



REPUBLIKA SLOVENIJA
MINISTRSTVO ZA PRAVOSODJE
CENTER ZA IZOBRAŽEVANJE V PRAVOSODJU



Evropska unija
Solidarnost in upravljanje
migracijskih tokov

WORLD CONFERENCE

Bled (Slovenia), 7, 8 & 9 September 2011

Organised by the IARLJ, the Supreme Court and Administrative Court of the Republic of Slovenia and the Judicial Training Centre (Ministry of Justice of the Republic of Slovenia) and co-funded by the European Union's Returns Fund 2008-2013¹

„Between Border Control, Security Concerns and International Protection: A Judicial Perspective“

Wednesday, 7 September 2011 (venue: Jupiter, Golf Hotel)

10.00 – 14.30	Registration
14.30 - 16.10	Opening Session , Chair: President of the IARLJ, Sebastiaan de Groot
14.30 – 14.35	Address of the President of the IARLJ, Sebastiaan de Groot
14.35 – 14.45	Welcome Address of the Senior Supreme Court Judge Branko Masleša, President of the Supreme Court of the Republic of Slovenia
14.45 – 14.55	Address of the Minister of Justice (Slovenia), Aleš Zalar, former judge and immediate past President of the Slovenian Association of Judges
14.55 – 15.15	Opening Speech of the President of the Republic of Slovenia, Prof. dr. Danilo Türk, former Assistant Secretary General for Political Affairs at the United Nations Organisation (<i>tbc</i>)
15.15 – 15.40	Erika Feller, Assistant High Commissioner for Protection (UNHCR): [60th Anniversary of the 1951 Convention] (<i>tbc</i>)

¹ The Returns Fund is established by the Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007. It is established for the period 2008 to 2013 as a part of the General Programme Solidarity and Management of Migration Flows (Official Journal of the EU L 144, 6. 6. 2007).



- 15.40 – 16.10 The Honourable Justice Anthony North, The Federal Court of Australia (immediate past president of the IARLJ): „Extraterritorial Effect of Non-Refoulement“
- 16.10 – 16.40 Break with light buffet
- 16.40 – 18.15 **First Session**, Chair: Allan Mackey, Vice President of the Immigration and Protection Tribunal, New Zealand, a Senior Immigration Judge (2001-2007) at the UK Asylum and Immigration Tribunal and Judicial Member of the UK Special Immigration Appeals Commission (SIAC), former President of the IARLJ (2000-2005)
- 16.45 – 17.05 Prof. dr. Harald Dörig, Judge at the Federal Administrative Court of Germany (Bundesverwaltungsgericht): "Current Problems in Asylum and Protection Law: the German Judicial Perspective"
- 17.05 – 17.25 Justice Nicholas Blake, President of the Upper Tribunal, United Kingdom: "Current Problems in Asylum and Protection Law: the UK Judicial Perspective"
- 17.25 – 17.45 Volker Türk, Direction of International Protection Division (UNHCR): [Current Problems in asylum and Protection Law: UNHCR's Perspective]
- 17.45 – 18.15 Discussion
- 19.30 Formal conference dinner at Hotel Toplice

Thursday, 8 September 2011 (venue: Jupiter, Golf Hotel)

- 07.45 - 08.45 **Working Parties Breakfast meeting for Rapporteurs and Associate Rapporteurs**
- 09.00 – 10.45 **Second Session**, Chair and introduction to the session: The Right Honourable Lord Justice Stephen Sedley, Court of Appeal of England and Wales
- 09.15 – 09.35 Chief Justice Allan Lutfy, Federal Court of Canada: [The Function of the Proportionality



	Principle in the Jurisprudence of Canada in Cases of Exclusion Clause and Security Matters]
09.35 – 09.55	Martine Denis-Linton, President of the National Court for Refugee Law (La Cour nationale du droit d'asile), Member of the Concil of State (Conseil d'État): [An Outline of Basic Procedural Guarantees Developed at the French Courts in Asylum/Immigration Disputes]
09.55 – 10.15	The Honourable Justice Isaac Lenaola, Judge of the High Court of Kenya: "National Security Laws and Protection of Refugees in Africa"
10.15 – 10.45	Discussion
10.45 – 11.00	Break with refreshments
11.00 – 12.30	Third Session , Chair: Jacek Chlebny, Judge of the Supreme Court of Poland and President of the Regional Court in Warsaw
11.05 – 11.30	Associate Professor Ben Saul, Co-Director of the Sydney Centre for International Law: "Defining Terrorism: The impact of Anti-Terrorist Law on Refugee Law and Returns of (Illegal) Immigrants"
11.30 – 11.50	Discussion
11.50 – 12.15	The Honourable Justice Robert Katzmann, United States Circuit Judge for the U.S. Court of Appeals for the Second Circuit, New York, Professor at the Georgetown University, Washington D.C., Visiting Fellow at the Brookings Institution: [The Link between Quality Legal Representation of Asylum Seekers/Immigrants and Access to Effective Judicial Protection: the Case of USA] (<i>tbc</i>)
12.15 – 12.35	Prof. dr. Elspeth Guild, Radboud University Nijmegen (The Netherlands), Visiting Professor at the London School of Economics and Senior Research Fellow at the Centre for European Policy Studies (Brussels), Partner at Kingsley Napley LPP (London): „A Perspective from the EU: Outcomes of the Right to Free Legal Assistance under the EU Procedures Directive"



