

CURRICULUM VITAE



PROF. DR. BOŠTJAN M. ZUPANČIČ **JUDGE OF THE EUROPEAN COURT OF HUMAN RIGHTS**

I. PERSONAL DETAILS

Nationality: French, Slovenian
Sex: Male
Date of birth: 13 May 1947
Place of birth: Ljubljana, Slovenia
Status: Married to Janja Kaiser, lawyer-psychoanalyst, three children (22, 20, 10)
Website URL: <http://www.bostjanmzupancic.com/#!/home/cbj4>
Wikipedia: https://en.wikipedia.org/wiki/Bo%C5%A1tjan_Zupan%C4%8Di%C4%8D

II. EDUCATION AND ACADEMIC QUALIFICATIONS

2013 *Dr. Honoris Causa*, Università del Littorale, Capodistria
1981 **HARVARD LAW SCHOOL**, Cambridge, Massachusetts, *Scientiae Juris Doctor (S.J.D.)*, Professor R.M. Unger, Mentor; Dissertation: "*The Conflict and the Rules*" (published)
1976-1977 **HARVARD LAW SCHOOL**, Cambridge, Massachusetts – Research Scholar
1973-1974 **HARVARD LAW SCHOOL**, Cambridge, Massachusetts – S.J.D. Programme
1972-1973 **HARVARD LAW SCHOOL**, Cambridge, Massachusetts
LL.M. Degree (Masters in Law); Average Grade: A-
1971-1972 *Université de Montréal*, École de Criminologie, Research Scholar
1970-1971 *University of Zagreb*, Law School – Masters Programme (no degree)
1968 *Cambridge University*, Law School, Extra-Mural in Law Studies
1966-1970 *University of Ljubljana*, Faculty of Law, Degree *Univ. dipl. iur.*;
Average Grade: 9 (out of 10). Awarded Scholarships: "Boris Kraigher",
"Boris Kidrič" and "**Dr. Prešeren Award**" (highest available for students)
1962 – 1966 *Classical 1st Gymnasium*, Ljubljana, Slovenia

III. RELEVANT PROFESSIONAL ACTIVITIES

a. Judicial activities

Since **1.11.1998** (17 years) **JUDGE OF THE EUROPEAN COURT OF HUMAN RIGHTS**
President of the Third Chamber (2004 - 2008)
1993-1998 (5 years) **JUDGE OF THE CONSTITUTIONAL COURT OF SLOVENIA**,
President of the Criminal Law Chamber

b. Non-Judicial legal activities

1995-1998 **UNITED NATIONS COMMITTEE AGAINST TORTURE (Geneva) Vice-Chair**

1993	China University of Law and Public Policy – Visiting Professor
1989-1992	University of Ljubljana, First Vice-President (for academic affairs)
1986-1998	University of Ljubljana, Law School – Full Professor of Law (1989)
1983-1985	Athens University & Temple University – Joint Summer Programmes
1982-1986	Seton Hall University, Law School, Full Professor of Law (1985)
1981	Fordham University, School of Law – Associate Professor of Law
1980-1981	Seton Hall University, Law School – Distinguished Professor of Law
1980	Iowa University, College of Law – Associate Professor of Law
1979	Supreme Court of Slovenia – Clerking
1977-1979	New York Law School – Assistant Professor of Law
1976	Circuit Court of Ljubljana – Clerking
1975-1976	University of Ljubljana, Law School – Assistant Professor of Law
1974-1975	Yugoslav Army – Honorary Discharge
1970-1974	University of Ljubljana – Assistant Professor

Memberships

- Editorial Board of "REVUS," European Constitutionality Review, Ljubljana
- "Society for the Reform of Criminal Law", Vancouver, Canada
- Editorial Board of "Dignitas", Ljubljana
- Editorial Board of "Revija 2000", Ljubljana
- International Editorial Board of "Pravni Vjesnik", Osijek, Croatia
- Advisory Board of "Nottingham Law Journal", United Kingdom
- Scientific Advisory Board of "European Journal of Law Reform", Utrecht, The Netherlands
- Scientific Committee of "Analele Universității București, Seria Drept", Bucharest, Romania

