# UNITED IN PRACTICE

#### Slovenian Legal Conference 2021 November 18–19

#legislation

#implementation

#technology



# SPEAKERS PRESENTATION



# Matjaž Gruden

Director of Democratic Participation at the Council of Europe With his speeches and wordings, interwoven with many years of diplomatic experience, he radically cuts into the core of current political topics and sets up a mirror where it is needed.

The insight of his spirit is revealed in a collection of columns on the role and importance of human rights in an increasingly uncertain and turbulent world, which bears the significant title of the Slovenian anthem »Žive naj vsi narodi« (let all nations live).

He is a »living legend« for Slovenes, as with his central role in the legendary family movie »Sreča na vrvici« (luck on a string) he forever imprinted the memory of life in the late 1970s, which is, in many places, still the same, especially in terms of human relations and children's worldview.

99

At historical turning points, certainly we are at one of them at the moment, it's good to listen to people who know what they're saying. In this sense, Gruden is a voice that should also be an alarm for us. We should hear him. (M. Stepišnik)



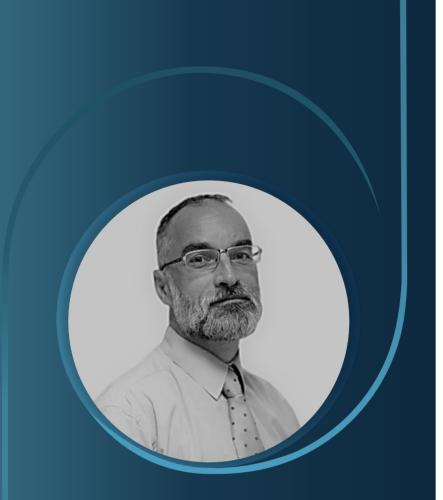
## Nina Gregori

Executive Director of the European Asylum Support Office (EASO) She's been an internationally recognized and well-established asylum and migration expert. Her duties as the Executive Director of EASO, following her immense national and international experience, are of an exceptional importance regarding challenging period of global asylum issues. Being sincerely overwhelmed with the power of cooperation, need for efficient and urgent action, she believes in combination of practice, professional excellence and understanding of political dynamics.

As enthusiastic as she is, she tries to seek the intertwinement of various abstract and concrete aspects and junctures of different decision-making standards of EU Member States. Not only following the words, but mainly results, she tries to spread the urge for understanding and active cooperation way across the EU borders when resolving the challenges of asylum politics and concerning inherent issues of fragile humanity.



I firmly support the idea that every action counts, and that only by working together we will achieve a more inclusive and equal world.



# Mag. Alojz Grabner

director of Chemicals Office of the Republic of Slovenia He actively participates in the formulation of a common EU chemical safety policy.

With his professionalism and in-depth knowledge of the subject at the national level, he significantly contributes to the formation of the rules that shape our everyday lives. Through him law gains dimensions of humanity, as he understands it as a field that should guide, discourage and inform people about the risks, benefits and the use of chemicals.



People are not aware that in the midst of the chemicals they are using intentionally and deliberately, they are screaming that the chemicals need to be disposed of.



# Mag. Katja Božič

Head of Division for Agriculture, Environment and Spatial Planning at the Office for Legislation of the Government of the Republic of Slovenia The letters and words in which they are intertwined, the sentences they draw, and the contents that are thus created are the canvas which she observes and on which her contributions to a more comprehensible (legal) world are created.

By intertwining national and EU law she strives to make sense to everyone. This is why she is the soul of the legislative drafting group at the Office for Legislation, which makes notes on drafting upheavals, resolves related dilemmas and offers solutions aimed at comprehensibility of law and legal security.

She loves the company of fountain pens, cameras, and people who instead of a hand offer a hug.

Everything said or written demands responsibility, which increases with the potential consequences the words might cause. And when these words are the tissue from which we knead content that will be legally binding in a form of a legal norm, such responsibility is justified.



## Karen Banks, LL.M.

former Deputy Director-General of the Legal Service of the European Commission In the period from 1983 until now, when new life achievements await her, she worked in different legal fields and spent the majority of her career working for the institutions of the EU.

Her experience and the insight open doors into the world where politics and legal rules that dictate actions of the Member States and their citizens are created. Hence, one should not miss the opportunity to listen very carefully to what she has to say.

I think we can say that although EU law does not in any way want to replace all national procedural rules or determine what courts should be competent for what kind of matter it is still the case that the nature of EU law and certain specific rules like the question of judicial independence have nevertheless considerable implications for national justice systems.



