

Holger Hembach

Bensberger Straße 103 51467 Bergisch Gladbach Germany

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Curriculum vitae

Proposed role in the project:

1. **Family name:** Hembach
2. **First names:** Holger
3. **Date of birth:** 28 August 1970
4. **Nationality:** German
5. **Civil status:** married
6. **Education:**

Institution (Date from - Date to)	Degree(s) or Diploma(s) obtained:
University of Cologne 11/1991 – 09/1995	1 st State Exam in Law (04/1996)
	2 nd State Exam in Law (11/1998) (equivalent to Master's degree)

7. **Language skills:** Indicate competence on a scale of 1 to 5 (1 - excellent; 5 - basic)

Language	Reading	Speaking	Writing
German	1	1	1
English	1	1	1
French	3	3	3
Macedonian	3	3	2

8. **Membership of professional bodies:** Bar Association of Cologne (Rechtsanwaltskammer Köln)
9. **Other skills:** Computer literate
10. **Present position:** Attorney at law and independent consultant
11. **Years within the firm:** 3
12. **Key qualifications:**
 - Excellent knowledge of international human rights law
 - vast training experience
 - experience in various international organizations

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13. Professional experience

Date from – Date to	Location	Company& reference person ¹ (name & contact details)	Position	Description
10/2015 – present (full-time)	Bergisch Gladbach, Germany	Self-employed	Attorney at law/Consultant	Law office specialising in human rights law and data protection; Consultancies in the area of justice reform, anti-corruption and human rights
07/2018 - present	Skopje, Macedonia	Council of Europe/EU	Short-term Expert	Support to the State Prosecutors' Council in regard to evaluation, promotion and accountability of Prosecutors
07/2018 – present (40 w/d)	Chisinau, Moldova	UNDP	Short-term Expert	Assisting effort to improve the quality of judgments rendered in Moldova; support to the National Institute of Justice in developing appropriate training programs
04/2018 – 05/2018 (15 w/d)	Moldova	ATRECO	Short-term Expert	Drafting of a report analysing the reasoning of judgments of first instance courts in civil and criminal matters and identifying potential areas of improvement
07/2017 – 04/2018 (55 w/d)	Azerbaijan	Schmidt u. Mahnke Legal Consulting Services (50 w/d)	Short-term Expert	Assistance to the Ministry of Justice of Azerbaijan in developing a set of recommendations to improve the quality of judicial decisions in first-instance courts in the frame of a project financed by the World Bank (undertaking of an analysis and the development of recommendations; organization and delivery of consultation workshops; preparation of training materials and a bench-book for judges; development of training courses/curricula for judges; and delivery of training to judges and their assistants)

¹ The Contracting Authority reserves the right to contact the reference persons. If you can not provide a reference, please provide a justification.

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02/2017 (15 w/d)	Chisinau, Moldova	Justice Cooperation Internationale Ms Armelle Giraud armelle.giraud@gip-jci-justice.fr	Short-term Expert	Analysis of judgment rendered by the Supreme Court of Cassation in corruption cases with a view to harmonising jurisprudence in corruption cases (in the frame of the EU-project 'Increased Efficiency, Accountability and Transparency of Courts in Moldova (ATRECO)')
09/2016 (10 w/d)	Chisinau, Moldova	Centre for International Legal Co-operation (CILC) Mr Lino Brosius brosius@cilc.nl	Short-term Expert	Report setting out suggestions for future activities to foster the integrity of judges and prosecutors in Moldova in the frame of the EU-project 'Increased Efficiency, Accountability and Transparency of Courts in Moldova (ATRECO)'
01/2014 – 09/2015 (full-time)	Belgrade, Serbia	OSCE Mission to Serbia Ms. Natasa Novakovic natasa.novakovic@osce.org	Legal Advisor on Judicial Reform	Advice and research on international standards pertaining to the independence of judges and autonomy of prosecutors Assisting in developing a system for career development of judges and prosecutors (e.g. input on the draft rules for the evaluation of judges and of prosecutors in the light of international standards, opinion survey among judges on the draft rules, roundtables on draft rules) Support to the development of disciplinary proceedings for judges and prosecutors (input on draft rules at various stages, attending the working groups on disciplinary proceedings, analysis of disciplinary cases decided upon by disciplinary boards, monitoring of cases, organization of exchange of regional experiences) Advice and activities to foster the harmonization of case-law in Serbia Assisting in creating the Action Plan for the implementation of the Justice Sector Reform Strategy in Serbia Support to the Judicial Academy

