

ICC Judicial Nomination – Curriculum vitae

Piotr Hofma ski

FAMILY NAME:	Hofma ski	
FIRST NAME:	Piotr	
GENDER:	Male	
DATE OF BIRTH:	6 March 1956	
NATIONALITY:	Polish	
REGIONAL CRITERIA:	EEG	
MARITAL STATUS:	Married	
LIST A/LIST B	List A	
LANGUAGES	Mother tongue: Polish	
- ENGLISH	(written) Advanced	(oral) Advanced
- GERMAN	(written) Advanced	(oral) Advanced
- RUSSIAN	(written) Basic	(oral) Basic
EDUCATIONAL QUALIFICATIONS:		
<p>April 1997</p> <ul style="list-style-type: none"> - <i>Institution:</i> President of the Republic of Poland - <i>Qualification(s) obtained:</i> Professor title <p>October 1987</p> <ul style="list-style-type: none"> - <i>Institution:</i> University of Silesia, Katowice - <i>Qualification(s) obtained:</i> Habilitation <p>October 1981</p> <ul style="list-style-type: none"> - <i>Institution:</i> Nicolaus Copernicus University, Toru - <i>Qualification(s) obtained:</i> Ph.D. <p>October 1974 – June 1978</p> <ul style="list-style-type: none"> - <i>Institution:</i> Nicolaus Copernicus University, Toru - <i>Qualification(s) obtained:</i> Master of Law <p>September 1970 – June 1974</p> <ul style="list-style-type: none"> - <i>Institution:</i> Adam Mickiewicz Secondary School, Miastko - <i>Qualification(s) obtained:</i> High-school certificate (<i>Matura</i>) 		

PROFESSIONAL EXPERIENCE:**July 1996 – present**

- *Employer:* Supreme Court of the Republic of Poland
- *Post title:* Judge
- *Other information:* Also: spokesman

October 2001 – present

- *Employer:* Jagiellonian University, Kraków
- *Post title:* Full professor
- *Other information:* Chairman of the Criminal Procedure Law Chair

October 1990 – September 2002

- *Employer:* University of Białystok
- *Post title:* Associate professor
- *Other information:* Chairman of the Criminal Law Chair

September 1994 – July 1996

- *Employer:* Białystok Court of Appeal
- *Post title:* Judge

October 1982 – September 1990

- *Employer:* University of Silesia, Katowice
- *Post title:* Assistant professor, associate professor

October 1978 – September 1982

- *Employer:* Nicolaus Copernicus University, Toru
- *Post title:* Assistant professor

OTHER PROFESSIONAL ACTIVITIES:

September 1991 – present

- *Activity:* Participation in the legislative process as an expert and as a member (since 2013, as the chairman) of the Criminal Law Codification Commission

March 2005 – present

- *Activity:* Member of the Advisory Committee on European Law at the Ministry of Justice

September 1992 – June 2008

- *Activity:* Lecturer at the International School of Human Rights of the Helsinki Committee

September 1994 – June 2008

- *Activity:* Lecturer at the Central European Police Academy

2001-2006

- *Activity:* Membership of expert committees of the Council of Europe (Reflection Group on developments in international cooperation in criminal matters – 2001-2002; Committee of Experts on Transnational Criminal Justice – 2004-2006)

MOST RELEVANT PUBLICATIONS

A. Most important publications in the area of criminal law and procedure

1. *Kodeks post powania karnego. Komentarz (The Code of Criminal Procedure. Commentary)* (chief editor and co-author), 4th edition, Warszawa: C.H. Beck, 2011-2012, Volume I: 1623 p., Volume II: 1011 p., Volume III: 1279 p.
2. *Kodeks karny. Komentarz (The Criminal Code. Commentary)* (co-author), ed. M. Filar, 5th edition, Warszawa: LexisNexis, 2012, 1517 p.
3. *Proces karny. Zarys systemu (Criminal Proceedings. Outline of the System)* (co-author), Warszawa: LexisNexis, 2013, 654 p.
4. *System prawa karnego procesowego (The System of Criminal Procedure)* (chief editor), vol. I-XVIII, Warszawa: LexisNexis, 2013-2018; vol. I part: 831 p., vol. I part 2: 822 p., further volumes under preparation.
5. *Samodzielno jurysdykcyjna s du karnego (The Criminal Court's Jurisdictional Independence)*, Katowice, 1988, 298 p.
6. *Government Policy and the Rule of Law (Theoretical and Practical Aspects in Poland and the Netherlands)* (co-editor and co-author), Białystok-Utrecht, 1997, 265 p.
7. *wiadek anonimowy w procesie karnym (The incognito Witness in Criminal Proceedings)*, Kraków: Zakamycze, 1998, 182 p.
8. *The European Arrest Warrant and Its Implementation in the Member States of the European Union* (co-editor and co-author), Warszawa: C.H. Beck, 2008, 390 p.
9. *Elementy metodyki pracy s dziego sprawach karnych (Selected Methods of Work of Judges in Criminal Matters)* (co-author), 3d edition, Warszawa: Wolters Kluwer, 2011, 586 p.
10. *Neue Erscheinungsformen der Kriminalität in ihrer Auswirkung auf das Straf- und Strafprozeßrecht (The New Forms of Criminality and Their Influence on Criminal Law and Procedure)* (co-editor and co-