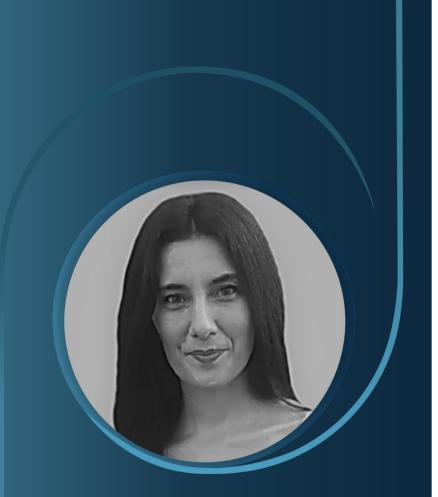
#### Dr. Katarina Vatovec

Assistant Professor at the Faculty of Government and European Studies and European Faculty of Law (Nova univerza) She works in academia whilst at the same time, as an adviser at the Constitutional Court, she is in contact with the review of legislation, the constant attempt of the latter to reinterpret constitutional principles and find new ways.

In essence, a lawyer, but with a broader insight and view of the ingrained and often cumbersome mechanism, she seeks and explores attempts to expand the binding legal framework with a so-called soft law, which by its interpretive nature is becoming a category that not only helps with understanding but gives meaning to the rules. With its elusive legal nature, often non-existence in the languages of the Member States, and with the diversity of names given to it, it introduces elements into the already furrowed field of EU law that significantly co-shape the national legal landscape.



It is characteristic of the EU that crises are the driving force behind its progress. They allow it to upgrade its political role and institutional structure.



## Mira Radulović

Head of the Unit for alignment of legislation in the field of political system and social services, European Integration Office, Montenegro She gives an impression that law is a game in which despite an unpromising starting point one always strives for victory.

In a small team of big enthusiasts, she revises the transposition of EU legislation into the national legislation and the compliance of the latter with the EU law. Years go by, hope remains and with it an immense will to seek solutions and help whenever a seemingly hopeless situation arises.



The starting point of all achievement is DESIRE. Keep this constantly in mind. Weak desire brings weak results, just as a small fire makes a small amount of heat. (N. Hill)



## Dr. Matej Accetto

Constitutional Court judge at the Constitutional Court of the Republic of Slovenia He assesses questions of EU law, fundamental rights and freedoms, (constitutional) judicial protection and citizenship, from different aspects, engaging on a research, pedagogical and judicial level.

His research on and of law is limitless.

The knowledge and insights he acquired and shared at universities and institutes around the world are read as a travelogue: Tokyo, Kyoto, Beijing, Irkutsk, Kőszeg, Ljubljana, Lisbon, Cambridge, Copenhagen, Graz, Kaunas, Bihać, Lugano, Reykjavík ... He sharpened his view of law in many domestic and international projects, in the company of eminent Slovenian and foreign judges, lawyers, professors, academics.

Yes, that's how the law is – sometimes it seems limitless in its effects, but other times it turns that limitless is only the imagination of those who seek its help ...



## Dr. Gordana Lalić

Head of the Division for Non-Commercial Activities at the Office for Legislation of the Government of the Republic of Slovenia Anyone who thinks the law can't be refined hasn't met her yet.

Her flow of thought always finds a wording that is relentlessly focused on a comprehensible, fair and comprehensive (legal) solution. She does not skimp on words, but chooses them carefully and distributes them subtly, which makes her views benevolently flexible, but far from submissive.

Her life, work, articles and lectures are variations on the theme of use of language. Nevertheless, scenes captured through a lens that her travelling soul never really puts down, and invisible to the eyes of most passers-by, need no explanation.



Words are important, but I am afraid they are too weak a weapon in this war. One should grab for something else! And yet words, these little black bugs, are the only weapon we have.



## Andrej Kmecl

judge at the Supreme Court of the Republic of Slovenia

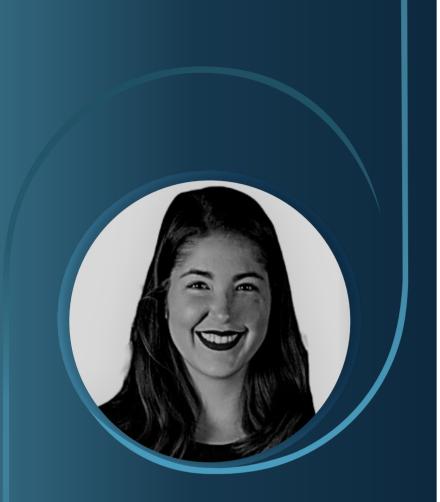
He is a judge with exceptional legal reach and a sense of people. In addition to his judicial function, which he initially performed in the field of criminal law, and since 2006 in the field of administrative law, he has been involved in numerous projects dealing with the IT support of courts and judicial education and formation.

