

Working Group

Human and Fundamental Rights Working Group

Department of Law, European University Institute

ABSTRACT

The Human and Fundamental Rights Working Group provides a forum for researchers to discuss issues related to the protection of human rights at domestic, regional and international levels. As of April 2019, this Working Group combines the former Fundamental Rights Working Group (established in May 2011) and the [Human Rights Working Group-Law](#) in Action Project (newly relaunched in April 2018). The Working Group organises ad hoc events with invited external and internal speakers, and welcomes EUI researchers' presentations.

It also provides an informal forum for discussing ideas, papers and case law through monthly meetings of its members. Our ambition is to keep track of the latest international and European legal developments and to contribute to research on human rights protection carried out in various forms at the EUI's LAW Department and beyond.

The group is grateful for the support of **Prof. Sarah Nouwen**

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PAST EVENTS

Activities 2021-2022

A. Presentations

- 16 November 2021: Balancing Buyer and Supplier Responsibilities: Model Contract Clauses to Protect Workers in International Supply Chains, Version 2.0., presentation by David Snyder. Discussant: Rebecca Ravalli.

- 29 November 2021: Justice, Individual Empowerment and the Principle of Non-Regression in the European Union, presentation by Dora Kostakopoulou. Discussants: Lucía López Zurita and Marc Steiert. Joint event with the European Union Law Working Group.
- 9 February 2022: Smart Human Rights Integration, presentation by Eva Brems. Discussant: Raghavi Viswanath. Joint event with International Law Working Group.
- 3 March 2022: The Polish Constitutional Tribunal's latest rulings concerning the compatibility of the ECHR with the Polish Constitution, presentation by Adam Ploszka. Discussant: Julian Scholtes.
- 20 May 2022: What Counts as Justice and Who Gets to Decide? Peoples' Tribunals and the Search for Accountability, presentation by Carla Ferstman. Discussant: Dilek Kurban.
- 2 June 2022: Global Citizenship and the Right of Access to Justice: Adapting T.H. Marshall's Ideas to the Interconnected World, presentation by Marina Aksenova. Discussant: Susi Forderer. Joint event with the Constitutionalism and Politics Working Group.
- 10 June 2022: What is dialogical about human rights adjudication?, presentation by Julen Etxabe. Discussant: Jasmine Sommardal. Joint event with the Constitutionalism and Politics Working Group.
- 13 June 2022: TEMPTATION on the empirical turn in international law scholarship, presentation by Jakob v. H. Holtermann and Martin Lolle Christensen.

B. Workshops

- 11 October 2021: Rethinking Cultural Diversity: Discrimination and Difference in Europe and Beyond, the WG hosted an online panel discussion by EUI researchers at the Fundamental Rights' Forum 2021 organised by the EU's Fundamental Rights Agency (FRA).
- 1 April 2022: Human and Fundamental Rights Working Group's Researchers' Workshop 2022, hosted a workshop involving presentations by EUI researchers and the discussion of their work.
- 13-14 June 2022: How do we know what is true in the field of law?, hosted a workshop involving panel discussions on legal epistemology involving presentations by EUI and other universities' researchers and professors. Joint workshop with the Legal and Political Theory Working Group.

C. General Meetings

- 27 September 2021: General Meeting of the Human and Fundamental Rights

Working Group.

- 22 November 2021: General Meeting of the Human and Fundamental Rights Working Group.
- 18 January 2022: General Meeting of the Human and Fundamental Rights Working Group, including the presentation of the Ventotene Project on the History of Fundamental Rights in Europe 1789-2021 with representatives of the Italian state authorities.

D. Other activities

- December 2021 – ongoing: Coordination for the formation of a researchers' team for the Santo Stefano ('Ventotene') Project run by the Italian State (in collaboration with the HAEU).

Activities 2020-2021

- 8 June 2021: An Emerging Human Right to Protection against Unjustified Dismissal, with Hugh Collins, co-organised with the Private Law Working Group
- 25 May 2021: Holding EU Agencies Accountable for Escapes from EU Law: The Case of Migration, with Luisa Marin and Omer Shatz. Co-organised with the Migration Working Group. Moderator: Diego Ginés.
- 18 May 2021: Regular meeting of the Human and Fundamental Rights Working Group
- 09 April 2021: [Book launch: Professor Gráinne de Búrca - Reframing Human Rights in a Turbulent Era](#), co-organised with the Constitutionalism and Politics Working Group
- 08 April 2021: [Researchers' Workshop 2021](#)
- 18 March 2021: [Gender pay gap in Europe](#)
- 17 December 2020: [Pushing the boundaries of your PhD? Applying socio-legal and empirical approaches to law](#)
- 14 December 2020: [Regulating Human Rights Due Diligence Processes – A Matter of Duty? Presentation by Leonard Feld. Discussant: Dr. Lia Heasman \(University of Helsinki\).](#)
[Moderator: Jasmine Sommardal](#)
- 10 December 2020: [Exploring all avenues on Human Rights Day: Methods and Methodology in Human Rights Research. Presentations by Yussef Al-Tamimi, Rebecca Munro, Matilda Merenmies and Helga Molbæk-Steensig. Moderator: Jasmine Sommardal](#)

