



Conference

»The Crisis of the Rule of Law«

5-6 February 2018

European Legal Studies Institute

The rule of law is not only a universal legal category, but also a political, sociological and philosophical concept. The political developments that have recently taken place in several Member States of the EU have brought the rule of law under the European spotlight. This conference will therefore focus on discussing the foundations of the rule of law, i.e. the functioning and the dilemmas of the judiciary (constitutional as well as ordinary courts), as well as the impact that the political changes have on the state's legitimacy. When is legitimacy based on a constitution exhausted, and does a »revolutionary« legitimacy then take over? What, in this case, should be the reaction of the EU? The future of the EU and its members will also be debated, considering the impact that the crisis of the rule of law has on their functioning, and the changes that are taking place in the democratic settings of EU Member States.

Time and place:

The conference will take place at European Legal Studies Institute, Süsterstraße 28, 49069 Osnabrück, on 5 and 6 February 2018.

Registration:

The conference is free of charge. As the number of participants is limited, early registration by E-mail at: lsschult@uni-osnabrueck.de is necessary. Participants will receive confirmation of the registration.

Contact:

If you have any questions concerning the conference, please contact **dr. Aneta Wiewiórowska**, E-mail: aneta.wiewiorowska@uni-osnabrueck.de, Tel.: +49 541 969 6098.



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Monday, February 5, 2018

11:00-11:30 **Get together and coffee**

11:30-11:50 **Welcome word, organisers and honorary guests**

11:50-12:25 **Introduction to the situation in Poland**

PD Dr. Peter Oliver Loew, Deputy
Director for Scientific Matters, Deutsches Polen-Institut, Darmstadt

12:25-12:50 **Introduction to the situation in Hungary**

Prof. Zoltán Fleck, Eötvös Loránd University

12:50-13:30 **Discussion**

13:30-15:00 **Lunch**

15:00-16:30 **Panel I: Constitutional courts: the dilemma of law and politics**

Chair: Prof. Thomas Groß, Dean of the Law Faculty, Osnabrück University

- Prof. Andrzej Rzepliński, former President of the Polish Constitutional Court
- Prof. Andreas Voßkuhle, President of the Federal Constitutional Court of Germany
- Prof. Constance Grewe, former Member of the Constitutional Court of Bosnia Herzegovina

16:30-16:45 **Coffee break**

16:45-18:15 **Panel II: Judges of general jurisdiction courts: the limits of independence, democratic accountability and legitimisation**

Chair: Prof. Shimon Shetreet, Hebrew University of Jerusalem

- András Baka, former President of the Hungarian Supreme Court
- Prof. Emmanuel Cartier, University of Lille II
- Raffaele Sabato, Judge of the Italian Supreme Court

Tuesday, February 6, 2018

9:30-11:00 **Panel III: Legitimisation based on constitution and legitimisation through revolution**

Chair: Prof. Ninon Colneric, former Judge of the Court of Justice of the European Communities

- Prof. Wojciech Sadurski, University of Sydney
- Prof. Pal Sonnevend, Eötvös Loránd University Budapest
- Andras Sajó, former Judge of the European Court of Human Rights

11:00-11:15 **Coffee break**

11:15-12:45 **Panel IV: Post-revolutionary Europe?**

Chair: Prof. Andrea Lenschow, Director of the Jean Monnet Centre, Osnabrück University

- Prof. Marek Safjan, Judge of the Court of Justice of the European Union
- Prof. Martin Kuijer, the Venice Commission
- Pavel Rychetský, President of the Czech Constitutional Court

12:45-13:30 **Concluding speech**

PD Dr. Mattias Wendel, Freie Universität, Berlin

13:30-15:00 **Lunch**