Ludwig Boltzmann Institute of Human Rights Research Association

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Straniak Hermann und Marianne Straniak Stiftung

UNIVERZITET CRNE GORE PRAVNI FAKULTET PODGORICA

UNIVERZITET CRNE GORE FPN FAKULTET POLITIČKIH NAUKA PODGORICA

CEI CENTRAL EUROPEAN INITIATIVE

Straniak Academy for Democracy and Human Rights

Preliminary Programme

4 to 17 September 2016
Ulcinj/Montenegro

Sunday, 4th September

18:00-19:30 Welcome drink
Welcome by the leading team of the Straniak Academy
- *Hannes Tretter*
- *Ivana Jelić*
- *Nina Radović*

Introduction of students and organisational questions

19:30 Welcome addresses by
- *N.N.*, Austrian Embassy
- *Milan Mrvaljević*, Honorary Consul of the Republic of Austria
- *N.N.*, Representative of the Faculty of Law of the University of Montenegro
- *Gani Resulbegović,* Director of the Hotel Palata Venezia, Ulcinj

20:00 Reception

Part 1: Introduction

Monday, 5th September

09:30-11:00 Initial lesson & discussion: What does democracy, rule of law and human rights mean? Is there a coherence of them? What are the powers in a modern democracy, how does the system of checks & balances work? (*Hannes Tretter* and *Ivana Jelić*)

11:00-11:30 Break

11:30-13:00 Concepts & standards, strengths & weaknesses of modern democracies (*Vedran Dzihić* and *Marijana Grandits)*

13:00-15:00 Lunch & Beach

15:00-18:00 Reality of democracy, rule of law and human rights in Western Balkan States (*Vedran Dzihić, Marijana Grandits, Johann Sattler* and *Milan Popović)*

Part 2: United Nations and OSCE

Tuesday, 6th September

09:30-13:00 The Universal Declaration of Human Rights, and the development, actual status and challenges of the UN Human rights protection system (*Ivana Jelić* and *Manfred Nowak)*, including break

13:00-15:00 Lunch & Beach

15:00-18:00 The UN Charta, transitional justice, individual criminal responsibility and universal jurisdiction (ICTY, UNICTR, SCSL, Khmer Rouge Tribunal, ICC, national courts) (*Manfred Nowak* and *Vasilka Sancin*), including break

Wednesday, 7th September

09:00-11:00 Responsibility to protect (R2P) – Peace enforcement, humanitarian intervention & UN case studies (Bosnia and Hercegovina, Ruanda, Kuwait-Iraq, Sudan, Libya, Iraq, Syria) (*Vasilka Sancin* and *Manfred Nowak)*

11:00-11:30 Break

11:30-13:00 The Organisation for Security and Cooperation in Europe (OSCE) – its history and mission & OSCE in practise (human dimension, conflict prevention, early warning, crisis management, mediation) (*Hannes Tretter* and *Vasilka Sancin*)

13:00-14:00 Lunch

14:00-15:30 Review and discussion: Bosnia and Hercegovina today – challenges and perspectives (*Vedran Dzihić* and *Nina Radović*)

As of 15:30 Free time & Time for studying

Thursday, 8th September

09:30-13:30 Role play: How to overcome the current refugee drama – introduction, team building and preparation (teams: EU High Representative for Foreign Affairs and Security Policy; Governments of Germany, France, Greece, Italy and UK, the Visegrad States; Governments of Turkey, Iraq, Syria, and some other Arab countries, INGOs)

13:30-14:30 Lunch

14:30-19:00 Role play: How to overcome the current refugee drama – negotiations and drafting of an agreement, trying to find alternatives to real developments and approaches according to international and CoE/EU human and refugee rights standards

19:00-20:00 Release and presentation of the final agreement

Academic support: *Ivana Jelić, Vasilka Sancin, Manfred Nowak, Yuval Shany)*

Part 3: Council of Europe

Friday, 9th September

09:00-12:00 Introduction into the human rights regime of the Council of Europe, including European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR) (*Hannes Tretter* and *Ivana Jelić*), including break

12:00-13:30 Protection of Minorities by the CoE (*Ivana Jelić* and *Gabriel Toggenburg*)

13:30-15:00 Lunch & Beach

Part 4: European Union

15:00-19:00 The fundamental rights framework of the EU – Treaty of Lisbon, EU Charter of Fundamental Rights (CFR), the relationship between the Court of Justice of the EU (CJEU) and the European Court of Human Rights (ECtHR) before and after the accession of the EU to the European Convention on Human Rights (ECHR), the role of the EU Fundamental Rights Agency (FRA) (*Gabriel Toggenburg* and *Vesna Knežević Predić*), including break