- 1 December 2020: [Social Europe and Low-Wage Workers, Post-Crisis: The Renewed Case for EU-Level Collective Bargaining](#). Presentation by Pascal McDougall (Sciences Po, Paris and Harvard Law School). Discussant: Nastazia Potocka-Sionek. Moderator: Jasmine Sommardal
- 19 November 2020: [Distributive and Relational Discrimination](#), presentation by Rona Dinur, co-organised with the Legal and Political Theory Working Group
- 16 November 2020: [Limits of Supranational Justice: The European Court of Human Rights and Turkey's Kurdish Conflict](#). Presentation by Dr. Dilek Kurban (Hertie School of Governance). Co-organised with the Constitutionalism and Politics Working Group
- 5 November 2020: [Regular meeting of the Human and Fundamental Rights Working Group](#)
- 19 October 2020: [Redistributive Wars](#), presentation by Dr. Lonneke Peperkamp. Discussant: Pavel Skigin. Moderator: Jasmine Sommardal. Co-organised with the Legal and Political Theory Working Group.
- 13 October 2020: [Social origin as a discrimination ground under Article 14 ECHR](#), presentation by Dr. Amalie Frese. Discussant: Matilda Merenmies. Moderator: Jasmine Sommardal.
- 6 October 2020: [The European Commission Proposal for a New Pact on Migration and Asylum: Legislative Uncertainties and Operational Pitfalls](#), discussion with Prof. Dr. Daniel Thym. Moderator: Jasmine Sommardal. Co-organised with the Migration Working Group.
- 9 September 2020: [Regular meeting of the Human and Fundamental Rights Working Group](#).

Activities 2019-2020

- 18 June 2020: “The Blind Letters: Women’s Access to Transitional Justice” presentation by Noemí Pérez Vásquez. Discussant: Dr. Daniela Alaattinoğlu. Moderator: Matilda Merenmies.
- 15 June 2020: Regular meeting of the Human and Fundamental Rights Working Group.
- 4 June 2020: Rehearsals of May Paper Defences for first year PhD researchers. Panelists: Anna Krisztián, Ihintza Palacin Mariscal and Janneke van Casteren.
- 22 May 2020: Regular meeting of the Human and Fundamental Rights Working Group.

- 24 February 2020: "Are There Global Obligations to Assist in the Realization of Socio-Economic Rights?" presentation by Elena Pribytkova. Discussant: Maria Kotsoni. Moderator: Jasmine Sommardal. Co-organized with the International Law Working Group.
 - 5 February 2020: Regular meeting of the Human and Fundamental Rights Working Group.
 - 10 December 2019: "Human Rights Day: Academics and Human Rights Careers". Speakers: Martin Scheinin, Elena Pribytkova, Giovanna Gilleri. Moderator: Anna Krisztian.
 - 14 October 2019: "The New Generation of Conscience Objections in Legal, Political, and Cultural Context". Speakers: Susanna Mancini, Michel Rosenfeld. Moderator: Gabor Halmai. Co-organised with the Constitutionalism and Politics Working Group and the Legal and Political Theory Working Group.
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Activities 2018-2019

- 12 June 2019: Workshop on "Language Rights in Europe: Current and Future Challenges". Speakers: Anna Krisztian (EUI), Stefaan van der Jeught (Court of Justice of the European Union/Vrije Universiteit Brussel), Timothy Jacob-Owens (EUI), Rob Dunbar (University of Edinburgh), Ihintza Palacin Mariscal (EUI), Eduardo Ruiz Vieytes (University of Deusto, Bilbao). Moderators: Bruno de Witte and Gabor Halmai. Co-organised with the Constitutionalism and Politics Working Group.
 - 2 May 2019: State of the Union, Panel on the "Charter of Fundamental Rights of the EU: 20 years after its proclamation and 10 years after its entry into force as law". Speakers: Michael O'Flaherty (Director, EU Fundamental Rights Agency), Allan Rosas, Judge (Court of Justice of the European Union), Silvana Sciarra (Judge, Italian Constitutional Court) and Sonya Walkila (Senior Adviser, Legislative Affairs, Ministry of Justice, Finland). Moderator: Sophie Duroy.
 - 21 March 2019: Book launch: "EU Anti-Discrimination Law Beyond Gender". Speakers: Dr Uladzislau Belavusau, Dr León Castellanos-Jankiewicz, Jeffrey Miller. Moderator: Giovanna Gilleri.
 - 10 December 2018: Human Rights Day: Sexual Violence - A Weapon of War? Panelists: Julie Wetterslev, Melanie Sauter, Marie Wilmet and Marina Aksenova. Film screening ('On her Shoulders'). Co-organised with the International Law Working Group.
 - 27 November 2018: EU Fundamental Rights and Artificial Intelligence: Reconciling the Irreconcilable? Speaker: Dr. Maja Brkan. Co-organised with the InfoSoc Working Group.
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Activities 2017-2018

