



**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

PROGRAMME

15 - 16 September 2022

Belgrade, Serbia

Hotel Metropol Palace, room Nikola Tesla

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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**

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

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

Discussion

Moderator: *Ljubica Gojgić, journalist*

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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

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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*

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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 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*

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