Saturday, 10th September

Excursion to Budva, Cetinje, Lovćen, and/or Kotor

Sunday, 11th September

Free time & Time for studying

Part 5: Selected human rights issues

Monday, 12th September

09:30-11:00 Freedom of expression, independence and pluralism of the media as preconditions for a living democracy (*Hannes Tretter* and *Filip Radunović*)

11:00-11:15 Break

11:15-13:00 Independence and impartiality of the judiciary and procedural rights & right to personal liberty and security (*Davor Derenčinović* and *Christof Tschohl*)

13:00-15:00 Lunch & Beach

15:00-18:00 Prohibition of torture and inhuman and degrading treatment including CPT, OPCAT, NPM and the rights of prisoners and other people restricted in their personal freedom (*Ivana Krstić* and *Kirstin Drenkhahn)*, including break

18:30-20:00 Evening discussion "Are civic movements and social media shaping a new power within contemporary democratic societies?"
Panellists: *Lana Vukmirović-Mišić* (Harrison Solicitors), *Boris Raonić* (Civic Alliance, Montenegro), *Nina Radović* (BIM), *Filip Radunović* (Erste Stiftung), *Davor Derenčinović* (University of Zagreb)*;* Moderation: *Ivana Jelić*

Tuesday, 13th September

09:30-11:00 Combating corruption and the concept of good governance (*Davor Derenčinović* and *Olivera Komar*)

11:00-11:30 Break

11:30-13:00 Data protection and access to information (*Aleksa Ivanović* and *Christof Tschohl*)

13:00-15:00 Lunch & Beach

15:00-16:30 Women's and children's rights (*Christina Binder* and *Ajša Hadžibegović*)

16:30-17:00 Break

17:00-18:30 Combating trafficking in human beings (*Christina Binder* and *Davor Derenčinović*)

Wednesday, 14th September

09:30-13:30 The principles of equality and non-discrimination & Combating discrimination and hate speech, and underlying ideologies like racism, anti-semitism, xenophobia, islamophobia and homophobia (*Katrin Wladasch*, *Mehmed Dječević, Vanja Gagović*), including break

As of 13:30 Lunch & Beach, Time for studying

Thursday, 15th September

09:30-11:00 Social rights and poverty reduction (*Karin Lukas* and *Ivana Jelić*)

11:00-11:30 Break

11:30-13:00 Human rights and corporate social responsibility (*Karin Lukas* and *Vladimir Savković)*

13:00-14:30 Lunch & Beach

14:30-16:00 Environmental law – the Mediterranean case (*Hanna Mullerová* and *Maja Kostić-Mandić*)

As of 16:00 Time for studying

Friday, 18th September

Free time & Time for studying

13:00-14:00 Lunch

15:00-17:00 Multiple-choice test

19:00 Farewell party and dinner

Saturday, 19st September

10:00 Handing-over certificates to the students
Farewell addresses and reception, departure

The teachers are among others:

Christina Binder is University Professor of international law at the University of Vienna and Deputy Director of the interdisciplinary research centre "Human Rights". Her fields of expertise are general public international law, the law of international relations and conflicts, international human rights and humanitarian law and the rights of indigenous peoples. She regularly publishes and teaches in these fields. Christina also has long-standing work experience as independent consultant/legal expert for OSCE/ODIHR and EU election observation and assessment missions.

Davor Derenčinović

Mehmed Dječević is Teaching Assistant and Researcher at the Faculty of Political Science of the University of Montenegro, where he researches mainly in social psychology. He is a doctorate candidate in the department of Social Work and Social Policy at the University of Montenegro, where he defended his master thesis in social psychology in 2010. He graduated in psychology at University of Sarajevo, Bosnia and Herzegovina in 2006. In addition, he attended gestalt psychotherapy and transactional analysis education for years. He contributes regularly to the international and domestic conferences and publishes.

Vanja Gagović

Marijana Grandits started her engagement for Human Rights already as a student, fighting for minority rights and the right to development for the global south. Having served as a former Green deputy to the Austrian National Parliament Marijana Grandits is now a member of a regional commission at the Ombudsman Board in Vienna and a dedicated human rights consultant. As an educator Marijana Grandits raises human rights awareness through her lectures both in the Viennese and Venetian academic environments, the latter being related to her contribution to the European Masters Programme at the European Inter-University Centre for Human Rights and Democratisation in Venice. She was involved in many Twinning projects. As a director of the Working Table on Democratisation and Human Rights, Marijana Grandits was previously involved in the Stability Pact for South Eastern Europe. She was a founder of the "Verona Forum", an initiative for peace and reconciliation in former YU and is until now supporting a peace project in Srebrenica with the Alexander Langer Foundation. In 2015 she received the Bruno Kreisky Human Rights Award.

