

Straniak Academy

for Democracy and Human Rights

Programme

6 to 19 September 2015
Ulcinj/Montenegro

Sunday, 6th 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
- H.E. *Johann Fröhlich*, Ambassador of the Republic of Austria
 - Mr. *Milan Mrvaljević*, Honorary Consul of the Republic of Austria
 - Deans or Vice-deans of the Faculties of Law and of Political Science of the University of Montenegro
- 20:00 Reception

Part 1: Introduction

Monday, 7th September

- 09:30-11:00 Initial lessons & discussions: 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 (*Sonja Tomović-Šundić* and *Vedran Džihić*)
- 13:00-15:30 Lunch & Beach

- | | |
|-------------|---|
| 15:30-17:30 | Reality of democracy in Southeast European States (<i>Sonja Tomović-Šundić and Vedran Džihić</i>) |
| 17:30-18:00 | Break |
| 18:00-19:30 | Reality of the rule of law and human rights in western Balkan states (<i>Vedran Džihić and Milan Popović</i>) |

Part 2: United Nations

Tuesday, 8th September

- | | |
|-------------|---|
| 09:30-11:00 | The Universal Declaration of Human Rights and the development of the UN Human rights framework (<i>Hannes Tretter and Ivana Jelić</i>) |
| 11:00-11:15 | Break |
| 11:15-13:00 | Actual status and challenges of the UN human rights protection system (<i>Hannes Tretter and Ivana Jelić</i>) |
| 13:00-15:00 | Lunch & Beach |
| 15:00-16:30 | Transitional justice, individual criminal responsibility and special International Criminal Tribunals (ICTY, UNICTR, SCSL, Khmer Rouge Tribunal) (<i>Christina Binder and Vasilka Sancin</i>) |
| 16:30-16:45 | Break |
| 16:45-18:15 | Transitional justice, individual criminal responsibility & the International Criminal Court (ICC) (<i>Christina Binder and Vasilka Sancin</i>) |
| 18:15-18:30 | Break |
| 18:30-20:00 | Evening discussion with legal experts from the ICTY Outreach Programme
Moderation: <i>Christina Binder</i> |

Wednesday, 9th September

- | | |
|-------------|--|
| 09:30-11:30 | Responsibility to protect (R2P) – Peace enforcement, humanitarian intervention & UN case studies (Ruanda, Kuwait-Iraq, Sudan, Libya, Iraq, Syria) (<i>Vasilka Sancin and Hannes Tretter</i>) |
| 11:30-11:45 | Break |
| 11:45-13:00 | The case of the “Islamic State (IS)” – What could/should be done with regard to R2P and international criminal jurisdiction? (<i>Vasilka Sancin and Hannes Tretter</i>) |
| 13:00-14:00 | Lunch |
| 14:00 | Time for studying |

Part 3: OSCE

Thursday, 10th September

- 09:00-10:45 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*)
- 10:45-11:00 Break
- 11:00-12:30 The Dayton Agreement and Bosnia and Herzegovina today (*Wolfgang Petritsch and Nina Radović*)
- 12:30-13:30 Lunch
- 13:30-15:00 Rights of ethnic and national minorities (*Ivana Jelić and Hannes Tretter*)
- 15:00-16:00 The Ukrainian crisis – challenges and threats for the OSCE (*Wolfgang Petritsch and Vasilka Sancin*)
- 16:00-16:30 Break
- 16:30-19:30 Role play: Negotiations for a friendly settlement of the Ukraine crisis (*Wolfgang Petritsch and Vasilka Sancin*)

Part 4: Council of Europe

Friday, 11th September

- 09:30-11:00 Introduction into the human rights regime of the Council of Europe (*Hannes Tretter and Ivana Jelić*)
- 11:00-11:15 Break
- 11:15-13:00 European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR) (*Hannes Tretter and Nebojša Vučinić*)
- 13:00-14:00 Lunch

Part 5: European Union

- 14:00-18:00 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
- 18:30-20:00 Evening discussion: Human rights and rule of law in the EU enlargement and integration process – achievements and challenges of the EU accession countries Montenegro, Albania and Serbia (*Wolfgang Petritsch, Gabriel Toggenburg, Svetlana Rajković*, Director General for European Integration in the Montenegrin Ministry for Foreign Affairs, *Vesna Knežević Predić*, and *N.N.* from Albania)
Moderation: *Ivana Jelić*

