



Conference of the European Chapter
of the International Association of Refugee and Migration Judges (IARMJ)
with the support of UNHCR

“REFUGEE AND MIGRATION LAW JUDGES - LOYAL TO WHOM OR LOYAL TO WHAT?”

Brdo Congress Centre (Predoslje), Slovenia
11-13 September 2022

DRAFT OUTLINE OF THE PROGRAMME

Sunday, 11. September 2022 (Elegans Hotel, Congress Centre, Brdo):

19.00 – 21.30 Welcome Reception with refreshments – informal meeting of participants

Monday, 12 September 2022 (Congress Centre Brdo, venue: Grandis Hall)

08.30 - 09.30 **Conference Registration**

Session 1 (09.30): Opening addresses: Asylum and migration disputes in Europe in the context of international rule of law

09.30 - 09.40 Boštjan Zalar, President of the IARMJ-Europe, Senior High Court Judge, Administrative Court of the Republic of Slovenia (moderator)

09.40 - 09.50 Damijan Florjančič, President of the Supreme Court (Slovenia)

09.50 - 10.00 Dominika Švarc Pipan, Minister of Justice of the Republic of Slovenia

10.00 - 10.10 Stefan Maier, UNHCR, Head of the Policy and Legal support Unit, Representative for EU Affairs

10.10 - 10.20 Nina Gregori, Executive Director of the EU Agency for Asylum (EUAA)

10.20 - 10.40 Matej Accetto, President of the Constitutional Court (Slovenia)

10.40 - 11.00 **Coffee/tea break**

Session 2 (11.00): Highlights in recent case law in migration and/or asylum-related disputes of the ECtHR and CJEU

(moderator: Harald Dörig, Vice-President of the IARMJ-Europe, retired judge of the Federal Supreme Administrative Court, Germany)

11.05 - 11.25 Lars Bay Larsen, Vice-President of the CJEU: “New developments in the case law of the CJEU”

11.25 - 11.50 Jolien Schukking and Mattias Guyomar, Judges of the ECtHR: “New developments in the case law of the ECtHR”

11.50 - 12.05 Discussion



Session 3 (12.10): Tools for Judges: Part I

(moderator: Sebastiaan de Groot, former President of the IARMJ, retired judge (the Netherlands))

- 12.10 - 12.20 Paul Leplomb, EUAA, Courts and Tribunals Sector: “10 years of cooperation with European courts and tribunals”,
- 12.20 - 12.40 Carolus Grütters, Centre for Migration Law, Radboud University, Nijmegen: “DiCTA - digital data base on asylum law and Newsletters for judges (NEAIS, NEMIS)”
- 12.40 - 12.50 Riccardo Viviani, UNHCR Associate Legal Officer in Legal and Political Support Unit (PLUS): “Refworld”
- 12.50 - 13.00 “Global Judicial Analysis” project of the IARMJ: Michael Hoppe, Vice-President of the Administrative Court Karlsruhe (Germany) and Katelijne Declerk, Immediate Past President of the IARMJ, retired judge of the Council of Alien Law Litigation (Belgium)

13.00 - 14.00 Lunch

Session 4 (14.00): Highlights of contentious procedural and material law issues of European character in national case law on migration and/or asylum

(moderator: Cassandra Lange, Judge of the Council of State, the Netherlands)

- 14.05 - 14.25 Holger Böhmman, Judge of the Federal Supreme Administrative Court, Germany
- 14.25 - 14.50 Elizabeth Steendijk, Judge of the Council of State, the Netherlands
- 14.50 - 15.00 Discussion
- 15.00 – 15.20 Christian Boulanger, Judge - President of Section, National Court of Asylum (CNDA), France
- 15.20 - 15.40 Jakub Camrda, Judge of the Supreme Administrative Court, Czech Republic
- 15.40 - 15.50 Discussion
- 15.50 - 16.00 Damjan Kukovec, Judge of the General Court of the EU: “Is there a link between judicial independence and autonomy of EU law?”