Ajša Hadžibegović is Program Director of the NGO Civic Alliance in Montenegro. She has professional experience as trainer on peace education, conflict transformation, human and children rights, employability, inclusion, project management, training and presentation skills, communication and fundraising. She is also a member of the working groups for drafting the Strategy for Development of the NGO sector and the Law on Youth in Montenegro.

Aleksa Ivanović is a member of the Council at the Agency for Personal Data Protection in Montenegro. He worked for diverse international organisations such as the OSCE Mission to Montenegro, and has profound experience in the rule of law and in the NGO sector. In addition, he was a member the working group for drafting Montenegrin law on NGOs, working group for Preparation of the Draft Law on Discrimination, and the State Committee for Reducing Weapons.

Ivana Jelić, Deputy Director of the Straniak Academy for Democracy and Human Rights, is Associate Professor at the Law Faculty and Faculty of Political Science in Podgorica, University of Montenegro. She teaches public international law, international human rights law and diplomatic and consular

law. She has profound working experience as consultant/expert with the CoE, EU, OSCE, OECD, ICRC, UNDP, and provided expertise on the harmonization of Montenegrin legislation with EU standards. Since 2012, she is a member and since 2014 a Vice Chair of the Advisory Committee on the CoE Framework Convention for the Protection of National Minorities in respect of Montenegro. She is a member to the UN Human Rights Committee, for mandate period 2015-2018. She published numerous scientific papers, among which three monographs.

Maja Kostić-Mandić

Vesna Knežević Predić is Chair in public international law and law of international organizations of the Faculty of Political Sciences, University of Belgrade. She is Head of The Faculty's Center for International Humanitarian Law and International Organisations and a member of the Commission for International Humanitarian Law of the Serbian Red Cross. Prof. Knežević-Predić acted as principle legal advisor to the Ministry of foreign affairs of Serbia and has rich expertise in international academic projects. She authored several books and published extensively in international and domestic journals.

Olivera Komar is Assistant Professor at the Faculty of Political Science in Podgorica, University of Montenegro and teaches on contemporary political systems, introduction to political science, political communication, political behaviour, introduction to comparative politics, political marketing and public opinion. Since November 2012, she is Vice-dean for international cooperation at the Faculty of Political Science, University of Montenegro.

Karin Lukas is Senior Researcher and Team Leader of the Human Rights in Development Cooperation and Business Team at the Ludwig Boltzmann Institute of Human Rights. She holds lectures, trainings and presentations for various target groups on human rights and business, women's rights and development cooperation. She is a member of the European Committee of Social Rights, Council of Europe and works as consultant for UNDP, Austrian Federal Ministry of Foreign Affairs, Austrian Development Agency, OMV, etc.

Hanna Mullerová

Manfred Nowak is Professor for International Law and Human Rights at the University of Vienna and Co-Director of the Ludwig Boltzmann Institute of Human Rights. Amongst many of his functions, he is Head of the Vienna Master of Arts in Human Rights at Vienna University and Vice-Chairperson of the EU Fundamental Rights Agency. Among his former functions, he was Director of the Netherlands Institute of Human Rights at Utrecht University (1987-89), UN Expert on Missing Persons in the Former Yugoslavia (1994-97), Judge at the Human Rights Chamber for Bosnia and Herzegovina in Sarajevo (1996-2003), Olof Palme Professor of Human Rights and Humanitarian Law at Lund University (2002-2003), Chairperson of the European Master in Human Rights and Democratization (E.MA) in Venice (2000-2007) and UN Special Rapporteur on Torture (2004-2010).

Milan M. Popović *is a t*heoretician of modern society, sociologist and political scientist. He is ordinary professor at the University of Montenegro in Podgorica, teaching in the field of Modern Political Systems. Prof. Popović is visiting professor and lecturer at several European and international universities as well as local and international non-governmental programs. He declares himself as anti-war, civil and democratic activist. He is member of a large number of local and international non-governmental organizations. Prof. Popović is author of about twenty books on social sciences and two novels. He is regular columnist for the Montenegrin independent weekly

Monitor. A more detailed biography and bibliography can be found on the website: www.milanmpopovic.info

Nina Radović works as Researcher and Coordinator for the Straniak Academy at the Ludwig Boltzmann Institute of Human Rights in Vienna. She holds a Master Degree in Romance Philology (French language and literature) and a Master Degree in International Development. Currently, she pursues her studies in Law at the Law Faculty of the University in Vienna and is prof. Tretter's assistant. Her academic and professional focus is the Western Balkan region. Previously, she worked for the OSCE Mission in Bosnia and Herzegovina, in the area of minority rights.