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06/2013 – 12/2014 (20 w/d)	Albania Home-based	OSCE Presence in Albania (22 w/d) Mr Julian Hodaj Julian.Hodaj@osce.org	Short-term Expert	Draft a manual on the admissibility of applications to the European Court of Human Rights for Albanian lawyers and delivery of two trainings on this subject
01/2013 – 12/2013 (full-time)	Arusha, Tanzania	GIZ (full-time) Ms Caroline Wedel-Grodszinski caroline.wedel-grodszinski@giz.de	Advisor to the African Court of Human Rights	Organise trainings for legal officers of the Court; coordinate with the African Commission on Human Rights, organise outreach activities of the African Court on Human Rights
09/2012 – 11/2012 (15 w/d)	Turkey/ Home-based	EU-project implemented by the Council of Europe Mr Marcel Lemonde mlemonde@hotmail.fr	Short-term Expert	Draft a report and recommendations on the criminal justice system in Turkey based on visits to Izmir, Ankara and Malatya in the frame of the project 'Improving the efficiency of the Turkish criminal justice system'
04/2011 – 12/2012	Chisinau, Moldova	EU Project implemented by UNDP Mr. Claude Cahn Claude.Cahn@ohchr.org	EU High-level Policy Advisor to the Prosecutor General of the Republic of Moldova	Advising on the reform of the prosecution services in Moldova and on criminal justice reform in view of international standards (participation in working groups on the reform of the criminal code, contribution to strategies and action plans, research on international standards) Support to the Prosecutorial Council in developing a system for disciplinary responsibility of prosecutors and a merit-based career system, assisting in developing a code of ethics for prosecutors
11/2010 – 03/2011 (20 w/d)	Kyiv/Ukraine/home-based	Council of Europe Mr Oscar Alarcon Oscar.ALARCON@coe.int	Short-term Expert	Planning of manuals on various articles of the ECHR together with local expert, drafting large portions of the manuals, editing the contributions of other experts

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03/2010 – 09/2010 (full-time)	Kabul, Afghanistan	EUPOL Afghanistan Mr Carsten Peters Carsten-peters- wuppertal@gmx.de	Mentor to the Attorney General's Office (anti- corruption)	Mentoring prosecutors working with the anti-corruption unit within the Attorney General's Office on corruption cases
06/2008 – 01/2010 (full-time)	Skopje, Macedonia	OSCE Mission to Skopje Mr Donald Bisson Donald.Bisson@gmail.com	Senior Rule of Law Officer	Advice on international standards and practices pertaining to justice reform (e.g. ToT on new criminal procedure code, comments on draft new criminal procedure code), delivering of trainings (practical trials skills, ECHR) in close co-operation with the Macedonian Young Lawyers' Association, the Macedonian Lawyers' Chamber and the European Law Students' Association Support to relevant bodies in developing systems for evaluation and disciplinary proceedings for judges and prosecutors Planning and organization of conferences and round-tables
11/2006 – 05/2008 (full-time)	Skopje, Macedonia	OSCE Mission to Skopje Mr Donald Bisson Donald.Bisson@gmail.com	Rule of Law Officer	Monitoring of trials in criminal cases in the light of international standards, reporting and analysis, delivering of trainings on practical trial skills in co-operation with the Macedonian Young Lawyers' Association
10/2005 – 10/2006 (full-time)	Duisburg, Germany	Law Office Hoß Mr Dirk Hoß info@weber-hoss.de	Freelance attorney	Legal advice on criminal and commercial law, representation of clients in trials and court hearings
09/2004 – 05/2005 (full-time)	Dili, Timor-Leste	United Nations Mission of Support in East Timor Mr Hsiao Leung Gooi hlgooi@yahoo.com	Criminal Defence Attorney	Representing clients charged with war crimes and crimes against humanity in criminal proceedings
07/1999 – 08/2004 (full-time)	Erfurt, Germany	Self-employed	Criminal Defence Attorney	Representing of clients in criminal cases in the investigation procedure, during trials and at the appeal stage
10/1996 – 11/1998 (full-time)	Cologne, Germany	Court of Appeal Cologne	Legal Assistant	Drafting of indictments, judgments and legal briefs, legal research

