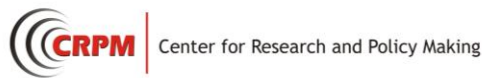


18 APRIL 2016

CONSTITUTIONAL COURTS IN THE FORMER YUGOSLAVIA: THE ROLE AND IMPACT IN TIMES OF TRANSITION

CONFERENCE



CONCEPT

It is widely accepted in constitutional scholarship that constitutional courts have the potential to act as crucial “liberalizing” political actors in states in democratic transition, playing the role of a key democratic control and dispute-resolution mechanism in the face of considerable constitutional uncertainty characterizing transitional states. But did they manage to realize such potential and meet high popular and scholarly expectations? Attempts to answer this complex question empirically have been relatively rare. In the European context, scholars have mostly, if not exclusively focused on Central and Eastern Europe, noting a degree of positive influence of constitutional courts in transition processes ranging from moderate to significant.

The conference aims to shed light on the competences, positioning and overall performance of constitutional courts in resolving important political and social questions in the successor states of the former Yugoslavia. The central question the conference will address is whether, how, under what particular conditions, and with what particular consequences the constitutional courts have positioned themselves as proper constitutional-political actors and true agents of legal, social and political change in this part of Europe.

Based on the results of a [RRPP project](#) implemented in 2014-2016, this conference aims at looking at the role and contribution of constitutional courts to democratic transition, focusing on four successor states of the former Yugoslavia (Bosnia and Herzegovina, Kosovo, Macedonia and Serbia).

Monday
18 April 2016
10.00 – 17.15

Hotel Bristol
Conference Room
Banja Luka
Fra Filipa Lastrića 2
Sarajevo
www.bristolsarajevo.com

Please confirm attendance by
sending an email to:
nermina.vraco@analitika.ba
or via telephone **033 251 083**

Due to a limited number of
available seats, please reserve
your seat by **Monday,**
April 11, 2016

PROGRAMME

09:45. Registration and Welcome Coffee

10.00. Introductory Remarks

10.15. KEYNOTE SPEECH

Bojan Bugarič, *Faculty of Law, University of Ljubljana*

Questions and discussion

11:15. PANEL 1: LOOKING BACK, LOOKING FORWARD

Constitutional Courts in the former Yugoslavia: The Position of Constitutional Review and the Relevance of Tradition

(Goran Marković, *University of East Sarajevo, Faculty of Law*)

The Transformative Role of the Constitutional Court of Croatia: From Ex-YU to EU (Sanja Barić, *University of Rijeka, Faculty of Law*)

Discussant: Violeta Beširević, *Union University Faculty of Law, Belgrade*

12:45. Lunch

13:45. PANEL 2: AT THE MARGINS OF TRANSITION

The (Marginal) Role of the Constitutional Court of Serbia in Democratic Transition (Tatjana Papić, *Belgrade Centre for Human Rights and Union University Faculty of Law*, and Vladimir Đerić, *Belgrade Centre for Human Rights, attorney-at-law*)

The (Non)Transformative Role of the Macedonian Constitutional Court (Marija Risteska, *Center for Research and Policy-Making, Skopje*)

Discussant: Margarita Nikolovska, *Judge, Constitutional Court of BiH*

15:15 Coffee break

15:30. PANEL 3: STRONG VOICE AND AGENCY

The Court as a Policy-Maker? The Case of the Constitutional Court of Bosnia and Herzegovina (Nedim Kulenović, *Vaša prava BiH – Legal Aid Network, Sarajevo*)

Promising Early Years of Operation: The Important Role of the Constitutional Court of Kosovo (Fisnik Korenica, *Group for Legal and Political Studies, Prishtina*)

Discussant: Alex Schwartz, *School of Law, Queen's University Belfast*

17:00. CONCLUDING REMARKS

Contextualizing the Role of Constitutional Courts in the Balkans (Edin Hodžić, *Analitika – Center for Social Research, Sarajevo*)

Working language of the conference: English, with simultaneous translation into BHS

This event is organized with the support of the Regional Research promotion Programme in the Western Balkans (RRPP). The RRPP is coordinated and operated by the Interfaculty Institute for Central and Eastern Europe (IICEE) at the University of Fribourg (Switzerland). The programme is fully funded by the Swiss Agency for Development and Cooperation (SDC), Federal Department of Foreign Affairs.

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71000 Sarajevo

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