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Republic of Serbia  
Supreme Court of Cassation

## **CONFERENCE**

### **IMPLEMENTATION OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS – PRACTICES AND CHALLENGES OF THE COURTS IN CENTRAL AND SOUTH-EAST EUROPE**

#### **DRAFT PROGRAMME**

**15 - 16 September 2022**

**Belgrade, Serbia**

**Hotel Metropol Palace, room Nikola Tesla**

## **Thursday, 15 September – I day**

09:00 – 09:30 **Registration of participants**

09:30 – 10:00 **Opening Remarks**

*Jasmina Vasović, President of the Supreme Court of Cassation*

*Snežana Marković, President of the Constitutional Court*

*Maja Popović, Minister of Justice of the Republic of Serbia*

*H.E. Emanuele Giaufret, Ambassador, Head of the Delegation of the European Union to the Republic of Serbia*

*Christophe Poirel, Director of Human Rights Directorate, Council of Europe*

*Moderator: Tobias Flessenkemper, Head of the Council of Europe Office in Belgrade*

10:00 – 11:30 **Freedom of expression and judiciary**

**Public's right to know – accessibility of information from the court proceedings, media coverage of judicial proceedings and the limits of acceptable criticism**

*Jasmina Vasović, President of the Supreme Court of Cassation*

**Freedom of expression of judges, limitations and preservation of public trust in the courts**

*Branko Lubarda, Judge of the European Court of Human Rights elected in respect of Serbia*

Discussion

*Moderator: Ljubica Gojgić, journalist*

11:30 – 11:45 *Coffee break*

11:45 – 13:15 **Right to impartial tribunal in criminal proceedings**

**Right to impartial tribunal in the proceedings in which the judge exercised different judicial functions – reasons for mandatory recusal from the perspective of the European Court of Human Rights**

*Jon Fridrik Kjølbro, Vice-President of the European Court of Human Rights and Judge of the European Court of Human Rights elected in respect of Denmark*

**Recusal of a judge in criminal proceedings – practices and challenges of the domestic courts**

*Vesna Stanković Ćosović, President of the Supreme Court of the Federation of Bosnia and Herzegovina*

Discussion

*Moderator: Biljana Sinanović, Deputy President of the Supreme Court of Cassation*

13:15 – 15:00 *Family photo and lunch*

15:00 – 16:30 **Fight against organised crime in the case-law of the European Court of Human Rights and domestic courts**

**Development of the European Court of Human Rights case-law in respect to cases of organised crime – nature of confiscation/seizure of crime proceeds**

*Marko Bošnjak, Judge of the European Court of Human Rights elected in respect of Slovenia*

**Challenges in the judicial practices of domestic courts in respect to cases of organised crime - confiscation/seizure of crime proceeds**

*Nevenka Važić, Judge of the Supreme Court of Cassation*

Discussion

Moderator: *Valentina Pavličić, Representative of Montenegro before the European Court of Human Rights*

16:30 *Cocktail*

## **Friday, 16 September – II day**

10:00 – 11:30 **Acquisition and deprivation of property rights – principles of good faith and good**

### **governance**

**Restriction of property rights in public interest, deprivation of property and repossession by State or local self-government bodies, in the case-law of the European Court of Human Rights**

*Alena Poláčková, Judge of the European Court of Human Rights elected in respect of Slovakia*

**State's responsibility for the compensation of damages caused by unlawful or wrongful conduct of the state authorities and protection of the right to peaceful enjoyment of property**

*Miodrag Đorđević, Vice-President of the Supreme Court of Slovenia*

Discussion

Moderator: *Nataša Plavšić, judge of the Constitutional Court*

11:30 – 11:45 *Coffee break*

11:45 – 13:15 **Procedural rights – right of access to a court in civil matter**

**Access to a court and limitations to access to the highest courts – excessive formalism or legitimate interest from the perspective of the European Court of Human Rights and domestic supreme courts**

*Mirjana Lazarova Trajkovska, Judge of the Supreme Court of North Macedonia and former Judge of the European Court of Human Rights elected in respect of North Macedonia (2008-2018)*

*Ksenija Turković, Judge of the European Court of Human Rights elected in respect of Croatia (2013-2022), Professor, Faculty of Law, University of Zagreb*

Discussion

Moderator: *Elena Jovanovska-Brezoska, Head of Southeast Europe Unit, Cooperation Programmes, Human Rights Directorate, Council of Europe*

13:15 – 13:30 **Closing remarks**

13:30 – 15:00 *Lunch*