.), Academy of European Law, European University Institute, *The EU and Human Rights*, Oxford, Oxford University Press, 1999, pp. 757-780 (French translation: “Jurisprudence des juridictions de Strasbourg et de Luxembourg dans le domaine des droits de l'homme”, in P. Alston, M. Butselo & J. Heenan (dir.), *L'Union Européenne et les Droits de l'Homme*, Brussels, Bruylant, 2001, pp. 789-812)
- 3) “Luxembourg”, in R. Blackburn and J. Polakiewicz (eds.), *The European Convention on Human Rights (1950-2000), The Impact of the European Convention on Human Rights in the Legal and Political Systems of the Member States 1950-2000*, Oxford, Oxford University Press, 2001, pp. 531-557
- 4) “Une internationalisation avant la lettre des droits de l'homme ? A propos de l'avis consultatif de la Cour permanente de Justice internationale du 4 décembre 1935”, in L. Caflisch, J. Callewaert, R. Liddell, P. Mahoney et M. Villiger (ed.), *Droits de l'homme - Regards de Strasbourg. Liber amicorum Luzius Wildhaber*, Kehl, Strasbourg, Arlington, Va., Editions N.P. Engel, 2007, pp. 403-422
- 5) “The European Convention on Human Rights. The European Court of Human Rights”, in D. Oliver & J. Fedke (eds.), *Human Rights and the Private Sphere. A Comparative Study*, [Coll. The University of Texas at Austin. Studies in Foreign and Transnational Law], London, New York, Routledge-Cavendish, 2007, pp. 427-464
- 6) “En jouant sur les marges. La Cour européenne des droits de l'homme et la théorie de la marge d'appréciation nationale : Abandon ou subsidiarité du contrôle européen ?”, *Actes de la Section des Sciences Morales et Politiques*, Luxembourg, Vol. XIII, 2010, pp. 203-255 ; *Journal des Tribunaux-Luxembourg*, 2010, pp. 117-127
- 7) “The right to protection of reputation under the European Convention on Human Rights” (with Leto Cariolou), in D. Spielmann, M. Tsirli et P. Voyatzis (ed.), *La Convention européenne des droits de l'homme, un instrument vivant, Mélanges offerts à Christos Rozakis*, Bruxelles, Bruylant, 2011, 571-596
- 8) “Jurisprudence of the European Court of Human Rights and the Constitutional System of Europe”, in M. Rosenfeld and A. Sajó (eds.), *The Oxford Handbook of Comparative Constitutional Law*, Oxford University Press, 2012, pp. 1231-1252
- 9) “Allowing the Right Margin. The European Court of Human Rights and the National Margin of Appreciation Doctrine: Waiver or Subsidiarity of European Review?”, University of Cambridge, Centre for European Legal Studies, CELS Working Paper Series, 2012 and *Cambridge Yearbook of European Legal Studies*, (2011-2012, pp. 381-418)