Lecturing

- **Chong Qing University of Law and Public Policy, China, 1994**
- **China University of Law and Public Policy, Beijing, 1994**
- **University of Cardiff, Wales, U.K., 1995**
- **Harvard Law School, Cambridge (USA), 1995, 1998; Lecture: *The Universality of Autonomous Legal Reasoning: Revolutionary Developments in the European Court of Human Rights in Strasbourg*, April 2005**
- **University of Beijing, 1997**
- **Gong An University, Beijing, 1997**
- **Central European University, Budapest, 1997: *The Individual Citizen versus the State*, June 2004**
- **University of Zagreb, 1997, 2006, 2010**
- **Lectures to Slovene Judges and Lawyers, 1997, 1998, 1999, 2000, 2004, 2006, 2010, 2013, 2014, 2015**
- **International Association for the Protection of Human Rights, Cyprus, 1999; 'Fair Trial' in Times of Terrorism, October 2003**
- **University of Washington, Seattle, 1999**
- **University of British Columbia, Vancouver, 1999**
- **Université de Paris XIII, autumn 1999, spring and autumn 2000, autumn 2003, spring 2007**
- **Amnesty International, Ljubljana, autumn 2000**
- **International Association of Constitutional Law, French Senate, Paris, spring 2001**

- Seminar on the Jurisprudence of the European Court of Human Rights, *Izmir (Turkey) Bar Association*, September 2001
- OSCE, Warsaw, key speaker, spring 2002
- Lectures to judges in Kiev (Ukraine), spring 2002
- *University of Auvergne*, autumn 2002
- *Université de Paris I (Panthéon-Sorbonne)*, autumn 2002
- Judge at the “*Philip C. Jessup International Law Moot Court Competition*,” Moscow, Russian Federation, February 2003
- *University of Sienna (Italy)*, Sovereignty in the Context of Human Rights, May 2003
- *Association of Lawyers, Coimbra (Portugal)*, Special Investigative Means and Human Rights in the Jurisprudence of the European Court of Human Rights, November 2003
- *Institut des Hautes Études Européennes de Strasbourg*, La Cour européenne des Droits de l’Homme : les techniques d’interprétation de ses jugements, January 2004
- Human Rights Research and Practice Centre of the *Union of Turkish Bar Associations*, Ankara (Turkey), *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, February 2004
- *Constitutional Court of Slovenia*, April and December 2004, November 2005, 2012, 2013, 2014 ([source](#))
- *Association for International Criminal Law*, Lecture on the ECHR, Tara, Serbia-Montenegro, May 2004
- *OSCE Conference*, Keynote Address “*On Tolerance*,” Brussels, 2004 ([source](#))
- International Conference “*The Position of Constitutional Courts following Integration into the European Union*”, Bled, Slovenia, September-October 2004 (participation only)
- *Association internationale de droit constitutionnel*, Round-Table on the Interpretation of the Constitution, Bordeaux, October 2004
- *Institut des Hautes Études Européennes de Strasbourg*, March 2005
- *Institut international des droits de l’homme, Strasbourg*, *Philosophical Fundamentals of Human Rights*, July 2005
- *Université de Nanterre (Paris X)*, *Objective and Subjective Judicial Constraints*, October 2005
- *Institut des Sciences Politiques (Sciences Po)*, Paris, Professeur Associé in Master de droit économique, « *Droit de la répression – procédure pénale* », décembre 2005 – février 2006 ;
- *Constitutional Court of Turkey*, lecture on *Universality of Human Rights*, Ankara, September 2006
- Lecture at the *Law Faculty of Galatasaray University*, Istanbul, September 2006
- Seminar on “*Democracy and social justice: what future for European private law?*” *Cour de cassation, Paris*, 26 January 2007
- Lecture on “*Procedural Guarantees in Criminal Proceedings: common standards in the European Union*”, Relationship of the EU Framework Decision to the ECHR: Towards the Fundamental Principles of Criminal Procedure, *Ministry of Foreign Affairs, Berlin*, February 2007
- *Faculté de droit, sciences politiques et sociales, Villetaneuse (Paris XIII)*, Développements récents de la jurisprudence de la Cour européenne des droits de l’homme, Monday 19 March 2007
- Round-Table on the future of the European Court of Human Rights, *Université Robert Schuman, Strasbourg*, 14 April 2007
- Lectures on the European Court of Human Rights to *Slovene Bar Assoc.*, Ljubljana, 28 May 2007, 2013

