



THE AIRE CENTRE
Advice on Individual Rights in Europe



CONFERENCE “IMPLEMENTING THE ISTANBUL CONVENTION THROUGH CASE-LAW: JUDICIAL DIALOGUE FOR AN EFFECTIVE JUDICIAL RESPONSE”

Pristina | 15 March 2024

Venue: Hotel Emerald, Pristina

The Council of Europe and the AIRE Centre are organizing a Conference on “**Implementing the Istanbul Convention through Case-Law: Judicial Dialogue for an Effective Judicial Response**” aimed at providing a platform for discussion among the Constitutional Court, regular courts and prosecutorial system on strengthening the dialogue on combating violence against women and domestic violence.

Profound knowledge of the European principles and standards, including those developed through the European Court of Human Rights’ jurisprudence, as well as of the obligations deriving from article 22 [Direct Applicability of International Agreements and Instruments] of the Constitution, which includes the European Convention on Human Rights and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (also known as the Istanbul Convention), is decisive for preventing and combating violence against women and domestic violence.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women. It recognises that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women.

Effective implementation of the European Convention on Human Rights and the Istanbul Convention requires alignment and harmonisation of the domestic legislative framework with its standards along with a reinforced capacity of institutional stakeholders to ensure adequate implementation in practice. In this respect, the judgments issued by the Constitutional Court on the compliance with the Constitution, as the last instance court, have critical impact on the local legal order and jurisprudence at all levels.

The Conference has a twofold objective to:

- Raise awareness on the importance of the judicial dialogue and its impact in preventing and combating violence against women and domestic violence;
- Identify concrete measures and steps to be undertaken in the short and long term to enhance the judicial dialogue.

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Agenda

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| 09:00 - 09:30 | Registration (<i>coffee served during registration</i>) |
| 09:30 - 10:10 | Welcome and Opening Remarks <ul style="list-style-type: none">● Ms. Gresa Caka-Nimani, President, Constitutional Court● Ms. Albulena Haxhiu, Minister of Justice and National Coordinator for Protection Against Domestic Violence, Violence against Women and Gender Based Violence● Ms. Biljana Braithwaite, Director, AIRE Centre Western Balkans Programme● Mr. Tankut Soykan, Deputy Head, Council of Europe Office in Pristina● Incoming Ambassador, British Embassy Pristina (TBC) |
| 10:10 - 10:30 | Keynote speakers Ms. Dunja Mijatović, Council of Europe Commissioner for Human Rights (<i>Joining online</i>) |
| 10:30 - 10:50 | Mr. Robert Spano, President, Board of Patrons of the Gender Champions in the Judiciary Network, and Former President, European Court of Human Rights |
| 10:50 - 11:00 | Coffee break |
| 11:00 - 11:40 | Session I Implementing the Istanbul Convention and the Empirical Findings from Case-Law Analysis in the Western Balkans Moderator: Ms. Segolene Chesneau, Project Manager, Gender Equality Division, Council of Europe <ul style="list-style-type: none">● Mr. Mihail Stojanoski, Administrator, GREVIO Secretariat <i>Reflections from the report on the Assessment of the alignment of laws, policies and other measures with the standards of the Istanbul Convention</i>● Ms. Kosana Beker, Programme Director, FemPlatz and Lead Gender Expert, AIRE Centre <i>Reflections from the report “Judicial Response to Femicide in the Western Balkans”</i>● Ms. Selvete Gërxhaliu-Krasniqi, Judge, Constitutional Court <i>Presentation of the main findings of the report “Femicide in the Republic of Kosovo: Legal framework and judicial practice (2018–2022)”</i> |
| 11:40 - 12:00 | Open discussion |
| 12:00 - 13:30 | Lunch |

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| 13:30 - 15:00 | Session II Judicial Dialogue to Ensure Adequate Combating of Violence Against Women and Domestic Violence |
| | <p>Moderator: Ms. Ariana Qosaj-Mustafa, Chair of Board, Kosovo Women's Network</p> <ul style="list-style-type: none"> ● Ms. Remzije Istrefi-Peci, Judge, Constitutional Court <i>"Implementation of the Istanbul Convention: the case-law of the Constitutional Court"</i> ● Mr. Albert Zogaj, Chairperson, Kosovo Judicial Council <i>"The role of the court in the fight against violence against women and domestic violence"</i> ● Mr. Naim Qelaj, Ombudsperson <i>"The role of the Ombudsperson in building standards in line with the Istanbul Convention for efficient and effective judicial protection in cases of violence against women and domestic violence"</i> ● Ms. Sevdije Morina, Prosecutor and Coordinator for domestic violence criminal offences, Office of the Chief State Prosecutor <i>"Risk assessment by prosecutors in cases of Domestic Violence and the necessity for improvements - with a focus on femicide"</i> ● Ms. Arrita Rezniqui, Program Manager and Coordinator of the Free Legal Aid Centre, Kosovo Law Institute <i>"The role of civil society in combating violence against women and domestic violence – the importance of free legal aid and the demand for institutional accountability"</i> |
| 15:00 - 15:30 | Open discussion |
| 15:30 – 15:45 | Conference concluding remarks Ms. Gresa Caka-Nimani, President, Constitutional Court |