



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 February 2009

6002/09

**INST 18
JUR 54
COUR 15**

COVER NOTE

from: Oivi Heinonen, Permanent Representation of Finland
date of receipt: 6 February 2009
to: Mr Javier SOLANA, Secretary-General/High Representative

No. prev. doc. : 13740/08 INST 116 JUR 380 COUR 39
14417/08 INST 155 JUR 429 COUR 41

Subject: - Expiry of the terms of office of thirteen judges (EL, FI, BE, SI, IE, ES, PL, HU, SK, EE, DK, RO, LU) and four advocates-general (UK, ES, DE, PT) of the Court of Justice of the European Communities
= Proposal for appointment of Mr Allan Rosas (Judge) and Mr Niilo Jääskinen (Advocate-General)
- Appointment of a judge to the Court of First Instance
= Proposal for appointment of Mr Heikki Kanninen

Referring to the document 14417/08 concerning the expiry of the terms of office of thirteen judges and four advocates-general of the Court of Justice of the European Communities, the Finnish government has decided to propose Mr Allan **ROSAS** as judge and Mr Niilo **JÄÄSKINEN** as advocate-general.

Referring to the document 14360/08 concerning the resignation of Ms Virpi **TIIILI** from the post of judge in the Court of First Instance of the European Communities, the Finnish government has decided to propose Mr Heikki **KANNINEN** as her successor.

Oivi Heinonen
chargé d'affaires

Encl.:

C.V. Mr. Allan Rosas

Finnish national, born 1948

Jur.Kand. 1969, Jur.Lic. 1971, Doctor of Laws 1977, all at the University of Turku

Professor of Public Law at the University of Turku 1978-81; Armfelt Professor of Law at Åbo Akademi University 1981-96; Director of the latter University's Institute for Human Rights 1985-95; First Vice-Rector of the University 1993-95

Co-ordinated several Finnish, Nordic and international research projects in the fields of EU law, fundamental rights/human rights and comparative administrative law; expert opinions and membership of juries of a number of Finnish and Nordic universities and research centres; guest lectures at a number of Nordic, European and American universities

Various expert functions in relation to Finnish legal life and the co-ordination of higher education, such as membership in governmental advisory delegations and law commissions, including on constitutional reform, and legal opinions to committees of the Parliament, Ministries and courts and tribunals

Represented the Finnish Government in diplomatic conferences, conferences of government experts and intergovernmental meetings, such as the Geneva Diplomatic Conference on humanitarian law of 1974-77, the General Conferences of UNESCO 1985, 1987 and 1989, the UNESCO Committee on Conventions and Recommendations 1990-91 and the World Conference on Human Rights, Vienna June 1993.

Various expert functions in relation to intergovernmental organisations, notably the UN, UNESCO and the Council of Europe, including membership of the UN Committee on the Right to Development 1993-95 and the International Fact-Finding Commission established under the 1977 Additional Protocol I on humanitarian law 1993-95

Principal Legal Adviser at the Legal Service of the European Commission 1995-2001; Deputy Director-General of the said Legal Service 2001-2002 and Acting Director-General in March-May 2001

Judge at the Court of Justice of the European Communities 17 January 2002 – 6 October 2003 and 7 October 2003 – 6 October 2009

President of the Third Chamber of the Court (three judges) October 2003-May 2004; President of the new Third Chamber of the Court (five judges) May 2004-October 2006 and October 2006-October 2009 and in that capacity permanent member of the Grand Chamber of the Court May 2004-October 2009; member of the Court's permanent committee on rules of procedure 2004 –

More than 300 publications in Swedish, Finnish, English, French and German, notably in the fields of EU law, public international law, human rights and humanitarian law as well as Finnish and comparative constitutional and administrative law

CV of Dr. Niilo Jääskinen

Born 1958; studied law at the University of Helsinki; Degree in Law 1980 (graduate); Licentiate of Law in 1982 (commercial law, postgraduate); Doctor of Laws (legal theory) in 2008.

1980 – 1986:

Various research and teaching posts at the University of Helsinki and the University of Lapland (private and commercial law, legal theory)

1987 – 1989:

Counsellor of legislation at the Ministry of Justice, Department of Legislation, Private Law Section

1989 – 1990:

Counsellor of legislation at the Ministry for Foreign Affairs, Department for External Economic Affairs

1990 – 1995:

Counsellor of legislation at the Ministry of Justice, Department of Legislation, European Law Section (Head of Section)

1995 – 2000:

Counsellor of the Grand Committee of the Finnish Parliament, acting as the clerk of the Committee in the field of the EU affairs and as the head of the Secretariat on European Union Affairs of Parliament

2000 –

Justice, (Supreme Administrative Court of Finland), acting member July 2000 – December 2002, life tenure since 1 January 2003

Justice Jääskinen has participated as member/secretary/chair in various state commissions and working groups. During the EU accession negotiations in 1992 – 1994 he was the Finnish negotiator responsible for legal and institutional questions. He has been *Rapporteur to the Government* on questions relating to autonomy of Åland and on the reform of the Finnish university system.

Justice Jääskinen has published several books and articles in Finnish, Swedish and English in the fields of commercial law, European law and legal theory

Curriculum vitae

Heikki Kanninen

Born in 1952

1. Education

Graduate of the Helsinki School of Economics (Bachelor of Economics in 1976) and of the Faculty of Law of the University of Helsinki (Master of Laws in 1978 and Licentiate of Laws in 1988).

2. Employment

(From the present to the previous)

- Judge at the European Union Civil Service Tribunal, since 2005 (mandate of six years); president of chamber since October 2008
- Judge at the Supreme Administrative Court of Finland, since 1998 (on leave since 2005)
- Legal secretary at the Court of Justice of the European Communities (1995 to 1998)
- Assistant Registrar to the EFTA Court in Geneva (1993 to 1995)
- Researcher at the Institute of International Economic Law (unit at the Faculty of Law of the University of Helsinki) (1993)
- Counsellor in the Law Drafting Department (section of Public Law) of the Ministry of Justice (1986 to 1993)
- Administrator at the Supreme Administrative Court (1985)
- General Secretary to the Committee for reform of administrative judicial litigation (1984 to 1985)
- Information Secretary to the Supreme Administrative Court (1981 to 1984)
- General Secretary to the Committee for reform of legal protection in public administration (1979 to 1981)
- Legal Secretary at the Supreme Administrative Court (1978 to 1979).

3. Other professional activities

- Member of the Asylum Appeal Board (1991-1993)
- Member of the Appeal Board of the European University Institute Florence (2002-2005)
- Rapporteur Général of the colloquium of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union in Helsinki 2002
- President, member or secretary of numerous committees and commissions, established by the Government, especially in the fields of constitutional law, administrative law, procedural law, social security law and competition law
- Training of judges in many European countries on Community law (in the context of various seminars).

4. Specialization

Administrative Judicial Procedure, Constitutional law, General EC law, Competition law, Public Procurement law, EU Civil Service law.