Saturday, 12th September

Excursion to Budva, Cetinje, Lovćen, and Kotor

Sunday, 13th September

Free time & time for studying

Part 6: Selected human rights issues

Monday, 14th September

- 09:30-11:00 Independence and impartiality of the judiciary and procedural rights with a focus on the right to personal liberty and security (*Ivana Krstić and Christof Tschohl*)
- 11:00-11:15 Break
- 11:15-13:00 Freedom of expression, independence and pluralism of the media as preconditions for a living democracy (*Hannes Tretter and Filip Radunović*)
- 13:00-15:00 Lunch & Beach
- 15:00-16:30 Right to vote, political participation, and transparent parliamentarism as basic elements for a living democracy (*Ivana Jelić and Olivera Komar*)
- 16:30-16:45 Break
- 16:45-18:15 Economy and human rights (*Christoph Liebscher*)
- 18:15-18:30 Break
- 18:30-20:00 Evening discussion with *Christoph Liebscher* and Montenegrin lawyers and representatives of civil society on possible political impacts of civil society and necessary legal reforms
Moderation: *Hannes Tretter*

Tuesday, 15th September

- 09:30-11:00 Combating corruption and the concept of good governance (*Verena Wessely and Olivera Komar*)
- 11:00-11:15 Break
- 11:15-13:00 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 (*Julia Planitzer and Ajša Hadžibegović*)
- 16:30-16:45 Break
- 16:45-18:15 Combating trafficking in human beings (*Julia Planitzer and Ivana Krstić*)

Wednesday, 16th September

- 09:30-13:00 The principles of equality and non-discrimination & Combating discrimination and underlying ideologies like racism, anti-semitism, xenophobia, islamophobia and homophobia (*Katrin Wladasch* and *Mehmed Dječević*), including break
- 13:00-15:00 Lunch & Beach
- 15:00-17:30 LGBT rights (*Helmut Graupner* and *Jovan Kojičić*)
- 17:30-18:00 Break
- 18:00-19:30 Evening discussion with experts on gender issues and various forms of discrimination with a special focus on the Western Balkan region

Thursday, 17th September

- 09:00-11:00 Social rights and poverty reduction, right to property (*Karin Lukas* and *Laura Maria Crăciunean*)
- 11:00-11:15 Break
- 11:15-13:00 Human rights and corporate social responsibility (*Karin Lukas* and *Vladimir Savković*)
- 13:00-14:00 Lunch
- 14:00 Time for studying

Friday, 18th September

- 09:30-11:00 Prohibition of torture and inhuman and degrading treatment including CPT, OPCAT and the rights of prisoners (*Hannes Tretter* and *Ivana Krstić*)
- 11:00-11:15 Break
- 11:15-13:00 Asylum, refugees, IDPs and immigrant societies: challenges and political concepts (*Ivana Jelić* and *Katrin Wladasch*)
- 13:00-14:00 Lunch & Beach
- 14:00-17:00 Time for studying
- 17:00-19:00 Multiple choice test
- 20:00 Farewell party

Saturday, 19st September

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

As to the lectures:

All lectures will be given by a **‘tandem’ of teachers**, namely by one expert from an EU Member State and one from a Western Balkan State.

The teachers are (in alphabetical order):

Christina Binder is Associate Professor of international law at the University of Vienna. 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.

Laura Maria Crăciunean is Lecturer for Public International Law and Diplomatic Law, at the “Simion Bărnuțiu” Faculty of Law of the University of Sibiu. She is a member of the European Society of International Law (since 2008), of European Criminal Law Association (since 2007) and of AAA (Attendees and Alumni of The Hague Academy of International Law) since 2007. In addition, she is a member and founder of the Legal Advisers College of Sibiu (since 2004) and a member of the Sibiu Bar Association (since September 2010).

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.

Vedran Džihic is Senior Researcher at the Austrian Institute for International Politics and holds lectures at the University of Vienna. His field of expertise are socioeconomic and political transformation, conflict studies, international conflict management, European integration, EU enlargement. Since 2010, he is an Austrian Marshall Plan Fellow and Senior Fellow at the Paul H. Nitze School for Advanced International Studies, Johns Hopkins University, Washington, USA.

Helmut Graupner is active in many human rights fields. Currently he is lecturer at the Academy of European Law and at the Vienna Academy of Sexology. Among others, he is legal assistant at Vienna Courts and was member of the European Group of Experts on Combating Sexual Orientation Discrimination appointed by the European Commission 2002-2004. He is Austrian Member of the European Commission on Sexual Orientation Law (ECSOL). In addition, Helmut Graupner is Director for Europe of the International Lesbian, Gay, Bisexual, Transgender & Intersex Law Association (ILGLaw) and counsel of crime victims on behalf of victim protection centres (Vienna Ombudspersons for Children and Adolescents). In addition, he is co-founder and hitherto president of Law Committee LAMBDA and acting as Counsel in leading cases before the European Court of Human Rights and the Court of Justice of the European Union.