12.35 – 13.00	Discussion
13.00 – 14.00	Lunch
14.10 – 16.00	Fourth Session (venue: Jupiter, Golf Hotel) Activities of the Working Parties, Coordinator: dr. James Simeon, Assistant Professor, School of Public Policy and Administration, Centre for Refugee Studies and Faculty Associate, York University, Canada
14.20 – 15.20	Working Parties Parallel Streams: <ul style="list-style-type: none">• Human Rights Nexus,• Membership of a Particular Social Group,• Expert Evidence,• The 1951 Convention and Subsidiary Protection,• Vulnerable Persons,• Asylum Procedures,• Country of Origin Information and Country Guidance,• Exclusion Clauses,• Statelessness
15.20 – 15.45	Working Party Plenary Session: Reports of the Rapporteurs to the Conference on the Working Parties' Sessions
15.45 – 16.05	Break with refreshments
16.05– 18.05	Fifth Session - Panel discussion on the role of the Constitutional Courts for the Protection of Refugees (IDPs, Stateless Persons). Chair and introduction to the panel: Right Honourable Lord Mance, Justice of the Supreme Court (U.K.) (<i>tbc</i>) Panellists: <ul style="list-style-type: none">• Judge of the Constitutional Court of South Korea (<i>tbc</i>)• Clara Elena Reales, Judge of the Constitutional Court of Colombia• Albie Sachs, former Judge of the Constitutional Court of the South Africa



- Discussion

19.30 Social event: a concert on the Bled Island

Friday, 8 September 2011 (venue: Jupiter, Golf Hotel)

08.00 - 08.45 **Chapter Meetings (Africa / Australasian / Americas and Europe)**

09.00 – 10.25 **Sixth Session**, Chair: Jasna Šegan, Senior High Court Judge, President of the Administrative Court of the Republic of Slovenia

09.05 – 09.25 Katarina Kresal, Minister of Interior (Slovenia): [Priorities of the EU in the field of Returns of Rejected Asylum Seekers and (Illegal) Immigrants] (*tbc*)

09.25 – 09.45 Martina Lippai, Supreme Court Judge, the Head of the Section on Administrative Law at the Supreme Court of the Republic of Slovenia: "An Overview of the Most Important Case-Law of the Supreme Court in Relation to Access to Effective Judicial Protection in Asylum/Immigration Disputes."

09.45 – 10.05 Representative of the European Asylum Support Office: [Envisaged Framework for Cooperation between European Agency for the Management of Operational Cooperation at the External Borders of the Member states of the EU (FRONTEX) and EASO with the Legal Expertise Input provided by the IARLJ from the Standpoint of the Rule of Law] (*tbc*)

10.05 – 10.25 Discussion

10.25 – 10.55 Break with refreshments

10.55 – 12.30 **Seventh Session**, Chair: Katelijne Declerck, Member of the Council for Refugee Status Appeal, Belgium



- 11.00 – 11.20 Nuala Mole, Director of the AIRE Centre, Legal Representative of Asylum Seekers/Immigrants before the European Court of Human Rights (Strasbourg): [Due Process Guarantees for Asylum Seekers /Immigrants in Detention from the Standpoint of the Case Law of the European Court of Human Rights and Court of Justice of the European Union]
- 11.20 – 11.40 Pamela Goldberg, Protection Officer at UNHCR Regional Office Washington D.C., Member of the Advisory Board of the Centre for Gender and Refugee Studies at the University of California, Hastings College of Law, served also on the Faculty of the City University of New York School of Law and as an independent consultant for Open Society Institute, the American Bar Association and the Ford Foundation: [Commentary to the Presentation of Nuala Mole in the Light of the Procedural Standards in Detention Cases of Asylum Seekers/Immigrants in the USA]
- 11.40 – 12.00 Adriano Silvestri, Programme Manager of the European Union Agency for Fundamental Rights:[A Comparative Analysis of the Fundamental Rights Challenges at External Borders (Southern maritime EU border, land and air borders): Recommendations for European Institutions and Member States]
- 12.00 – 12.30 Discussion
- 12.30 – 14.00 Lunch
- 14.00 – 16.00 **Eighth Session**, Chair: Karin Benson, Judge of the Administrative Court in Stockholm
- 14.05 – 14.25 Prof. dr. Roger Errera, Conseiller d'État Honoraire, Former Visiting Professor, Central European University, Budapest: „A New International Court for Refugee and Asylum Law - The Court of Justice of European Union: A Commentary of Recent Judgments”
- 14.25 – 14.45 Justice James Ogoola, Judge of the High Court of Uganda and a Judge of the COMESA Court of Justice in Lusaka (Zambia): [Presentation of the Role of the ECOWAS Court of Justice in the Protection of Human Rights in Relation to Refugees and Other Persons of Concerns]



14.45 – 15.05	Discussion
15.05 – 15.25	Break
15.25 – 17.00	<p>Ninth Session - Panel Discussion on the interplay between administration of justice in asylum/immigration matters and judicial independence</p> <p>Chair: Judge Kashim Zannah, Chief Judge, High Court of Justice, Nigeria.</p> <p>Panellists:</p> <ul style="list-style-type: none">• Prof. dr. Roland Fritz, President of the Frankfurt am Main Administrative Court• Senior Judge Mark Ockelton, Vice President of the Upper Tribunal, Immigration and Asylum Chamber, the United Kingdom• Aleš Zalar, Minister of Justice of the Republic of Slovenia, Founding Member and Member of Advisory Council of the International Association for Court Administration <p>Discussion</p>
17.00	Closing remarks of the President of the IARLJ (End of Conference)