- 15th Annual Conference on “*The Individual vs. the State – Free to Protest: Constituent Power and Street Demonstrations*”, Theories Concerning the Collective Behaviour, *Central European University, Budapest*, June 2007
- *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, lecture to the *Constitutional Court of Georgia, Batumi*, 6-7 July 2007, *Constitutional Court of Azerbaijan, Baku*, 9 July 2007
- *Indiana University School of Law*, Central & Eastern European Law Programme, “Croatia Summer Law Programme”, *Human Rights Issues from Central and Eastern European Countries before the ECHR*, Dubrovnik, 26 July – 3 August 2007
- *Institut des Sciences Politiques (Sciences Po)*, Paris, lectures on selected cases at the European Court of Human Rights, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016
- *Reykjavik University, School of Law*, lecturing in the course on Legal Theory, 2008 and 2009
- *Sevilla, Spain, Lawyers Association*, Lecture on Freedom of expression, May 2009
- *Ministry of the Interior, Slovenia*, Lecture on Human Rights, 2009
- *Ministry of Justice, Slovenia*, Lecture 2015
- *Slovenian Bar Association*, Lecture on Normative Integration, 2009
- *European Expertise and Experts Institute, Brussels*, Lecture On Causal Nexus ([source, p.10](#))
- *British Institute of International and Comparative Law*, 2013, *The Right to Privacy and the Freedom of the Press* ([review](#))
- *University of Konstanz*, 2015, *Lecture on Personality Rights and the Freedom of Expression*
- *European Parliament, Committee on Civil Liberties, Justice and Home Affairs*, *Lecture on the Presumption of Innocence*, 2014 ([source](#))
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IV. ACTIVITIES IN THE FIELD OF HUMAN RIGHTS

JUDGE OF THE EUROPEAN COURT OF HUMAN RIGHTS (SINCE NOVEMBER 1998)

President of the Third Chamber (2004 - 2008)

- Author, in many leading cases, of numerous separate opinions which were subject of serious academic review (published collectively in *THE OWLETS OF MINERVA, HUMAN RIGHTS IN THE PRACTICE OF THE EUROPEAN COURT OF HUMAN RIGHTS*, book, Eleven International Publishing, December 2011 ([source](#)); review available [here](#)).
- *MEMBER AND VICE-PRESIDENT, UNITED NATIONS COMMITTEE AGAINST TORTURE (1995-1998)*
- *Author of many scholarly articles on human and constitutional rights.*
- *Many lectures at different universities and other institutions.*

V. PUBLIC ACTIVITIES

Public office

1989-1992 **University of Ljubljana, First Vice-President (for academic affairs)**