14. Other relevant information

PUBLICATIONS

‘European Court of Human Rights on reporting on the suspicion of criminal offences and protection of personality rights – Droemer and Knaur v Germany’, Kommunikation und Recht 2018, 13

‘Phone interceptions in light of article 8 ECHR’, MultiMedia und Recht, 2017, 803 (published in German language)

‘European Court of Human Rights on the surveillance of private chat messages by the employer – Barbulescu v. Romania’, published on telemedicus.info (published in German)

‘Judgment of the European Court of Human Rights in Verlagsgruppe News GmbH v. Austria’, published on telemedicus.info

‘Mechanisms to harmonize case law in German law’ (together with Dr. Stefan Pürner; published in Serbian language), Nova Prava Revia 2015, 119

‘The ECHR as a tool for justice reform’ (published in Romanian language), in: 20 years of the Prosecutor General’s Office in the Republic of Moldova

‘Defense Strategy and Theory of the case’ (published in Macedonian language), in: Manual for Defence Lawyers, p. 1-12, 2009 (Macedonian Young Lawyers’ Association)

‘The length of proceedings in the jurisdiction of the European Court of Human Rights’ (published in Macedonian language), Lawyer (Pravnik), 04/2009

‘The rights of the defense lawyer in the investigative procedure in Germany’ (published in Macedonian language), Macedonian Review of Law and Criminology, 08/2008

‘The term ‘third party’s property’ in section 69 of the penal code’ (published in German language), Zeitschrift für Schadensrecht, 04/2005

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Training experience:

The European Convention on Human Rights and its relevance for legal practice in Bosnia-Herzegovina

Seminar organized by IRZ

Banja Luka, 26 November 2018

The Role of the Ombudsman in conflict and post-conflict situations

Seminar organized by the Council of Europe

Tsaghkadzor, Armenia, 25/26 August 2018

The right to property pursuant to article 1 of Protocol 1 to the ECHR

Seminar at the Macedonian Academy for the Training of Judges and Prosecutors organised by the German Foundation for International Legal Cooperation, Skopje, Macedonia, 2/3 March 2016

The right to property pursuant to article 1 of Protocol 1 to the ECHR

Seminar at the Macedonian Academy for the Training of Judges and Prosecutors organised by the German Foundation for International Legal Cooperation, Skopje, Macedonia, 16 November 2015

The right to property pursuant to article 1 of Protocol 1 to the ECHR and the right to fair trial pursuant to article 6 ECHR (with Timothee Paris of the French Conseil d'Etat)

Seminar organised by the Council of Europe for employees of the Ministry of Justice of Armenia, Armenia 29/30 August 2015

The admissibility of applications to the European Court of Human Rights

Seminar for Albanian lawyers organised by the OSCE Presence in Albania, Tirana, Albania, 18/19 December 2014

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The admissibility of applications to the European Court of Human Rights

Seminar for Albanian lawyers organised by the OSCE Presence in Albania, Durrës, Albania, 4/5 December 2014

The right to property pursuant to article 1 of Protocol 1 to the ECHR and the right to a fair trial pursuant to article 6 ECHR

Seminar for judges and law clerks of the highest civil court in Armenia organised by the Council of Europe, Diljane, Armenia, 29/30 September 2014 (together with Christiane Schmaltz)

The European Convention on Human Rights as an instrument for justice reform

Presentation at a conference on the occasion of the 20 anniversary of the Prosecutor General's Office in Moldova, Chisinau, Republic of Moldova

The right to liberty and security pursuant to article 5 ECHR and the right to fair trial pursuant to article 6 ECHR

Series of nine trainings for Macedonian lawyers conducted in nine Macedonian cities, organised by the OSCE Mission to Skopje

Bergisch Gladbach, 9 Dezember 2018

Holger Hembach