

WINTER ELSA LAW SCHOOL "WELS NIŠ" 2024

UDC 378.147.336:34](497.11 Niš)"2024"(049.32)


371.336:34](497.11 Niš)"2024"(049.32)

34:061.2(4:497.11 Niš)

Lenka Sekulić, Vuksan Jovanović, Nađa Milić

The European Law Students' Organization (ELSA) Niš, Republic of Serbia

ORCID iD: Lenka Sekulić

 <https://orcid.org/0009-0001-6267-425X>

Vuksan Jovanović

 N/A

Nađa Milić

 N/A

Abstract. *In this report, we present the results achieved in the Winter ELSA Law School (WELS) Niš, organized in the period from 18 - 25 February 2024 by ELSA Niš. The WELS project aims to allow students from various European countries to acquire new knowledge from different spheres of legal life, make new friendships, and connect with other young lawyers across Europe. The local group ELSA Niš organized this event for the first time in February 2024. In addition to the rich academic program on the topic of "Business Law and IT Law" prepared for the WELS Niš participants, the local group ELSA Niš managed to present the City of Niš and the Serbian culture to our friends from all over Europe. During the five-day event, held on the premises of the Science and Technology Park Niš and the Faculty of Law, University of Niš, our lecturers covered a range of topics which included: the legal framework of information technologies in the European Union, the legal regulation of blockchain technology, strategies for the defense of a joint-stock company against a hostile takeover, the phenomenon of mass tort claims, and many more up-to-date topics in the sphere of Business Law and IT Law. The lecturers who generously participated in the WELS Niš are prominent experts in their fields, including well-known lawyers, businessmen, and professors from the Faculty of Law, University of Niš.*

Key words: *ELSA Niš, WELS Niš 2024, commercial law, IT law, intellectual property, data protection, blockchain, digital currency, entrepreneurship.*

1. INTRODUCTION TO THE ELSA ORGANISATION AND THE WELS PROJECT

The European Law Students' Organization (ELSA) is a non-profit, non-governmental organization that connects law students and provides them with opportunities to network, learn, and grow in an uplifting and multicultural environment. Through various ELSA projects, its members can gain practical knowledge not only on law and similar topics but

Received April 10th 2024 / Accepted April 12th 2024

Corresponding author: Lenka Sekulić, European Law Students' Organization (ELSA) Niš, Republic of Serbia, e-mail: lenkasekulić55@gmail.com

also on project management, marketing, etc., and thus expand their horizons beyond the books they read in the course of academic law study. In addition, it enables students not only to meet each other but also to meet prominent legal experts. While the impact on its members is immeasurable, the ELSA also has a considerable impact on other students who are not its members. It aims to build the practical and theoretical knowledge of all law students, and it fulfills this aim by organizing international law schools, lectures, webinars, and much more.

The Winter ELSA Law School (WELS) is a project delivered in many European countries by various local ELSA groups. It is a week filled with lectures on specific subjects, cultural exchange, and networking of law students from all over Europe. It aims to promote multiculturalism and provide young people from different countries with expert knowledge in a field of law they are interested in but which is not extensively covered in their studies.

The local group ELSA Niš had the opportunity to organize this project for the first time in the period from 18th to 25th February 2024, and we hope that it will become an annual event. We were delighted to host a diverse group of 19 participants from 15 different countries: Austria, Azerbaijan, Belgium, Bulgaria, France, Finland, Greece, Hungary, Italy, the Netherlands, Poland, Portugal, Switzerland and Spain. The participants differed not only in terms of their cultural background but also in terms of age and personality, which contributed to the ultimate value of this project for all participants. The project was realized in partnership with the Science and Technology Park Niš, the Serbian-Korean Information Access Center, and the Faculty of Law, University of Niš. At the opening ceremony, after the ELSA Niš representatives presented the project, the Vice-Dean of Studies at the Faculty of Law, University of Niš, Prof. Dejan Vučetić (LL.D.), introduced the participants to the Law Faculty Niš and the programs it offers, with particular reference to the Master degree program “Law and IT,” as a new Master degree program which has been offered since 2021.

In this report, the authors will briefly present the content of lectures given at the WELS Niš 2024 and the academic value the participants received from the WELS Niš project.

