



# FREEDOM OF EXPRESSION AND ASSOCIATION OF JUDGES

HYBRID CROSS-BORDER TRAINING WORKSHOP FOR JUDGES, PROSECUTORS,  
ATTORNEYS AND OTHER LEGAL PROFESSIONALS

Date 13-14 March 2024

Time 9.00-17.30 and 14.00- 17.30 CET

Host Faculty of Law, University of Ljubljana

Place: Faculty of Law, Senate room and online

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## Programme

(draft version)

Wednesday, 13 March, 9.00-17.30

### 9.00 Welcome Address and Presentation of TRIAL 2 project

Saša Zagorc | Member of TRIAL 2 | Dean of the Faculty of Law, University of Ljubljana

### First panel: Freedom of Expression and Association as Individual Rights of Judges and Other Legal Professionals

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Moderator: Federica Casarosa | Member of TRIAL 2 | EUI, Centre for Judicial Cooperation

### 9.10 Freedom of Expression and Association of Judges: Current and Future Issues - title tbc

Madalina Moraru | Member of TRIAL 2 | EUI, Centre for Judicial Cooperation | University of Bologna

### 9.30 A View from Luxembourg: Freedom of Expression and Association of Judges of the Court of Justice of the EU

Dr. Damjan Kukovec | Judge at the General Court of the EU

### 9.50 Freedom of Expression and Association of the Judge from the Perspective of the Right to Fair Trial

Sietske Dijkstra | Judge at Court House of Groningen

**10.10 Judges, Prosecutors, Candidate Judges and Judicial Advisors (Clerks): Differences and Communalities in Freedom of Expression and Association Standards**

Mohor Fajdiga | Member of TRIIAL 2 | Faculty of Law, University of Ljubljana

**10.30 Discussion**

**10.45 Presentation of TRIIAL 2 Thematic Booklet “Freedom of Expression and Association of Judges” and Other Training Materials**

Mohor Fajdiga | Member of TRIIAL 2 | Faculty of Law, University of Ljubljana

**11.00 Break**

**Second panel: The Role of Freedom of Expression and Association of Judges in the Era of Rule of Law Backsliding**

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Moderator: Marcin Michalak | Member of TRIIAL 2 | University of Gdansk

**11.10 All Quiet in the Judiciary: Low Voice of Hungarian Judges and the Role of European Courts**

Ágnes Kovács | Member of TRIIAL 2 | Eötvös Loránd University (ELTE)

**11.30 The Role of Judicial Associations in Preventing Rule of Law Decay in Romania: Informal Communication and Strategic Use of Preliminary References**

Raluca Bercea | Member of TRIIAL 2 | National Association of the Romanian Bars (UNBR) | Faculty of Law, University of Timișoara

**11.50 SLAPPING Judges into Silence**

Paulina Milewska | EUI, Department of law

**12.10 Freedom of Expression of Judges and the Role of Independent Media**

Anna Wójcik | Max Planck Institute for Comparative Public Law and International Law | Institute of Legal Studies of the Polish Academy of Sciences

**12.30 Discussion**

**12.50 Lunch break**

**Whistleblowers from the Judiciary: Hypothetical Case Scenario I**

**13.50 Hypothetical Case: Introductory presentation**

Mohor Fajdiga | member of TRIIAL 2 | Faculty of Law, University of Ljubljana

**14.05 Discussion in Three Parallel Working Group Sessions**

**14.50 Conclusions of the Working Groups in the Plenary Session**

**15.20 Break**

**Third panel: The use of social media by judges in theory and practice**

Moderator: Marta Achler, Member of TRIIAL 2 | EUI, Centre for Judicial Cooperation

**15.35 International Soft Law Standards of Judges' Social Media Communication**

Jannika Jahn, Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law

**15.55 Judges' Presence on Twitter in Times of Constitutional Breakdown in Poland: "What we've got here is failure to communicate"**

Jaroslaw Gwizdak | former Polish judge and court president | member of TRIIAL 2, INPRIS

**16.15 To post or not to post: Personal Experience on the Use of Social Media - title tbc**

Kees Sterk | Senior Judge at judge at Rechtbank Zeeland West-Brabant and Maastricht University | former President of the European Network of the Councils for Judiciary (ENCJ)

**16.35 A Perspective of a Judge from a Common Law Jurisdiction**

Judith Gleeson | Senior Judge at the Upper Tribunal

**Discussion**

**17.30 End of First Day**

Thursday, 14 March, 14.00-17.30

## **Freedom of Association of Judges: Hypothetical Case Scenario II**

### **14.00 Hypothetical Case: Introductory presentation**

Mohor Fajdiga | member of TRIIAL | Faculty of Law, University of Ljubljana

### **14.15 Discussion in Three Parallel Working Group Sessions**

### **15.00 Conclusions of the Working Groups in the Plenary Session**

### **15.30 Break**

## **Roundtable Session: Speaking on Behalf of the Judiciary**

Moderator: Saša Zagorc | Member of TRIIAL 2 | Dean of the Faculty of Law, University of Ljubljana

### **15.40 Points of departure:**

#### **Mouthpiece of the Judiciary: Experience from the Netherlands - title tbc**

Barbara den Uijl | Head of PR of the Dutch Council for the Judiciary

#### **Shaping the Narrative of Judicial Association's Social Media and Building Sustainable and Effective Communication**

Karolina Rokita | Judge at the District court in Przemyśl | Member of Communication and Social Media of Iustitia (Association of Polish judges)

### **16.20 Views of the Panellists:**

Vesna Bergant Rakočević | Judge at the Higher Court of Ljubljana | President of the Slovenian Association of Judges

Jernej Pikalo | Department for Political Science of the Faculty of Social Sciences, University of Ljubljana

Nicola Canestrini | Criminal defence lawyer, Italy

### **16.50 Discussion**

### **17.25 Concluding Remarks**

Saša Zagorc | Member of TRIAL 2 | Dean of the Faculty of Law, University of Ljubljana

Mohor Fajdiga | Member of TRIAL 2 | Faculty of Law, University of Ljubljana

**17.30**

**End of Second Day**