



CHALLENGING EU COUNTER-TERRORISM MEASURES THROUGH THE COURTS

Friday 19 December 2008
Sala Europa, Villa Schifanoia
European University Institute, Via Boccaccio 121, Florence

Workshop organized by Prof. Marise Cremona, Prof. Francesco Francioni and Dr. Sara Poli
with the support of the Academy of European Law
and of the European Commission DG Research within the Marie Curie Fellowship program

9.30 WELCOME: Prof. Marise Cremona and Prof. Francesco Francioni, EUI

9.45 INTRODUCTION

Dr. Sara Poli, Marie Curie Fellow (EUI) and University of Rome Tor Vergata: *The legal issues addressed in the workshop*

10.00 SESSION 1

THE CONSTITUTIONAL IMPLICATIONS OF RECENT CASE-LAW ON EU COUNTER-TERRORISM

Chair: **Prof. Giorgio Gaja**, University of Florence and member of the UN ILC

Prof. Christian Tomuschat, Humboldt University of Berlin: *The Kadi cases: what is the relationship between the universal legal order under the auspices of the United Nations and the EU legal order?*

Dr. Nikolaos Lavranos, EUI: *The impact of the Kadi judgment on the international obligations of Member States and the EU*

11.00 Discussion

11.45 coffee-break

12.00 SESSION 2 – FIRST PART

THE IMPLICATIONS FOR EU LAW OF RECENT CASE- LAW ON EU COUNTER-TERRORISM MEASURES

Chair: **Prof. Christian Tomuschat**, Humboldt University of Berlin

Prof. Marise Cremona, EUI: *EC/EU competence and EU counter-terrorism measures*

Prof. Riccardo Pavoni, University of Siena: *The lack of direct effect of UN Security Council resolutions in the ECJ Kadi judgment*

13.00 lunch break for speakers and chairpersons – Sala Bandiere



14.30 SECOND PART

Prof. Takis Tridimas, Queen Mary, University of London: *The place of fundamental human rights in the hierarchy of EU legal norms.*

Prof. Annalisa Ciampi, University of Verona: *The potentially competing jurisdiction of the European Court of Human Rights and the European Court of Justice*

Prof. Francesco Francioni, EUI: *The vicissitudes of the individual right of access to justice*

15.30 Discussion

16.00 coffee break

16.30 SESSION 3

THE IMPACT OF RECENT CASE-LAW ON EU COUNTER-TERRORISM MEASURES ON THE UN SYSTEM OF ANTI-TERRORISM SANCTIONS

Chair: **Prof. Francesco Francioni**, EUI

Prof. Luigi Condorelli, University of Florence: *Le Conseil de Sécurité est-il lié au respect de droits de l'homme ?*

Prof. Martin Scheinin, EUI: *Prospect of introducing fair and clear procedures, including human rights protections, into the UN sanctions mechanism*

17.30 Discussion

19.30 Dinner for speakers and chairpersons