2. LECTURE 1: THE MARKET AND COMPETITION

Nebojša Miljanović is the founder and the CEO of RPS *Audit & Consulting* company Belgrade, and the CEO/CFO at RIČ company Prokuplje. Mr. Miljanović is also a licensed, authorized auditor at the Serbian Chamber of Authorized Auditors, and a financial/business advisor with over 22 years of experience. He has extensive knowledge of audit, finance, business advisory and operational management, with confirmed market success and positive customer feedback scores. He has significant experience with international clients and investment funds operating in Serbia. The Serbian Commercial Courts hire Mr. Miljanović as an independent consultant for control and overview of the reorganization plan under the Serbian bankruptcy law.

At the beginning of the lecture, the lecturer introduced the WELS Niš participants to the business environment in Serbia. As most participants were from Western European countries, they were fascinated by the transition from a planned economy to a capitalist economy. The participants also had an opportunity to learn more about entrepreneurship in Serbia, and to examine the problems of entrepreneurs developing their businesses in Serbia. Mr. Miljanović also discussed certain specificities in our transition process compared to

other Eastern European countries. After explaining the transition process, the lecture focused on changing the business atmosphere, the new challenges faced by entrepreneurs, and the legal consequences of actions taken by the entrepreneurs.

3. LECTURE 2:

LEGAL FRAMEWORK OF INFORMATION TECHNOLOGIES IN THE EUROPEAN UNION AND THE PHENOMENON OF MASS TORT CLAIMS

Nebojša Stanković (LL.D.) is an attorney-at-law, with a Doctoral degree in International Law, on the topic "The Impact of Normative Regulation of Foreign Direct Investment in the sustainable development of Serbia." Among many professional accomplishments, he is the president of the Supervisory Board of the Bar Association of Serbia, judge of the Court of Honor of the Serbian Chamber of Commerce, ambassador of Serbia at the Global Blockchain Business Council (GBBC), member of the National Alliance for Economic Development (NALED), and an expert on the World Justice Project registered experts list (2014-2024). The World Bank has ranked his law firm in the Serbian experts list.

Mr. Stanković divided his lecture at the WELS Niš into two topics, and thus covered both principal topics: Business Law and IT Law. The first part of the lecture focused on the issue of mass (collective) tort lawsuits in our legal system, which was of great interest to the participants because many of them had not encountered this phenomenon in their legal systems. In the second part of the lecture, Mr. Stanković discussed the legal framework of information technologies in the European Union. The detailed explanations were supported by several examples on the functioning of this system, which enabled the participants to gain both theoretical and practical knowledge on this topic.

4. LECTURE 3:

BLOCKCHAIN LEGAL REGIME

Predrag Cvetković (LL.D.) is Full Professor of International Trade Law, Insurance Law, Foreign Trade and Foreign Investment Law, and Transportation Law at the Faculty of Law, University of Niš. His scientific interests include International Commercial Law, Foreign Investments Law, Public-Private Partnership regulation, regulation of international trade (CEFTA, WTO), and settlement of trade and investment disputes. Among many professional accomplishments, he is listed as an arbitrator of the Foreign Trade Arbitration Court at the Serbian Chamber of Commerce and Industry, an arbitrator of the Permanent Court of the Serbian Chamber of Commerce, and a member of the team representing Serbia in investment disputes. In recent years, Prof. Cvetković has focused his professional and academic activity on the relationships, intersections, and synergy between AI and Law. He teaches the course "Legal Framework for Distributed Ledger Technology and Blockchain", offered at the Master Study Program "Law and IT" at the Faculty of Law, University of Niš.

The regulation of Blockchain systems in law is one of the latest problems faced by lawyers worldwide. The system is still unknown to most of us, even though its regulation has become a priority nowadays. Prof. Cvetković's lecture on "Blockchain Legal Regime" helped us become better acquainted with this technology, its regulation and significant changes in the sphere of law. The participants were delighted to learn more about this topic and all the critical issues which are crucial for regulating this technology today.