Prior to the accession of the Republic of Slovenia to the EU, he was responsible for the implementation of the training programme for judges on EU law and thus contributed to the readiness of the Slovenian judiciary for new challenges.

He is Vice-President of the Association of European Administrative Judges (AEAJ), Member of the Board of Trustees of the Academy of European Law (ERA), and co-author of the commentaries on Administrative Dispute Act and General Administrative Procedure Act.



Justice has nothing to do with what goes on in a courtroom; Justice is what comes out of a courtroom. (Clarence Darrow)



# Živa Jakšić Ivačič

special and rehabilitation pedagogue, tutor, volunteer, author and activist She is a person who makes you become aware of the fact that time and energy are something that defines and enriches us. The world can be beautiful if we strive for it, if we work actively in this direction and if we turn dreams into reality.

She is the main author and leader of an intergenerational and multidisciplinary group of volunteers who, in a multi-year project, adapted the Constitution of the Republic of Slovenia into an easy-to-read and understandable form for all who have difficulty reading or have difficulties with understanding the written texts. As a speaker, she presented her dreams of a world in which information is written in such a way that we can all understand them, and the book Easy-to-Read Constitution of the Republic of Slovenia at this year's event TEDxUniversityofLjubljana.

We all have our own views on how our country's system could be regulated in a better way and we all can get angry on Twitter about it. The question is whether you actually actively participate towards making it better.



# Ana Stanič, LL.M.

lawyer and the founder of the law firm E&A Law in London She is an internationally renowned expert in international law, EU law and energy law, with degrees in law and in banking. Since 2019, she has been a member of the Hague Arbitration Court.

Curiosity and a desire to understand the differences between nations and countries, as well as critical thinking and the ability to argue the near impossible, are her tickets to counselling, representation and lecturing in the name of world openness and the rule of law.

Her home has no address – her home is the people she meets on her travels. A vagabond and a cosmopolitan in one, who from an early age believes that rules should apply equally to all.

99

Short-term personal interests of politicians are what lead us to long-term change.



## Dr. Aleksandra Cavoski

Professor at Birmingham Law School She grew up in an intellectually stimulating environment. Her academic path started in Belgrade and from 2012 continues in Birmingham. She works in the field of environmental law and EU law, including certain aspects of public international law.

She is interested in different aspects of the law and is especially keen on exploring its interconnection with other disciplines, amongst them language. She is actively following the preparation of the translations of the EU law into the languages of the Western Balkans, focusing on how the translation deals with different legal cultures.



The interaction between law and language was always considered to be a part of the process of globalisation. [...] the EU represents an amalgam of different cultures and legal traditions which have a profound impact on translation. Hence, legal translation becomes an Achilles heel of this process.



## Dr. Anamarija Patricija Masten

Head of the Division for European Affairs and Informatisation of Legislative Procedures at the Office for Legislation of the Government of the Republic of Slovenia She is someone who lives the law and lives life alongside it.

Her main characteristics are curiosity, insight and diversity. She upgrades law with what is right, as she stands for fundamental values of humanity and views people not only as a bunch of individuals, but as beings with rights, beings who regardless of their personal characteristics and circumstances deserve equal treatment.

Unlike the usually narrowly oriented lawyer, her basic feature is a holistic view of the creation and application of law, which she profoundly embraces from a substantive and technical aspect.

EU [...] needs innovative mechanisms. However, this innovation must also be accepted, above all, at Member States' level, as the creation of legal order and the design of value systems irrespective of and without the consent of the pillars, i. e. Member States and their citizens, lead to a democratic deficit and distance European citizens from any affection towards the EU itself and the implementation of its policies.



## Fernando Nubla Durango

IT Project Manager at European Commission

He finished studies at the University of Deusto (Bilbao, Spain) and received a Master's degree in Informatics Engineering.

He has a solid background on software design and development of IT solutions. As a connoisseur of different Information and communications technologies, he conscientiously and professionally transmits his knowledge and experience onto the younger generations.

As from 2019, he is the leading force of the project LEOS an open source solution that is designed to make legislation drafting more efficient and to help those involved in this process by facilitating efficient online collaboration.

When not in the world of informatics, he enjoys photography.



His commitment and positive attitude are two of his most valuable characteristics, and added to his tech skills, makes Fernando an important asset of any project team. (Asier Del Pozo Uriarte)



# Dr. Aleš Završnik

director of the Institute of Criminology at the Faculty of Law in Ljubljana As full professor of criminology at the Faculty of Law of the University of Ljubljana, author of many scientific books and the leader of numerous research studies on the far-reaching effects of information technology on society, he uncovers the dangers, ethical and legal dilemmas of data surveillance and legal automation.

His interdisciplinary study of topics at the intersection of law, information technology, crime, and social control merges with ethical dilemmas, human rights, and universal social values.