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 of the Advisory Committee on the CoE Framework Convention for the Protection of National Minorities in respect of Montenegro. She has been recently elected as a member to the UN Human Rights Committee, for mandate period 2015-2018. She published numerous scientific papers, among which three monographs.

Vesna Knežević Predić is Chair in public international law and law of international organizations of the Faculty of Political Science, University of Belgrade. She is Head of The Faculty's Center for International Humanitarian Law and International Organizations since 2003. She was a principle legal advisor to the Ministry of foreign affairs of Serbia as well as Vice Dean of the Faculty of Political Science in Belgrade. She has rich expertise in international academic projects. She authored several books and published extensively in international and domestic journals.

Jovan Kojičić is Assistant Professor in European Law. Prof. Kojičić has an extensive background in the human rights field, policy and legislative framework, as well as in environmental law and international environmental law. Prof. Kojičić obtained his Doctor of Laws (Dr. iur.) degree at the Viadrina European University in Germany. During his doctoral studies, he was awarded the prestigious German Academic Exchange Service (DAAD) Fellowship. Prof. Kojičić joined the Faculty of Administrative and European Studies in Podgorica in April 2008. In addition, he has finished his post-doc in the field of human rights in international law and the relation of law to social change (in the non-discrimination field) at the Lund University Department of Sociology of Law in Lund, Sweden.

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.

Ivana Krstić is Assistant Professor at the Faculty of Law, University of Belgrade and holds lectures on international human rights law, international public law, minority rights, animal rights, international jurisprudence with particular emphasis on the ECtHR. She has profound working experience in diverse international organisations such as the World Bank, UNICEF, IOM, OSCE, UNHCR and UNWOMEN.

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.

Wolfgang Petritsch is Wolfgang Petritsch was the EU's Special Envoy for Kosovo (1998-1999), EU chief negotiator at the Kosovo peace talks in Rambouillet and Paris (1999), and then High Representative for Bosnia and Herzegovina (1999-2002). He served as the Austrian ambassador to the UN in Geneva (2002-2008) and to the OECD in Paris (2008-2013), and was the Joseph A. Schumpeter Fellow at Harvard University (2013-2014). He is currently the President of the Austrian Marshall Plan Foundation.

Julia Planitzer works as Legal Researcher at the Ludwig Boltzmann Institute of Human Rights in the Unit for Women's Rights, Children's Rights and Trafficking in Human Beings. Her current work focuses on trafficking in human beings. Between 2010 and 2013 she was a research fellow at the Doctoral College "Empowerment through Human Rights" of the University of Vienna.

Milan M. Popović is Professor and Program Director of the PhD-Studies in World-Systems Analysis at the Law School of the University of Montenegro. He was the Founder and Director of the Center for International Studies of the University of Montenegro and of its first generation of the MA in European and Southeast European Studies. He was a member of many committees such as the Executive Committee of the Inter-University Center in Dubrovnik, the International League of Humanists, and the International Forum Bosnia in Sarajevo.

Nina Radović is working for the Ludwig Boltzmann Institute of Human Rights in Vienna as Coordinator for the Straniak Academy for Democracy and Human Rights and Coordinator for the Initiative on Supporting the Civil Society in Bosnia and Herzegovina. She holds a Master Degree in French Language and Philology and International Development and is currently enrolled at the Law Faculty of the University in Vienna. Her academic and professional focus lies on the Western Balkan region. She previously 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.

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.

Sonja Tomović-Šundić is Professor at the Faculty of Political Science Podgorica, University of Montenegro. Her major courses are anthropology and ethics. Her recent research interest is focused on culture of human rights and democracy in transitional societies. She published an extensive number of books and papers. Since 2008 she is Advisor on human rights of the President of Montenegro, Mr Filip Vujanović.

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).

Nebojša Vučinić is Judge at the European Court of Human Rights. He was Head of the Department of international law and international relations at the University of Montenegro. In 1992 was one of the first in the countries of the former SFR of Yugoslavia to introduce a special course on human rights law at the Podgorica Faculty of Law. He was leader of Legal Clinics in international law and human rights law and Head of the Law Faculty Team on Moot Court Competition and Debate Club on human rights issues. He was also member of the Judge Council, whose mandate is to propose judge candidates to the Parliament of Montenegro.

Verena Wessely works in the International Department of the Austrian Federal Bureau of Anti-Corruption. Before that function, she worked among other functions as OSCE Long-term election observer and Programme and Project Manager within the European Commission/EU Delegation in Belgrade.

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 founding member of the NGO ZARA for civil courage and anti-racism work, 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, 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.

Also supported by:

