

HUMAN
RIGHTS



Right to a Fair Trial (Art. 6 ECHR) – Recent ECtHR Case Law Strasbourg, 4-5 June 2020

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Human
Rights Law**



Speakers

Sanja Jovičić, Course Director, ERA, Trier; former Lawyer at the Registry of the European Court of Human Rights

Krešimir Kamber, Lawyer, Directorate of Jurisconsult, Registry of the European Court of Human Rights, Strasbourg

Piero Leanza, Judge, Pordenone Tribunal

Vít Alexander Schorm, Agent of the Czech Government before the European Court of Human Rights, Prague

Grégory Thuan dit Dieudonné, Lawyer; President of the Human Rights Commission of the European Lawyers' Union (UAE); former Senior Lawyer at the Registry of the European Court of Human Rights, Strasbourg

Ksenija Turković, Judge, European Court of Human Rights, Strasbourg

Key topics

- Access to a court
- Right to an independent and impartial tribunal established by law
- Assistance by a lawyer
- Language assistance
- Admissibility and taking of evidence
- Hearings before a court of second instance
- Administrative and disciplinary proceedings
- Article 6 and EU law

Language
English

Event number
420D118

Organiser
Sanja Jovičić (ERA)

Venue
ERAGE
4 rue Brûlée
F-67085 Strasbourg



With the support of the Erasmus+
programme of the European Union

Right to a Fair Trial (Art. 6 ECHR) – Recent ECtHR Case Law

Thursday, 4 June 2020

OPTIONAL VISIT TO THE EUROPEAN COURT OF HUMAN RIGHTS

The visit will include the screening of a documentary.

- 9:30 Arrival at the main entrance of the Human Rights Building (please bring a form of identification document)
- 9:45 General presentation about the role and the work of the Court
- 11:00 End of visit to the Court

START OF THE PROGRAMME

- 13:00 Arrival and registration of participants at the École régionale des avocats Grand-Est
4 Rue Brûlée
Strasbourg
- 13:30 Welcome and introduction
Sanja Jovičić
- 13:45 **Access to a court: immunity from jurisdiction and restrictions on access to superior courts**
- *Ndayegamiye-Mporamazina v. Switzerland*, no. 16874/12; *Nait-Liman v. Switzerland* [GC], no. 51357/07; *Zubac v. Croatia* [GC], no. 40160/12
Ksenija Turković
- 14:30 Discussion
- 14:45 **Right to an independent and impartial tribunal established by law**
- Right to an independent tribunal: *Thiam v. France*, no. 80018/12; *Mutu and Pechstein v. Switzerland*, nos. 40575/10 and 67474/10
 - Right to an impartial tribunal: *Boyan Gospodinov v. Bulgaria*, no. 28417/07; *Nicholas v. Cyprus*, no. 63246/10; *Otegi Mondragon v. Spain*, nos. 4184/15 and 4 others
 - “Established by law”: *Guðmundur Andri Ástráðsson v. Iceland*, no. 26374/18, pending before the Grand Chamber
Vít Alexander Schorm
- 15:30 Discussion
- 15:45 Coffee break
- 16:15 **Admissibility and taking of evidence**
- Ability to question anonymous or absent witnesses in the post-*Al Khawaja* case law: *Asani v. the former Yugoslav Republic of Macedonia*, no. 27962/10; *Avagyan v. Armenia*, no. 1837/10; *Cabral v. the Netherlands*, no. 37617/10; *T.K. v. Lithuania*, no. 114000/12
 - Defence motion to examine a witness: *Murtazaliyeva v. Russia* [GC], no. 36658/05
 - Admissibility of evidence in criminal proceedings: *Pereira Cruz and Others v. Portugal*, nos. 56396/12 and 3 others
 - Admissibility of evidence in civil proceedings: *Devinar v. Slovenia*, no. 28621/15
Krešimir Kamber
- 17:00 Discussion
- 17:15 End of first seminar day
- 19:00 Dinner

Objective

This seminar will provide participants with a detailed insight into the recent case law of the European Court of Human Rights on the right to a fair trial under Article 6 of the European Convention on Human Rights and Fundamental Freedoms, with a focus on the most important judgments since 2018. The training will provide the participants with the necessary tools to identify and address human rights violations relating to Article 6 and apply that provision in domestic proceedings.

Who should attend?

Lawyers in private practice, judges, prosecutors, State Agents, legal staff of international organisations and NGOs.

You will learn...

- how to interpret Article 6 of the Convention
- how to exercise the right to a fair trial and how to handle possible restrictions
- how the ECtHR has interpreted Art. 6 of the Convention in specific cases
- how to apply validly to the ECtHR with due regard to the admissibility requirements provided for in the Convention.

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **6.5 CPD hours**.

