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**Improving the protection of the right to property
and facilitating execution of ECtHR judgements in Albania (D-REX III)**

SUPREME COURT JUDICIAL PRACTICES, FROM NATIONAL IDENTITY TO UNIVERSAL VALUES

PROGRAMME

Wednesday, 10 May 2023

Rogner Hotel Tirana
Tirana, Albania

CONCEPT

The Supreme Court of Albania is celebrating its 110th anniversary on 10 May 2023. On this occasion, a high-level international conference is organised by the Supreme Court with the support of the European Union and Council of Europe joint programme, "Horizontal Facility for the Western Balkans and Türkiye III", in the framework of the action "[Improving the protection of the right to property and facilitating executions of ECtHR judgements in Albania](#)".

The conference "Supreme Courts judicial practices, from national identity to universal values" will be attended by prominent judges from the higher courts of Germany, Italy, France, Greece, England and Wales, Azerbaijan, Türkiye, North Macedonia, Kosovo*, and Montenegro as well as European Court of Human Rights and Supreme Court of the United States of America. It will commemorate and reflect on a particular journey of the High Court of Albania from a national set of values defining its case-law at its birth, to a more universal ones that are more in line with standards enshrined in the European Convention of Human Rights and its path towards the membership in the European Union. Notwithstanding the distinctive path of the High Court of Albania, the conference is focused on connecting the present and future challenges with the context of the post-World War II legal and political developments shaping its history, legal culture, identity, and jurisprudence. This legacy influenced a patchwork transformation of the judicial architecture as well as the success of legal reforms following two decades of lengthy path of democratic transition in Albania. This concerned not only of the role of the High Court but of guiding standards and values it adheres to the entire judiciary and rule of law system in general.

After decades of peace, with the Russian Federation's military aggression against Ukraine, nowadays we are witnessing a worldwide challenge over universal and especially core human rights values and principles, under threat from authoritarian ideas and regimes. Against this backdrop, it is important to remember as well as to emphasise the role of independent judiciaries as adversaries to totalitarian regimes and especially of the role of high courts practices in upholding values and standards enshrined in both convention and domestic legislation as well as to promoting human rights, rule of law and democracy.

The Supreme Court of Albania is a very good example on endorsing a judicial reform aiming to adhere to the Council of Europe human rights standards as well as values on judicial independence, professionalism and integrity. As a member of the Council of Europe (1995) and candidate to the European Union (2020), Albania has been aligning its legal framework with the standards set forth by the European institutions. Implementation of justice and human rights standards in particular are crucial for the success European integration process. In addition, as part of comprehensive justice reform, since 2016 the High Court of Albania plays a crucial role in the integration of European standards, being a leading actor in the harmonisation of national judicial practices to align with these standards.

The Conference will address the delicate issue of finding a balance among values, principles as standards arising from past legacies, present rule of law, as well as challenges and future aspirations and commitments. It will also explore the role that the Albanian Supreme Court plays in preserving a national identity that is original and determined of its history while navigating the integration process into the European Union. The discussions will provide valuable insights on how judiciaries respond to these challenges and why more than ever values of democracy, human rights are rule of law are important to safeguard the national identity.

*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

09:00 - 09:30

REGISTRATION OF PARTICIPANTS

09:30 - 10:15

WELCOMING REMARKS

Mr. Sokol Sadushi, Vice President of the Supreme Court of Albania

Mr. Bajram Begaj, President of the Republic of Albania

Ms. Holta Zaçaj, President of the Constitutional Court

Ms. Naureda Llagami, Chairperson of the High Judicial Council of Albania

Ms. Christiane Hohmann, European Union Ambassador to Albania

Ms. Yuri Kim, Ambassador of the United States of America

Mr. Christophe Poirel, Human Rights Director, Directorate General Human Rights and Rule of Law, Council of Europe

The screening of the documentary 'Traces of History in the Life of the Supreme Court'

10:15 - 10:45

COFFEE BREAK AND FAMILY PHOTO

10:45 - 11:45

Session 1: The role of the case law of the Supreme Court in shaping the domestic judicial culture

Moderator: Prof. Assoc. Dr. Sokol Sadushi, Vice President of the Supreme Court of Albania

"The Interaction of Turkish Judicial Culture and Universal Judicial Culture in the Context of Ethics, Transparency and Judicial Quality"

Mr. Eyup Yeşil, Vice-President of the Court of Cassation, Türkiye

"Plato's republic and the judiciary's republic - Professional and ethical aspects of the judiciary in Albania"

Dr. Ilir Panda, judge of the Supreme Court, Albania

"The Court of Dictation and its attempts of constitutional control"

Prof. Dr. Aurela Anastasi, Professor of Constitutional Law, Tirana Law Faculty

"The principles developed by the Council of State in its judicial function"

Dr. Erind Mërkuri, Lecturer of Constitutional Law, Tirana Law Faculty

Discussions

11:45 - 12:45

Session 2: Reflecting international standards into the case law of the Supreme Courts

Moderator: Mr. Ardian Dvorani, former judge of the Supreme Court, Albania

"The reflection of universal values in the case law of the Supreme Court"

Ms. Besa Ademi, President of Supreme Court, Northern Macedonia

"The Supreme Courts and the multi-level legal system: the Italian experience"

Mrs. Irene Tricomi, judge, Court of Cassation, Italy

"Access to justice's dimensions in relation to Supreme Court's adjudication - Albanian experience."

Dr. Asim Vokshi, judge of the Supreme Court, Albania

"International courts and their influence on the American jurisprudence"

Mr. Emin Toro, judge of the United States Tax Court

Discussions

12:45 - 14:45

LUNCH

14:45 - 15:30

Session 3: Charting the path of EU Integration – historical perspectives and current challenges in defining the role of Supreme Courts

Moderator: Ms. Elena Jovanovska Brezoska, Head of Southeast Europe Unit, Co-operation Programmes Division, Council of Europe

"Current ECtHR case law and the rule of law reforms in Albania."

Mr. Darian Pavli, judge to the European Court of Human Rights in respect of Albania, Strasbourg

"The relationship between European Courts and the Court of Justice of the European Union"

Ms. Babette Pohl, LL.M., judge of the Federal Court of Justice, Germany

"The role of national courts in the preliminary ruling procedure by the Court of Justice of the European Union regarding the interpretation of European law."

Dr. Tefta Zaka, former judge of the Supreme Court, Albania

"The role of Supreme Court of Kosovo with regard to justice reform and the efforts toward EU Integration"*

Ms. Mejreme Memaj, Acting President of the Supreme Court, Kosovo

Discussions

15:30 - 15:45

COFFEE BREAK

15:45 - 16:45

Session 3 *follow up*: Charting the path of EU Integration – historical perspectives and current challenges in defining the role of Supreme Courts

Moderator: Mr Klodian Kurushi, judge of the Supreme Court, member of the High Judicial Council

“Independence of the judiciary and the role of Supreme Court in EU integration process”

Dr. Zef Brozi, former President of the Supreme Court, Albania

“Protection of property rights before courts towards European standards”

Dr. Valentina Kondili, former judge of the Supreme Court, Lecturer of civil law, Albania

“The case law of the Supreme Court in light of constitutional jurisprudence – The case of Kosovo”

Prof. Dr Enver Hasani, former President of the Constitutional Court, Kosovo

16:45 - 17:15

CLOSING REMARKS