

HUMAN
RIGHTS



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

**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; former International Judge at EULEX-Kosovo

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
420SD118

Organiser
Sanja Jovičić (ERA)



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

Thursday, 4 June 2020

- 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 Break
- 16:00 **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
- 16:45 Discussion
- 17:00 End of first online seminar day

Objective

This online 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 participate in the online seminar?

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 online seminar corresponds to **6.5 CPD hours**.

Interact online

You can address questions to the speakers in the chat box that will appear on your screen during the online seminar. The Chair will read your question to the respective speaker who will answer your question verbally.

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 Break
- 11:15 **Submitting a case to the ECtHR: misconceptions and best practice**
- How does the Court work?
 - Admissibility criteria
 - Interim measures
 - Practical case study
Sanja Jovičić
- 12:00 Discussion
- 12:15 End of online seminar

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

What participants liked 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”

Save the date

Recent Case Law of the ECtHR in Asylum Matters – Online Seminar
18-19 June 2020

Whistleblowers’ Protection in Europe
Brussels, 24-25 September 2020

Annual Conference on the Rights of Persons with Disabilities
Trier, 29-30 October 2020

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Registration

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

ONLINE SEMINAR / Event Number: 420SD118



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

Registration

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Language

English

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

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Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 21 May 2020	€ 441.00 <input type="checkbox"/>	€ 264.60 <input type="checkbox"/>	€ 330.75 <input type="checkbox"/>
Registration after 21 May 2020	€ 490.00 <input type="checkbox"/>	€ 294.00 <input type="checkbox"/>	€ 367.50 <input type="checkbox"/>

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- 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/?129897&en
- Cheque Cheque number
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I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
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