- author), Białystok: Temida 2, 1996, 207 p.
11. *Kriminalität im Grenzgebiet (Criminality in Border Areas)* (co-author), ed. Gerhardt Wolf, Berlin-Heidelberg, 2002, 269 p.
 12. *Maßnahmen gegen Organisierte Kriminalität im Rechtsstaat – Möglichkeiten und Grenzen (Means Against Organised Crime Under the Rule of Law. Possibilities and Limits)* (co-author), ed. Bahri Öztürk and W. Gropp, Ankara: Seçkin, 2003, 234 p.
 13. *Transition of Criminal Procedure Systems* (co-author), ed. B. Paviši , Rijeka, 2004, 298 p.
 14. “Granice kryminalizacji aborcji w Europie Zachodniej” (“Limits for Criminalising Abortion in Western Europe”), *Przegląd Prawa Karnego (Criminal Law Overview)*, no. 6, 1992, pp. 91-109.
 15. “W sprawie nowelizacji przepisów o obronie koniecznej” (“On Amending Provisions on the Right to Self-Defence”), in *Z problematyki prawa karnego (Issues in Criminal Law)* (editor), Białystok: Temida 2, 1994, pp. 79-102.
 16. “The Road Ahead for Poland’s New Constitution and Codes of Criminal Law and Procedure,” in *Comparative Criminal Justice System: From Diversity to Rapprochement*, International Conference for the 25th Anniversary of the International Institute of Higher Studies in Criminal Sciences, Syracuse (Italy), 16-20 December 1997, Eres AIDP, 1998, pp. 255-259.
 17. “Odpowiedzialność za przestępstwa popełnione za granicą” (“Responsibility for Crimes Committed Abroad”), in *Nowa kodyfikacja karna (The New Criminal Codification)*, vol. 26, Warszawa, 1999, pp. 165-181.
 18. “O jawności posiedzeń sądowych w procesie karnym” (“On the Openness of Court Hearings in Criminal Proceedings”), in Professor Andrzej Bulsiewicz’s Commemorative Book, Toruń: TNOiK, 2004, pp. 119-133.
 19. “Die internationale Zusammenarbeit bei grenzüberschreitender Kriminalität aus der Sicht Polens” (“International Cooperation on Cross-border Criminality from the Polish Perspective”), in *Strafrechtsentwicklung in Osteuropa: Zwischen bewältigten und neuen Herausforderungen (Development of criminal law in Europe: between old and new challenges)*, ed. A. Eser, J. Arnold, J. Trappe, Berlin: Dunkcker&Humboldt, 2006, pp. 400-406.
 20. “Reguły kolizyjne w obszarze międzynarodowej współpracy w sprawach karnych” (“Conflict Rules in International Cooperation in Criminal Matters”) (co-author), *Państwo i Prawo (State and Law)*, no. 11, 2006, pp. 29-42.
 21. “Przyszłość ścigania karnego w Europie” (“The Future of Criminal Prosecution in Europe”), *European Judicial Overview*, no. 12, 2006, pp. 4-11.
 22. “Polnische Erfahrungen mit dem inkognito Zeuge” (“Polish Experiences with the *Incognito* Witness”), in *Grundlagen des Straf- und Strafverfahrensrecht (Grounds of Criminal Law and Procedure)*, ed. M. Böse and D. Sternberg-Lieben, Berlin: Duncker&Humblot, 2009, pp. 645-656.
 23. “Wielka reforma Kodeksu postępowania karnego. Zagadnienia modelowe” (“The Reform of the Code of Criminal Procedure. Representative Issues”), *Forum Prawnicze (Legal Forum)*, no. 4, 2013, pp. 9-24.