VI. PUBLICATIONS OF BOOKS AND OTHER WORKS

Shortlist of Articles, Books and Treaties

- *THE OWL OF MINERVA, ESSAYS ON HUMAN RIGHTS*, book (442 pages), Eleven International Publishing, 2007 ([source](#))
- *THE OWLETS OF MINERVA, HUMAN RIGHTS IN THE PRACTICE OF THE EUROPEAN COURT OF HUMAN RIGHTS*, book (552 pages), Eleven International Publishing, 2011 ([source](#))
- *CHALLENGES OF CONTEMPORARY INTERNATIONAL LAW AND INTERNATIONAL RELATIONS, LIBER AMICORUM IN HONOUR OF ERNEST PETRIČ*, Nova Gorica, 2011, “An Answer to One Crucial Question of Human Rights – An Epistemological Excursus Informing *Jalloh v. Germany* and *Gäfgen v. Germany* Cases at the European Court of Human Rights”, pp. 451 – 463.
- *Relationship of the EU Framework Decision to the ECHR: Towards the Fundamental Principles of Criminal Procedure*, Ragnarsbók - Fræðirit um mannréttindi, pp. 32-42.
- Co-author: *Relationship of the EU Framework Decision to the ECHR: Towards the fundamental principles of criminal procedure*, pp. 265-271, ERA Forum scripta iuris europaei, vol. 8, number 2, Springer, June 2007
- *The Privilege against Self-incrimination as a Human Right*, Analele Universitatii din Bucuresti, 2007-I (January-March) pp. 1-46
- *On Tolerance*, Theory and Practice of Contemporary International Law, Essays in Honour of Professor Levan Alexidze on the 80th Anniversary, Inovacia, Tbilisi, pp. 127-137, 2007
- *On Universality of Human Rights*, the Human Rights. Case-Law of the European Court of Human Rights Journal, The Legal World Publishing House Ltd, in Russian pp. 24-28, in English pp. 76-79, 2007
- *Morality of Virtue vs. Morality of Mere Duty or Why do Penalties Require Legal Process whereas Rewards Do Not*, Human Rights, Liber Amicorum Luzius Wildhaber, Human Rights – Strasbourg Views / Droits de l’homme – Regards de Strasbourg, NP Engel Publisher, Kehl am Rhein, 2007
- *On the Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights*, Hukuk Fakültesi Dergisi, Galatasaray Üniversitesi, 1/2003, pp. 37-57 (February 2004); Annual of German & European Law, vol. II/III, Berghahn Books, pp. 156-170, 2006
- *The Privilege against Self-incrimination as a Human Right*, European Journal of Law Reform, vol. 8, n° 1/2 (2006), pp. 15-56
- *On Legal Formalism: the Principle of Legality in Criminal law, L’interprétation constitutionnelle*, Dalloz, 2005, pp.61-82 (Round-Table of the Association internationale de droit constitutionnel organised on 15 and 16 October 2004 in Bordeaux)
- Interview « *Rugalmasan itéljük meg a tagállamok mérlegelési jogkörét* », Hungarian journal *Fundamentum* 2005/1
- *International Adjudication and the Internationalisation of Constitutional Law*, 24 (2005) Pravna Praksa pp. I-VIII (in Slovene)
- *The Individual Citizen versus the State – Litigation of Constitutional & Human Rights*, 12th Annual Conference on “The Individual vs. the State”, Central European University, Budapest, June 2004
- *O razlagi sodnih precedensov in sodb ter posebej sodb Evropskega sodišča za človekove pravice*, Revus 2, Revija za evropsko ustavnost, May 2004 (Slovene)
- *Hukuki Emsallerin ve Avrupa İnsan Haklari Mahkemesi Kararlarinin Yorumlansmasi* (Turkish), Hukuk Fakültesi Dergisi, Galatasaray Üniversitesi, 1/2003, pp. 59-78 (February 2004)
- *Eiropas Cilvēktiesību tiesas precedentu un spriedumu interpretācija (Interpretation of Legal Precedents and of the Judgments of the European Court of Human Rights)*, Likums un Tiesības, Aprīlis, 6. sējums, nr. 4 (56) 2004

