

# International and European law and the challenges to the rule of law



Scientific committee :

**Iulia MOTOC**

Judge, ECHR

**Alina MIRON**

Professor, University of Angers

**14 December 2018, 10h-18h**

**European Court of Human Rights**

Allée des Droits de l'Homme, Strasbourg

Mandatory registration before the 4th of December 2018, by email to: Florian Moitrot : [florian.moitrot@etud.univ-angers.fr](mailto:florian.moitrot@etud.univ-angers.fr)

**09:00 – 10:00** Registration

**10:00** **Opening of the Conference**

**Iulia MOTOC**, Judge at the European Court of Human Rights

*General introduction*

**PANEL 1 : 10:30 – 11:30**

### **Challenges and safeguarding of the independence of justice**

**Chair: Branko LUBARDA**, Judge at the European Court of Human Rights

**Dean SPIELMANN**, Judge at the General Court of Justice of the European Union

*Le rôle de la Cour de justice de l'Union européenne pour la préservation de l'État de Droit*

**Stanislav SEVCHUK**, Chairman of the Constitutional Court of Ukraine

**Ida CARACCIOLO**, Professor of International Law at the Univ. of Naples

*UN Actions and Programs in Safeguarding the Independence of Judges*

**Ioan Florin STRETEANU**, Dean of the Faculty of Law Babeş-Bolyai University, Cluj-Napoca

*Le rôle de la Cour constitutionnelle dans la sauvegarde de l'efficacité de la justice pénale. L'expérience roumaine*

**Armen HARUTYUNYAN**, Judge at the European Court of Human Rights

*Independence of judiciary within the political dimension*

**Discussion**

**Coffee break: 11:30 – 12:00**

**PANEL 2 : 12:00 – 13:00**

**Freedom of expression and media pluralism**

**Chair: Işil KARAKAŞ**, Judge at the European Court of Human Rights

**Ivana JELIĆ**, Judge at the European Court of Human Rights

*Importance of respect of freedom of expression and media pluralism in a country in transition*

**Silviu ROGOBETE**, Professor at the West Univ. of Timisoara

*Unmasking "Illiberal democracy": authoritarian populism and media control*

**Alina MIRON**, Professor of International Law at the Univ. of Angers

*Protection de l'indépendance journalistique et du pluralisme des médias dans la jurisprudence des cours régionales*

**Discussion**

**13:00 – 14:30 Lunch**

**PANEL 3 : 14:30 – 15:30**

**Defending the Rule of Law in emergency regimes**

**Chair: Krzysztof WOJTYCZEK**, Judge at the European Court of Human Rights

**María ELÓSEGUI**, Judge at the European Court of Human Rights

*The impartiality of judges in the jurisprudence of the ECHR: the case Baka v. Hungary*

**Christina BINDER**, Chair for International and Human Rights Law at the Bundeswehr Univ. of Munich

*Defending the rule of law in emergency regimes: an inter-american perspective*

**Dmitry DEDOV**, Judge at the European Court of Human Rights

*Fair trial for political activists*

**Luis Miguel HINOJSA MARTÍNEZ**, Chair of International and European Law at the Univ. of Granada

*EU sanctions and the rule of law*

**Peggy DUCOULOMBIER**, Professor of public law at the Univ. of Strasbourg  
*Défense de l'Etat de droit dans les régimes d'exception: l'exemple récent de la France sous l'état d'urgence*

### **Discussion**

**Coffee break**

### **PANEL 4 : 16:00 – 17:30**

#### **What normative and institutional remedies against the weakening of the rule of law?**

**Chair: Péter PACZOLAY**, Judge at the European Court of Human Rights

**Ledi BIANKU**, Judge at the, European Court of Human Rights  
*Subsidiarity in the age of Strasbourg*

**Robert SPANO**, Judge at the European Court of Human Rights  
*The Rule of Law and the ECHR Principle of Subsidiarity*

**Jean D'ASPREMONT**, Professor of International Law at the Univ. of Manchester  
*L'évolution des discours sur la démocratie en droit international*

**Radu CARP**, Political Science and Law Professor at the Univ. of Houston  
*Always a missed opportunity? An EU mechanism on democracy, the rule of law and fundamental rights*

**Vladimíra PEJCHALOVÁ-GRÜNVALDOVÁ**, Professor at the Univ. of West Bohemia  
*The rule of law and property*

**Linos-Alexandre SICILIANOS**, Judge and Vice-President of the European Court of Human Rights  
*General conclusions*

**18:00 Close**