

Workshop on Access to Justice

9-10 November 2017

The aim of the workshop

The workshop provides an opportunity for judges and legal professionals from Albania and from Kosovo to understand better the access to justice requirements of the Aarhus Convention, related EU directives and national legislation and

- It will be an interactive platform to exchange experience
- It will provide insight into how access to justice works in EU and other countries.
- It will address major difficulties and gaps in implementation of the access to justice rights, and solutions for the removal or reduction of barriers to access to justice.

The workshop is organized based on relevant case studies and demonstration court cases to illustrate the most problematic issues related to access to justice in environmental matters relevant to the countries.

The training takes place in Albanian and English language with synchronized translation.

Venue

School of Magistrates of Albania

Rr. Elbasanit, (prane) Fakultetit Gjeologji Minierave, Tirana, Albania

Programme

Day 1

8:45 Registration

9:00 Opening and welcome

Mr. Xhezair Zaganjori, Head of Supreme Court of Albania
Mr. Sokol Sadushi, Director of the Albanian School of Magistrates
Mr. Valon Kurtaj, Director of the Kosovo Academy of Justice
Ms. Orneta Çuçi, Vice Minister of Tourism and Environment (Albania)
Mr. Mihallaq Qirjo, REC Country Office Director (Albania)

9:30 Introduction to the programme, trainers and participants – REC team

9:40 SESSION 1: SETTING THE SCENE

Introduction on the requirements on access to justice in environmental matters: Aarhus Convention's structure, rights, legal basics, overall application in the UNECE, EU legislation, and national contexts – *Mr. Jerzy Jendroška, expert*

Implementing the Aarhus Convention's third pillar and the role judges can play – *Mr. Bajram Mediaj, expert (Albania), Ms. Madalena Kojá, Ministry of Tourism and Environment (Albania), Mr. Zymer Mrasori, head of the division for communication with public, Ministry of Environment and Spatial Planning (Kosovo)*

The CSO perspective on access to justice – *Ms. Ermelinda Mahmutaj, EDEN Center*

Questions-answers, discussion.

11:00 **Coffee break**

11:30 **SESSION 2: ARTICLE 9.1 - INFORMATION**

Access to justice on access to information under the Aarhus Convention and national legislation (Art. 9.1) – *Mr. Jerzy Jendroška and Mr. Erjon Muharremaj, expert (Albania)*

Questions, answers, discussion.

12:15 **Solving examples from case laws** (Aarhus Convention Compliance Committee/the ECJ/national courts) – *Moderated by Mr. Jerzy Jendroška*

In plenary and in groups.

13:15 **Coffee break**

13:45 **SESSION 3: ARTICLE 9.2 – PARTICIPATION**

Access to justice on public participation in decision-making under the Aarhus Convention and national legislation (Art. 9.2) – *Mr. Jerzy Jendroška and Mr. Erjon Muharremaj, expert (Albania)*

Questions, answers, discussion.

14:00 **Solving examples from case laws** (Aarhus Convention Compliance Committee/the ECJ/national courts) – *Moderated by Mr. Jerzy Jendroška*

In plenary and in groups.

15:00 **Preparation for SESSION 5 (moot court exercise):** presentation of the facts and assignment of roles.

15:30 **Lunch**

Day 2

- 9:00** **SESSION 4 – ARTICLE 9.3**
- Access to justice in case of contravening national law relating to the environment under the Aarhus Convention and national legislation (Art. 9.3)**
– *Mr. Jerzy Jendroška and Mr. Erjon Muharremaj, expert (Albania)*
- Questions, answers, discussion.
- 09:45** **Solving examples of case laws** (Aarhus Convention Compliance Committee/the ECJ/national courts) – *Moderated by Mr. Jerzy Jendroška*
- In plenary and in groups.
- 10:30** **Coffee break**
- 11:00** **Discussion: identifying the main barriers to access to justice** – *Moderated by Mr. Jerzy Jendroška*
- 11:30** **Discussion: networking** – *Moderated by Mr. Elton Qendro, OSCE*
- 12:00** **SESSION 5 – MOOT COURT CASE**
- Preparation of the moot court exercise:** discussion with the participants, and preparation by the players
- 12:30** **Moot court exercise**
- Feedback, discussion.
- 14:30** **Evaluation of the training. Distribution of diplomas. Closing.**
- 15:00** **Lunch**

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