- *Kazensko pravo in njegov vpliv na normativno integracijo*, Pravna Praksa, št. 18-19/2004 (Slovene) the English version of the whole paper entitled “*Criminal Law and Its Influence Upon Normative Integration*”, available: <http://id.erudit.org/revue/ac/1974/v7/n1/017031ar.pdf>
- *Adjudication and the Rule of Law*, European Journal of Law Reform, Vol. V, No. 1/2, 2003, pp. 23-126.
- *The Constitutional Law Making – Constitutional Law and the Jurisprudence of the European Court of Human Rights: An Attempt at a Synthesis*, Revus 1, Revija za evropsko ustavnost
- *Droit constitutionnel et jurisprudence de la Cour européenne des Droits de l’Homme*, Revue de Justice constitutionnelle Est-Européenne, numéro spécial 2003, L’influence de la jurisprudence de la Cour européenne des Droits de l’Homme sur l’activité des Cours constitutionnelles d’Europe centrale et orientale, November 2002
- *From Combat to Contract: What Does the Constitution Constitute?*”, European Journal of Law Reform 59-95, 1999, in Czech Language "Pravnik", 1997; translation and publication in Portuguese in 2001; International Law of XXI Century, To the 80th Anniversary of Professor Ivanovich Lukashuk, Editions Прмени « Promeni », Kiev, 2006
- **CRIMINAL LAW: A CRITIQUE OF THE IDEOLOGY OF PUNISHMENT**, Beijing, 2001 (a book translated and published in Chinese)
- *Droit Constitutionnel et Jurisprudence de la Cour Européenne des Droits de l’Homme*, article in XVI^e Annuaire International de Justice constitutionnelle, 2000, prof. Louis Favoreu, Ed., Economica, Paris 2001
- *Access to Court*, Nottingham Law Journal, December 2000
- *The Crown and the Criminal: Towards the General Principles of Criminal Procedure*, 9 European Review of Public Law, 11-39, 1997
- **CRIMINAL LAW**, Seton Hall, 358 pages (Advanced Criminal Law textbook), 1986
- **CRIMINAL PROCEDURE: A Theoretical Vademecum**, Seton Hall, 400 pages (textbook), 1985
- *Criminal Responsibility under Mistake of Law: the Real Reasons*, 13th American Journal of Criminal Law, 37-66, 1985
- **CRIMINAL LAW: ITS NATURE AND ITS FUNCTION**, New York, 401 pages, 1983 (published in Chinese in 2000)
- *Truth and Impartiality in Criminal Process*, 8 Journal of Contemporary Law, 39-133, 1982
- **CRIMINAL LAW: THE CONFLICT AND THE RULES** (S.J.D. Dissertation, Harvard Law School), New York (296 pages, published as articles), 1981
- *The Privilege against Self-Incrimination*, Arizona State Law Journal (1981:1), 1-25
- *On Legal Formalism: The Principle of Legality in Criminal Law*, 27 Loyola Law Review, 356-369, 1981
- *Criminal Law and its Influence upon Normative Integration*, Masters Thesis, Harvard Law School, 7 Acta Criminologica, Montréal, Canada, Spring 1974 (.pdf original available at <http://id.erudit.org/revue/ac/1974/v7/n1/017031ar.pdf>)
- In Slovene language: More than 30 longer legal treatises, numerous short articles, essays, interviews, etc.
- **POETRY** ([source](#))

Summary of Publications in Slovene language (1986-2015)

Books

- **CRIMINAL PROCEDURE**
Casebook, Five editions: 1986, 1987, 1989, 1991, and 1994
- **ANALYSIS OF A COURT MARTIAL CRIMINAL PROCESS**, 1988 (262 pages) – Co-author and Editor

- *FREEDOM OF ASSOCIATION*, 1990 (321 pages) – Co-author and Editor
- *BEING AND LONGING, A BOOK OF PHILOSOPHICAL AND PSYCHOANALYTICAL ESSAYS* (1988 and 1990)
- *THE FIRST OF THE MEAGRE COWS*, Ljubljana 2009 (278 pages) ([source](#))
- *TEMBATSU, (THE SECOND OF THE MEAGRE COWS)*, Ljubljana 2011 (247 pages) ([source](#))
- *THE THIRD OF THE MEAGRE COWS, Co-Author and Editor, Ljubljana 2013 (318 pages)* ([source](#))
- *EPIPHANY, THE FOURTH OF THE MEAGRE COWS, Co-Author and Editor, Ljubljana, 2014,* ([source](#))
- *LAW AND RIGHT, Essays*, Ljubljana 1991
- *FROM MADNESS TO BENISON, Essays* (1992)
- *ELEMENTS OF LEGAL CULTURE, A book of legal and sociological essays* (1995)
- *CONSTITUTIONAL CRIMINAL PROCEDURE CASEBOOK, Co-Author and Editor* (1996) (915 pages); 2nd edition (1100 pages) 1999 (Editor)

VII. LANGUAGES

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language Slovene	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Official Languages									
– English	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
– French	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Other Languages									
– Serbian or Croatian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
– German	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
– Italian	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Latin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>