B. Most important publications in the area of the protection of human rights

1. *Ochrona praw człowieka (The Protection of Human Rights)*, Białystok: Temida 2, 1994, 339 p.
2. *Konwencja o ochronie praw człowieka i podstawowych wolności. Komentarz (The Convention for the Protection of Human Rights and Fundamental Freedoms. Commentary)*, vol. I-II, Warszawa: C.H. Beck, 2011, 833 and 773 p.
3. *Europejska Konwencja Praw Człowieka i jej znaczenie dla prawa karnego materialnego, procesowego i wykonawczego (The European Convention on Human Rights and its importance for criminal law, criminal proceedings and executive law)*, Białystok: Temida 2, 1993, 398 p.
4. *Konwencja europejska a prawo karne (The European Convention and the Criminal Law)*, Toruń: TNOiK, 1995, 369 p.
5. *Nowe polskie prawo karne w świetle europejskich standardów w zakresie ochrony praw człowieka (The New Polish Criminal Law in Light of European Standards of Human Rights Protection)*, Warszawa: CZSW, 1997, 72 p.

6. *The Rule of Law After Communism* (co-author), ed. A. Czarnota and M. Krygier, London: Dartmouth, 1998, 239 p.
7. "Europejskie standardy praw człowieka w zakresie kontroli stosowania przymusu a reforma kodeksu post powania karnego" ("Application of the European Standards of Human Rights Protection to the Coercion Control in the Context of the Amendment of the Code of Criminal Procedure"), in Professor Marian Cie lak's Commemorative Book, Kraków, 1993, pp. 451-460.
8. "Europejska konwencja o zapobieganiu torturom oraz innym formom niehumanitarnego i poni aj cego traktowania lub karania" ("The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment"), *Przegl d Policyjny (Police Overview)*, no. 3-4, 1993, pp. 5-19.
9. "Poland After Ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms," *Helsinki Monitor*, no. 1, 1995, pp. 45-55.
10. "Menschenrechtsschutz in Polen und Reformen des Straf- und Strafprozeßrechts nach der politischen Wende 1989" ("Human Rights Protection in Poland and the Reform of Criminal Law and Procedure After the 1989 Political Transformation"), *Schriftenreihe der Österreichischen Juristenkommission, Kritik und Fortschritt im Rechtsstaat. Rechtsstaat – Liberalisierung und Strukturreform, Österreich*, Vienna, 1998, pp. 297-307.
11. "Veränderungen in Polen nach der Ratifizierung der Europäischen Konvention über den Schutz der Menschenrechte und Grundfreiheiten unter besondere Berücksichtigung des Strafrechtssystems" ("Changes in Poland After Ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms, with Special Focus on the Criminal Law System"), in *The History of Supreme Courts of Europe and the Development of Human Rights*, Budapest, 1999, pp. 371-405.
12. "Wpływ Europejskiej Konwencji Praw Człowieka i Podstawowych Wolno ci na rozwój polskiego procesu karnego" ("Influence of the European Convention for the Protection of Human Rights and Fundamental Freedoms on the Development of Polish Criminal Procedure") (co-author), in *Polska w Radzie Europy. 10 lat członkostwa. Wybrane zagadnienia (Poland in the Council of Europe. 10 Years of Membership. Selected Issues)*, ed. H. Machi ska, Warszawa: OIRE, 2002, pp. 24-154.
13. "Gwarancje art. 5 i art. 6 Europejskiej Konwencji Praw Człowieka w znowelizowanym polskim procesie karym" ("Guarantees of Articles 5 and 6 of the European Convention on Human Rights in Poland's Amended Criminal Procedure"), *European Judicial Overview*, no. 1, 2014, pp. 32-39.

MOST RELEVANT SEMINARS

27.04-15.05.1992: International Promotion and Protection of Human Rights in Domestic Law and Practice, The Hague, Netherlands

16-19.06.1993: International Human Rights Standards in Polish Criminal Law (Present and Future), M dralin, Poland

28-31.03.1996: Europäisches Kolloquium über Besondere Ermittlungsmaßnahmen zur Verfolgung Organisierten Kriminalität (European Colloquium on Special Investigation Measures in Combatting Organised Crime), Leipzig University, Germany

19-20.12.1996: L'application de la Convention européenne des droits de l'homme par les juridictions suprêmes (Application of the European Convention on Human Rights by Supreme Courts), Paris, France

2-4.07.1997: The Administration Of Justice And Court Management, Bordeaux, France

18-20.09.1997: Beweisgewinnungsmethoden und Beweisverwertungsverbote in den Ländern der Europäischen Union und vergleichbaren Rechtsordnungen (Evidence Prohibition in EU Member States and in Other Legal Systems), Vienna, Austria

16-20.12.1997: Comparative Criminal Justice System: from Diversity to Rapprochement, AIDP Conference, Syracuse, Italy

19-20.03.1998: Criminal Procedure and the European Convention on Human Rights, Sofia, Bulgaria