5. LECTURE 4:

GDPR IN FOCUS: AN OVERVIEW OF THEORY AND PRACTICE

Aleksandra Jovanović is a Data Protection Supervisor at *Better Collective*, an international digital sports media company based in Denmark. After graduating from the Faculty of Law, University of Niš, obtaining an LL.M. degree in civil law in 2020, and completing her legal internship at a law firm, she pursued her international career by acting as a Data Protection Assistant (2020). Considering her longstanding interest in emerging technologies, this field appeared as the ideal intersection of law and IT. In an effort to expand her expertise in this field, she acquired the International Association of Privacy Professionals certification in 2023, and became a Certified Information Privacy Professional for Europe. Her professional development plans involve continued growth in Privacy program management, specifically focusing on digital advertising technologies.

Ms. Jovanović's lecture covered the basics of Data Protection, a vital topic among young lawyers and law students. The lecturer introduced the participants to the main principles and provision of the General Data Protection Regulation (GDPR) and explained how the GDPR compliance works in practice. The participants also had an opportunity to participate in an engaging and interactive case study. Working in groups, they could immediately apply the knowledge acquired in the lecture to real-life situations, which are quite common in many companies nowadays.

6. LECTURE 5:

DEFENSE STRATEGY OF A JOINT-STOCK COMPANY AGAINST A HOSTILE TAKEOVER

This lecture was given by Savo Vešković, Teaching Associate at the Chair of Trade Law at the Faculty of Law, University of Niš. The participants had an opportunity to gain new knowledge about defense tactics used by joint-stock companies against hostile takeovers. Mr. Vešković covered the following topics in detail: terminological differences between the basic terms in the process of a hostile takeover of a joint-stock company; the relationship between defense measures and the motives for taking control over the target company; the reasons for taking over the joint stock company; the most relevant classifications of defense measures; exact defense measures employed by the management of the target company. In this lecture, the participants gained new knowledge and tested their prior knowledge of Commercial Law.

7. LECTURE 6:

PRESENTATION OF THE JURISTSOFT COMPANY

The IT Company *JuristSoft* is a company which offers software solutions for automating business operations and HR processes. Its major product, "JuristBiro", is a program designed to help companies manage their employees and draft legal documents in accordance with the provisions of the Serbian Labour Act. The company is a member of the Science and Technology Park Niš. The *JuristSoft* legal team, including Aleksandar Janačijević, Milica Nikolov and Anđela Anđelković, presented the company's products and work ethic. They also illustrated how their software automates processes related to labor law and human resources (HR). In addition to providing practical examples on the functioning of legal rules within the business and IT law, the lecturers offered high-quality theoretical knowledge about the application of

labor law in Serbia. This lecture sparked the participants' interest in how legal and IT experts can cooperate to make a successful product. In addition, it demonstrated that law students should not see themselves only as lawyers and judges, and raised their awareness about the prospects of acting as legal practitioners in the IT sector.

8. LECTURE 7:

THE CENTRAL BANK DIGITAL CURRENCY IN THE CONTEMPORARY MONETARY LAW

Marko Dimitrijević (LL.D.) is Associate Professor at the Faculty of Law, University of Niš, and the Academic Coordinator of the Jean Monnet Module for European Monetary Law (2020-2023). He teaches European and International Monetary Law, Economic Policy for Lawyers, and the EU Law of the Economic System. He is an observer-member at the European Law Institute (ELI), University of Vienna (since 2017), and an international research fellow at the Information Society Law Center (ISLC) at "Cesare Beccaria" Department of Law, University of Milan (for 2022/2023). During his academic career, Prof. Dimitrijević developed scientific research in the field of monetary law at numerous prominent European scientific institutions.

Prof. Dimitrijević's lecture at the WELS Niš was essential as it set the foundation for understanding digital currencies within the framework of the World Bank, a topic which is not commonly covered in law school classes. Prof. Dimitrijević presented his research and reflections on the functioning of digital currencies in the contemporary monetary law. This lecture covered many vital concepts that help students understand the system of this renowned monetary institution.