Filip Radunović works as project manager for ERSTE Foundation's Europe Programme, overseeing initiatives on media freedom, civic education and democratisation, social research and EU-Policy/good governance. He studied communication studies and political science at the University of Vienna where his Masters and doctoral theses focused on semiotics and media psychology. Filip worked in the past as a researcher at the Institute for Communication and Media Science in Vienna and for KulturKontakt Austria in Podgorica, Montenegro. He continues to pursue his academic interest as a lecturer in media theories at the Faculty of Drama Arts in Cetinje, Montenegro.

Vasilka Sancin is a Vice-Dean and a Director of the Institute for International Law and International Relations at the Faculty of Law, University of Ljubljana, where she teaches public international law, law of armed conflict, diplomatic and consular law, international legal aspects of the EU law and international organisations at undergraduate and postgraduate level. She is also a Director of the Centre for International and Business Law in Ljubljana and a Conference Chair of two series of biannual conferences on R2P (Responsibility to Protect in Theory and Practice Conferences – www.r2pconference.com) and environmental issues (www.environmentlawconference.com).

Vladimir Savković is Vice Dean at the Faculty of Law of the University of Montenegro and Assistant Professor at the Department of Business and Corporate Law. As one of the negotiators, he is also intensively involved in the negotiation process between European Union and Montenegro in regard to the accession of Montenegro. He authored numerous scientific papers and regularly publishes at national and international level.

Shany Yuval

Gabriel Toggenburg works for the European Union Agency for Fundamental Rights (FRA). He is responsible for the coordination of the FRA annual report, as well as the Agency's Scientific Committee, and is also a member of the Opinions Committee. His areas of expertise with respect to the FRA's work include diversity related issues like minority rights and general questions of EU law, including the Charter of Fundamental Rights. He worked for a decade at the European Academy in Bolzano as a senior legal researcher, where he also provided policy advice. In addition, he has been a visiting academic at universities in the United States and Austria. He studied law, and has published extensively on a range of human rights issues, with over 60 peer-reviewed journal articles and book chapters.

Christof Tschohl is Scientific Director of the Research Institute AG & Co KG in Austria, Of Counsel at the Ludwig Boltzmann Institute of Human Rights, Lecturer in education and training of Austrian judges and prosecutors, Lecturer at the Danube University Krems and the University of Vienna. He is also Board Member of the 'Working Group on Data Retention Austria' (AKVorrat.at) and Board Member of the Austrian Computer Society (OCG). His fields of expertise are fundamental and human

rights in the digital information society, technology and law, telecommunications law, media law and IT law, as well as fundamental rights in the judicial practice.

Hannes Tretter, the Director of the Straniak Academy for Democracy and Human Rights, is Associate Professor for fundamental and human rights law at the inter-disciplinary Research Centre Human Rights of the University of Vienna, and Scientific Director of the Ludwig Boltzmann Institute of Human Rights (BIM) in Vienna. He is also teaching at the Danube University Krems/Austria and as a Visiting Professor at the University of Montenegro. He was and is acting as human rights expert in various EU projects and as legal adviser in procedures before the European Court of Human Rights. Between 2007 and 2012 he was Vice-chair of the Management Board of the European Union Agency for Fundamental Rights (FRA).

Katrin Wladasch works as Legal and Socio-Economic Researcher at the Ludwig Boltzmann Institute of Human Rights. Her main areas of expertise are anti-discrimination, diversity and access to justice and her work focuses on bringing the underlying principles into practise – in Austria as well as in EU accession countries. She is vice-president of the Litigation Association of NGOs against discrimination, member of the monitoring body for the UN Convention on the Rights of Persons with Disabilities in Vienna and was founding board member of the NGO ZARA for civil courage and anti-racism work (1999-2013) and member of the human rights advisory board to the Austrian Ombudsman Office (2012-2014). She is lecturer at the University of Vienna, the Danube University Krems and the University of Applied Sciences bfi Vienna and has been working as a human rights consultant and trainer since 1999.