What participants said last time

“In-depth knowledge of the present issues from inside practitioners”

“Highly qualified speakers on recent case law of ECHR on access to a court”

“I participated in many ERA seminars and was never disappointed”

Your contact persons



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Friday, 5 June 2020

- 09:00 **Assistance in criminal proceedings**
- Right of access to a lawyer: *Beuze v. Belgium* [GC], no. 71409/10; *Dimitar Mitev v. Bulgaria*, no. 34779/09; *Mehmet Duman v. Turkey*, no. 38740/09; *Knox v. Italy*, no. 76577/13
 - Compulsory representation by a lawyer: *Correia de Matos v. Portugal* [GC], no. 56402/12
 - Language assistance: *Vizgirda v. Slovenia*, no. 59868/08
Grégory Thuan dit Dieudonné
- 9:45 Discussion
- 10:00 **Applicability of Article 6 in specific contexts**
- Hearings before a court of second instance: *Bivolaru v. Romania* (N° 2), no. 66580/12
 - Administrative proceedings: *Produkcija Plus Storitveno podjetje d.o.o. v. Slovenia*, no. 47072/15; *Sancaklı v. Turkey*, no. 1385/07; *Vyacheslav Korchagin v. Russia*, no. 12307/16
 - Disciplinary proceedings against a judge: *Ramos Nunes de Carvalho e Sá v. Portugal* [GC], nos. 55391/13 and 2 others; *Denisov v. Ukraine* [GC], no. 76639/11
 - EU law: *Baydar v. The Netherlands*, no. 55385/14; *Harisch v. Germany*, no. 50053/16; *Repcevirág Szövetkezet v. Hungary*, no. 70750/14; *Pirozzi v. Belgium*, no. 21055/11
Piero Leanza
- 10:45 Discussion
- 11:00 Coffee break
- 11:30 **Submitting a case to the ECtHR: misconceptions and best practice**
- How does the Court work?
 - Admissibility criteria
 - Interim measures
 - Practical case study
Sanja Jovičić
- 12:30 Discussion
- 13:00 End of seminar

For programme updates: www.era.int
Programme may be subject to amendment.

Visit to the European Court of Human Rights



Participants will have the opportunity to visit the European Court of Human Rights. The visit

will include the screening of a documentary followed by a presentation on the ECtHR's role and work. The visit will take place on Thursday morning.

The number of places is limited. Those interested in attending this optional programme are required to inform ERA upon registration. Please foresee enough time (at least 15 minutes) before the Court visit for the **security check** at the entrance. Bring a **form of ID**. No luggage can be brought into the Court's building.

Evening programme



After an intensive day of training on Thursday you are invited to a joint dinner at "Maison Kammerzell" at no extra cost.

How to travel to Strasbourg

Shuttle services or trains from the airports of Strasbourg (15 minutes), Karlsruhe/Baden-Baden (60 minutes), Basel-Mulhouse (80 minutes) and Frankfurt International (2.5 hours) to Strasbourg city/main station are available. Strasbourg is also well served by regional, national and international train services.

Save the date

Recent ECtHR Case Law in Family Matters

Strasbourg, 13-14 February 2020

Freedom of Expression (Art. 10 ECHR): Recent ECtHR Case Law

Strasbourg, 27-28 February 2020

Artificial Intelligence and Human Rights

Brussels, 12-13 March 2020

Recent Case Law of the ECtHR in Asylum Matters

Strasbourg, 18-19 June 2020

Whistleblowers' Protection in Europe

Brussels, 24-25 September 2020

Registration

Right to a Fair Trial (Art. 6 ECHR) – Recent ECtHR Case Law

Strasbourg, 4-5 June 2020 / Event Number: 420D118



Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo

Registration

Fax: +49 (0) 651 93737-773

E-mail: info@era.int

Online registration:
www.era.int/?129252&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ERAGE
4 rue Brûlée
F-67085 Strasbourg

Language

English

Contact Person

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I would like to register for the ERA event mentioned above.

Please update my address (see below) My address (above) is correct Please delete my address

PLEASE USE BLOCK CAPITALS:

Title	<input type="checkbox"/> Ms	<input type="checkbox"/> Mr	Other	<input type="text"/>
First Name	<input type="text"/>			
Surname	<input type="text"/>			
Organisation	<input type="text"/>			
Position	<input type="text"/>	Tel.	<input type="text"/>	
Department	<input type="text"/>			
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

ECtHR visit: I shall attend the visit of the ECtHR on 4 June 2020.

Evening programme: I shall attend the dinner on 4 June 2020 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 4 May 2020	€ 531.00 <input type="checkbox"/>	€ 318.60 <input type="checkbox"/>	€ 398.25 <input type="checkbox"/>
Registration after 4 May 2020	€ 590.00 <input type="checkbox"/>	€ 354.00 <input type="checkbox"/>	€ 442.50 <input type="checkbox"/>

* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom), the German states, Scotland and the City of Trier
- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

Method of payment

- Credit card For registration with credit card payment please go to our website www.era.int/?129252&en
- Cheque Cheque number
- Bank transfer

I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
IBAN: DE145900 00 00 00 58501900 – BIC: MARKDEF1590

Important! Please state your name and the event number on the bank transfer.

I confirm my registration and accept the general terms and conditions: www.era.int/legalnotice

Place, Date

Signature