9. LECTURE 8:

BASICS OF INTELLECTUAL PROPERTY AND LICENSING PROPERTY AND LICENSING AGREEMENTS: INSTRUMENTS TO UNLOCKING IP VALUE

Jovana Joksimović is an Attorney-at-law, with an LL.B. in International Relations, obtained at the Faculty of Law, University of Belgrade. She worked as a legal intern in a defense team before the ICTY Hague, a pro bono legal intern and a legal trainee. The areas of her specialization include Intellectual Property, Labor Law, Data Protection and GDPR. After taking a Data Protection Officer (DPO) course, Ms. Joksimović has been working as an IP Officer within the project "Technopark Serbia – boosting exports through technoparks". She is the author of many articles on IP rights and has been an IP lecturer, mentor and consultant on numerous projects.

In her lecture at the WELS Niš, Ms Joksimović provided an essential introduction to Intellectual Property, which was particularly valuable to those participants who have not had the opportunity to study Intellectual Property Law. The theoretical background was supported with relevant case law and practical examples from the industry. At the end of the lecture, the participants had an opportunity to apply the knowledge gained during the lecture by engaging in an IPM and Licensing simulation case.

10. LECTURE 9: INTRODUCTION TO THE SCIENCE AND TECHNOLOGY PARK NIŠ AND WORKSHOP ON PITCHING SKILLS

As a symbolic ending of the WELS Niš lecture week, the participants were addressed by Miloš Grozdanović, Assistant Director for Business Development of the Science and Technology Park in Niš. Given that more than half of the lectures were held at the Science and Technology Park Niš (STP Niš), this presentation was an opportunity to learn more about the history and significance of this institution for the business and IT scene in the City of Niš. After introducing the STP Niš, Mr. Grozdanović held a workshop on pitching in business contexts. Relying on this prior experience, he shared his expertise in the pitching skill in order to teach students how to pitch their ideas to the investors. The interactive workshop enabled the participants to work in groups and demonstrate their creativity while improving their public speaking and pitching skills.

11. CONCLUSION

The Winter ELSA Law School (WELS) Niš, organized by ELSA Niš in February 2024, was very insightful and beneficial both for the participants and the organizers. The participants gained essential knowledge and understanding of different fields of law relevant in the business and IT sector, presented by leading experts in those fields. The organizers and the participants had a unique opportunity to meet people from other cultures, which enhanced their cultural awareness and acceptance of other cultures and human diversity. They also had a chance to socialize, make friendships and enjoy the diverse cultural activities of the City of Niš. This project has contributed to placing the City of Niš on the European map and promoting the Faculty of Law in Niš and its academic study programs.

ZIMSKA ŠKOLA PRAVA "WELS NIŠ" 2024

U ovom izveštaju govorimo o rezultatima postignutim u okviru WELS Niš projekta. WELS Niš je zimska škola prava u organizaciji Evropskog udruženja studenata prava (ELSA) koja ima za cilj da omogući studentima iz različitih evropskih zemalja da steknu nova znanja iz različitih oblasti prava, sklope nova prijateljstva i povežu se sa drugim mladim pravnicima širom Evrope. Lokalna grupa ELSA Niš je u februaru 2024. godine po prvi put organizovala ovaj događaj. Pored bogatog akademskog programa iz oblasti trgovinskog prava i prava informacionih tehnologija koji smo pripremili za naše učesnike, uspjeli smo da na najbolji način predstavimo našu kulturu i lepotu našeg grad našim novim prijateljima. Tokom petodnevni predavanja, koja su održana u prostorijama Naučno-tehnološkog parka Niš i Pravnog fakulteta Univerziteta u Nišu, naši predavači su obradili niz aktuelnih tema: pravni okvir informacionih tehnologija u Evropskoj uniji, zakonska regulativa blokčejn tehnologije, strategija odbrane akcionarskog društva od neprijateljskog preuzimanja, fenomen masovnih odštetnih zahteva, itd. Predavači koji su velikodušno učestvovali u WELS Niš projektu su istaknuti stručnjaci u svojim oblastima, istaknuti pravnici, privrednici i profesori Pravnog fakulteta Univerziteta u Nišu.

Ključne reči: ELSA Niš, Zimska škola prava WELS Niš 2024, trgovinsko pravo, pravo informacionih tehnologija, intelektualna svojina, zaštita podataka, digitalne valute, blokčejn, preduzetništvo.