17-18.04.1998: Government Policy and the Rule of Law, Dutch-Polish Colloquium, Utrecht, Netherlands

17-18.05.1999: Human Rights in the Context of Community Law and the Council of Europe's Convention on Human Rights, Popowo, Poland

24-27.06.1999: Przest pczó przygraniczna. Post powanie karne przeciwko cudzoziemcom w Polsce (Cross-

<p>Border Criminality. Criminal Procedure Against Foreigners in Poland), Poznań, Poland</p> <p>22-29.09.2001: Maßnahmen gegen Organisierte Kriminalität im Rechtsstaat Möglichkeiten und Grenzen (Means Against Organised Crime Under the Rule of Law. Possibilities and Limits), Izmir, Turkey</p> <p>17-19.10.2001: Workshop on the Prosecution of War Crimes, Interlaken, Switzerland</p> <p>25-27.10.2002: 7. Tagung im Rahmen des Projektes „Kriminalität im Grenzgebiet“. Das Straverfahrensgesetzbuch der Republik Polen - <i>Kodeks post powania karnego</i> (7th Workshop in the Framework of the “Cross-Border Criminality” Project. Code of Criminal Procedure of the Republic of Poland), Frankfurt (Oder), Germany</p> <p>17-20.09.2003: Theoretische Probleme und praktische Anwendung von Absprachen im Straverfahren (Theoretical and Practical Aspects of Plea Bargaining in Criminal Proceedings), Dresden, Germany</p> <p>26.9-2.10.2004: Präventive und repressive Maßnahmen vor dem Hintergrund des 11. September 2001 (Preventive and Coercive Measures in the Context of the Events of 11 September 2001), Giessen, Germany</p> <p>3-5.10.2005: Strafverteidigung vor neuen Herausforderungen (Criminal Defence in Light of New Challenges), Cologne, Germany</p> <p>9-12.11.2006: The European Arrest Warrant and its Implementation in the Member States of the European Union. Current Developments and the Future, Kraków, Poland</p> <p>7-9.05.2009: Ochrona interesów finansowych Wspólnoty Europejskiej a przemiany instytucjonalne Unii Europejskiej (The Protection of the European Community’s Financial Interests and Institutional Changes in the EU), Warszawa, Poland</p> <p>15-17.05.2013: 6th Meeting of the Network of Public Prosecutors or Equivalent Institutions within the Supreme Judicial Courts of the Member States of the European Union. Synergies and Responses: Challenges to the Integration of the Future European Public Prosecutor’s Office into the National Laws of the Member States of the EU, Kraków, Poland</p> <p>22-24.05.2013: Neue Tendenzen im Strafprozessrecht – Deutschland, Ukraine, Polen (New Tendencies in Criminal Procedure – Germany, Ukraine, Poland), Fischbachau, Germany</p>
MEMBERSHIP OF PROFESSIONAL ASSOCIATIONS AND SOCIETIES
<ol style="list-style-type: none"> 1. European Law Research Association 2. International Association of Penal Law (AIDP) 3. Association of Criminal Law
AWARDS AND HONOURS
<p>AWARDS</p> <p>1993 Award of the Rector of the University of Warsaw for achievements in scholarship</p> <p>1990 Award of the Rector of the University of Silesia for achievements in scholarship and law teaching</p> <p>1984 Award of the Rector of the University of Silesia for achievements in scholarship</p> <p>1982 Award of the Rector of the Nicolaus Copernicus University for achievements in law teaching</p> <p>1981 Award of the Rector of the Nicolaus Copernicus for achievements in scholarship</p> <p>HONOURS</p> <p>Member of the Scientific Council of <i>Probation</i> (2008 – present)</p> <p>Member of the Scientific Council of the Polish Academy of Science (2008-2010)</p> <p>Member of the Scientific Council of the <i>European Judicial Overview</i> (2005 – present)</p> <p>Member of the editorial committee of <i>Przegląd Policyjny (Police Overview)</i> (1991 – present)</p>

PERSONAL INTERESTS

1. Criminal law, especially criminal procedure
2. Protection of human rights, especially the protection of rights of the accused and victims
3. Constitutional aspects of criminal law
4. International cooperation in criminal matters
5. International jurisdiction, conflicts of jurisdiction

OTHER RELEVANT FACTS

2013 – present: Management of an international research project dedicated to the use of evidence obtained outside of the proceedings in criminal procedure. The project also focuses on evidence obtained abroad.

1996 – present: Contribution to the European Research Working Group (Europäisches Arbeitskreis)

2005-2007: Management of an international research project titled “European Arrest Warrant and its Implementation in the Member States of the European Union”