16.00 - 16.15 Tea/Coffee Break

16.15 - 17.15 General Assembly of the IARMJ-Europe

(chair: Boštjan Zalar, President of the IARMJ-Europe)

- Report (2018-2022) of the President of the IARMJ-Europe
- Explanations of the amendments to the Constitution of the IARMJ-Europe and interpretation of the mandate of the existing officers of the IARMJ-Europe: Katelijne Declerk, Immediate Past President of the IARMJ, retired judge of the Council of Alien Law Litigation, Belgium
- Vote on amendments of the Constitution of the IARMJ-Europe
- Report (2018-2022) of the Treasurer of the IARMJ-Europe, Jeremy Rintoul, Judge of the Upper Tribunal, UK
- Election of the officers of the IARMJ-Europe.

19.00 Formal dinner at Brdo Castle



Tuesday, 13 September 2022 (Congress Centre Brdo, venue: Grandis Hall):

Session 5 (09.00): EU Temporary Protection Directive 2001/55 in Case of Ukraine and related subjects

(moderator: Jasna Šegan, President of the Administrative Court of the Republic of Slovenia)

09.05 - 09.20 Tatjana Bobnar, Minister of Interior of the Republic of Slovenia: “Contentious Issues of the Temporary Protection Directive in Practice of Member States”,

09.20 - 09.30 Ella Kataeva, Judge of the Administrative Court in Odessa (Ukraine): “Being a Judge in a War Zone”

09.30 - 09.45 **Tea/Coffee Break**

Session 6 (09.45): Limits of the principle of the abuse of rights in migration and asylum disputes under European law standards

(moderator: Judith Gleeson, Judge of the Upper Tribunal, London)

09.50 - 10.10 Abuse of right in migration cases before EFTA Court, Bernd Hammermann (Luxembourg), Judge of the EFTA Court,

10.10 - 10.30 The abuse of rights under EU law: Damjan Kukovec, Judge of the General Court of the EU,

10.30 - 10.40 Discussant on abuse of right in French case law on asylum: Thomas Besson, Vice-President of the National Court of Asylum (CNDA, France)

10.40 - 10.50 Discussant on abuse of rights in asylum/migration cases in New Zealand: Martin Treadwell, Judge - Chair of the Immigration & protection Tribunal (New Zealand)

10.50 - 11.10 Discussion

11.10 - 11.30 **Coffee/tea break**

Session 7 (11.30): Examples and experiences with ex officio powers of courts in asylum-related cases

(moderator and discussant: Peter Nedwed, Judge of the Supreme Administrative Court, Austria)

11.35 - 11.55 Elena Masetti Zannini and Cristina Contini, Judges of the Tribunal in Milan (Italy): Ex officio powers/responsibilities in Italian practice based on EU law and case law of the ECtHR

11.55 - 12.10 Comments: Goran Selanec, Judge of the Constitutional Court of the Republic of Croatia

12.10 - 12.25 Discussion

12.25 - 13.25 **Lunch**

Session 8 (13.25): Remote/hybrid hearings in asylum disputes

(moderator: Johan Berg, Judge – Chair of the Immigration Appeals Board, Norway)

13.30 - 13.50 Hilkka Becker, Chair of the International Protection Appeals Tribunal, Ireland,

13.50 - 14.00 Oral hearings before CNDA (France): Joseph Krulic, Section President, Head of the Research and Documentation Centre, National Court of Asylum

14.00 - 14.15 Discussion

Session 9 (14.20): Contentious issue(s) of access to (asylum) procedure

(moderator: Johan Berg, Judge – Chair of the Immigration Appeals Board, Norway)

14.25 - 14.40 An example of externalisation of asylum processing and prohibition of indirect refoulement: Michael Hoppe, Vice-President of the Administrative Court Karlsruhe (Germany)



14.40 - 14.50 Discussant: Hugo Storey, Immediate Past President of the IARMJ-Europe, retired judge of the Upper Tribunal, London

15.00 – 15.15 General discussion

15.15 – 15.30 Tea/coffee break

15.30 - 15.50 Time available for meetings and discussion on future collaborations between IARMJ-Europe and its partners and for the meetings of the working parties of the IARMJ

15.50 - 16.15 Meeting of the Council of the IARMJ-Europe

16.15 End of the Conference