Democracy or algocracy: from the rule of law to the rule of algorithms?



## Dr. Monica Palmirani

full Professor of Computer Science and Law at Bologna University, School of Law Her field of research is in Legal Informatics; in particular, she is an expert of XML techniques for modelling legal documents both in structure and legal knowledge aspects, including normative rules. She is proficient in Legal Drafting techniques supported by ICT.

She participates in numerous international projects in which, by applying modern and innovative approaches, new models and applications for a digitalized use and understanding of law are developed in order to enable the legal profession to act accordingly in the world of ever changing and hardly tenable increasing number of data and information.

She is a member of the Centre for Research in the History, Philosophy, and Sociology of Law and in Computer Science and Law of the Alma Mater Research Institute for Human-Centered Artificial Intelligence.

In one of the most celebrated 2014 John Klossner's cartoons [...] the husband resignedly says to his wife: 'We have to go out for dinner. The refrigerator isn't speaking to the stove.' This is not a joke anymore, and neither is the possibility of connecting thousands of billions of devices that can literally speak to each other.



#### Dr. Benjamin Lesjak

Assistant Professor at the Faculty of Management, University of Primorska He is a lawyer and IT specialist and thus an indispensable interlocutor in the search for legal solutions to the information society. At different higher education institutions, he participates in subjects which link the law to advanced technologies and protection of personal data.

His mission encompasses awareness of the safe use of the internet and mobile devices, and the protection of privacy. For many years now, in cooperation with Safer Internet Centre, Safe.si, he has been conducting workshops and lectures for children, parents, teachers, professionals and the general public, where he very clearly and in a subtle manner takes us through the traps of excessive and unbridled digitalization.



It's amazing what people can do online to fascinate and how boundless human stupidity is.



## Dr. Maja Brkan, LL.M.

Judge at the General Court of the European Union In her rich career, she has worked in various roles: as a judge, researcher, professor, member of projects and editorial boards, head of study programmes, lecturer, author of books, scientific publications and articles.

Her research and practical work covers a wide range of legal aspects of European integration. She focuses on EU constitutional issues, in particular fundamental rights' issues, which she addresses from a theoretical point of view as well as from the point of view of new technologies.

She can impress and persuade many – not only because of her exceptional knowledge of the content she tackles, but also because of the languages in which she can address you.



Artificial Intelligence (AI) is expected to be the major trigger for the 'fourth industrial revolution' that is predicted to change the way our society functions and how humans relate to each other, to alter the job market and job demands as well as the entre industries which will take the path of digitalisation.



# Peter Goldschmidt

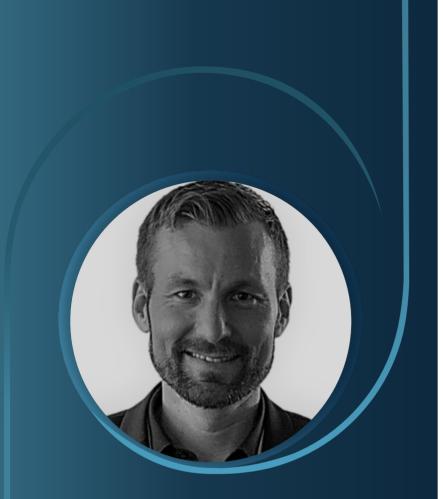
Head of Institutional Relations, EIPA Luxembourg His leadership of European Centre for Judges and Lawyers for 17 years has reinforced EIPA's reputation as a leading European-level provider of EU law and judicial training, advisory activities and projects for the administrations and legal professions mostly in the EU Member States and EU institutions.

Throughout his career, he has dealt extensively with EU matters at various levels, including articles, studies, papers and active involvement in workshops and practical guides related to implementation of EU policies and law.

Strong belief in knowledge and understanding is his focal point when linking EU and national legislation, aiming at improving the application of EU Law, considering as many dimensions and challenges as possible.



It is beyond a doubt that all our knowledge begins with experience. (Immanuel Kant)



## Mag. Matej Golob, MBA

partner in CorpoHub, experienced speaker, moderator and mentor He is a pioneer of lean and agile innovation in Slovenia, entering the world of unpredictable and complex work environments on a daily basis, where with a mixture of innovative methodologies from design thinking, lean startup to scrum he leads teams to meaningful and effective solutions, mutual understanding and the use of team potential.

Sharp-tongued, he argues that experience doesn't come overnight and that every day is an opportunity to learn and push boundaries. With zeal, enthusiasm and pride, he reveals the events and circumstances from the times when he was the IBM executive or driving force of TEDx Ljubljana events or when he broke new ground of the company 30Lean startup, and especially the lessons of stories he wrote or co-created.

If you can do better, you must.