- 21 May 2018: Discrimination as Stigma. Speaker: Iyiola Solanke. Discussant: Raphaële Xenidis. Chair: Lilla Farkas. Co-organised with the European Anti-Discrimination Law Working Group and the Human Rights Working Group.
 - 14 May 2018: The Legitimacy of the European Human Rights Regime – A View from the United Kingdom. Speaker: Tamás Győrfi. Discussant: Richard Bellamy. Co-organised with the Constitutionalism and Politics Working Group and the Legal and Political Theory Working Group.
 - 14 May 2018: When Women's Rights Are Not Human Rights: the Non Performativity of Equality for Survivors of Domestic Abuse in the Family Courts. Speaker: Shazia Choudhry. Discussants: Raphaële Xenidis. Co-organised with the Human Rights Working Group.
 - 5 March 2018: Undercover under Scrutiny: A Comparative Look at Undercover Policing in the United States, Italy, Germany and France. Speaker: Jacqueline Ross. Discussant: Martin Scheinin. Chair: Giovanna Gilleri.
 - 28 February 2018: The Forgotten Victims? Survivors of Involuntary Castration in the Nordic Countries. Speaker: Daniela Alaattinoğlu. Chair: Raphaële Xenidis. Co-organised with the LGBTIQ Interdisciplinary Working Group.
 - 23 November 2017: What Do We Owe To (Not So Distant) Strangers? Reflections on the ECtHR's Medical Expulsion Case-Law. Speaker: Charlotte Steinorth. Discussant: Paul McDonough.
 - 16 October 2017: Global Gay Governance. Speaker: Aeyall Gross. Chair: Giovanna Gilleri. Co-organised with the EUI International Law Working Group.
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Activities 2016-2017

- 8 June 2017: Detention and Deterrence: Australia's Asylum Seeker Policy; and Frontier Cities: Local Authorities and the Silence of International Human Rights Law. Speakers: Claire Higgins and Barbara Oomen. Chair: Lilian Tsourdi
- 1 June 2017: Extraterritoriality Online: The EU's Attempts at Setting a Global Data Protection Norm. Speaker: Mistale Taylor. Co-organised with the EUI International Law Working Group
- 22 February 2017: Constitutional and Political Debates on Reproductive Autonomy in Central and Eastern Europe: The Case of Estonia and Romania. Speakers: Liiri Oja and Elena Brodeala. Discussants: Sonia Ariza Navarrete. The event is co-organised with the EUI Constitutionalism and Politics Working Group
- 13 December 2016: Keeping Rights at Home: British Conceptions of Law and Compliance with the European Court of Human Rights. Speaker: Zoë Jay.

Discussant: Urška Šadl

- 23 November 2016: Freedom of Expression and Internet Service Providers after Delfi: Wherenow? Speaker: Eliška Pírková. Discussant: Gábor Halmai
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Activities 2015-2016

- 30 May 2016: Discussion: "My Most Difficult Interview: an interdisciplinary engagement with the art of interviewing". Speakers: Sophie Lemiere (Max Weber fellow); Katharina Lenner (Max Weber fellow); Lilla Farkas (Law researcher); Dieneke de Vos (Law researcher); Ieva Grumbinaite (SPS researcher); Emma Nyhan (Law researcher); Elena Brodeala (Law researcher); and Anna Kandyla (SPS researcher). Chair: Daniela Alaattinoğlu on behalf of the FRWG.
 - 21 March 2016: Why Not Abolish the Laws of Urinary Segregation? Presentation by Prof. MaryAnne Case (Chicago Law School).
 - 11 March 2016: Gender Constitutionalism and Conscience Wars: the scholarship of Prof. Reva Siegel.
 - 02 February 2016: Supporting the Ursula Hirschmann lecture, "Notorious RGB": a conversation with US Supreme Court Justice Ruth Bader Ginsburg, interviewed by Prof. Ruth Rubio-Marín.
 - 29 January 2016: The life and work of Justice Ruth Bader Ginsburg: awaiting the "notoriousRBG".
 - 30 November 2015: Discussion on "Bringing discrimination back into context: the potential of anti-stereotyping in the hands of judges" with Alexandra Timmer (Utrecht University Law School).
 - 29 October 2015: "The human rights of sex workers": where do we go from here? Speaker: Orit Kamir. Discussant: Elise Herting.
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Activities 2014-2015

- 26 May 2015: EU criminal law and legality principle: the desirability of the ECJ's approach to a primordial fundamental right. Speaker: Mikhel Timmerman.
- 09 April 2015: Sex(uality) and reproduction: evolution in human and fundamental rights law. Speakers: Paola Bergallo and Ruth Rubio-Marín. Discussants: Liiri Oja and Daniela Alaattinoglu.
- 23 March 2015: The autonomy of EU law vs. fundamental rights? Speakers: Martin Scheinin and Bruno de Witte.

- 25 November 2014: [CJEU ON SCIENCE AND THE HUMAN BODY'S REPRODUCTIVE FUNCTIONS MINI-SERIES](#): Giovanni Sartor and Stefano Osella on Case C-167/12, C.D. and Case C-363/12, Z - Surrogacy, Motherhood, Logic and the Right to Parental Leave.
 - 23 October 2014: [CJEU ON SCIENCE AND THE HUMAN BODY'S REPRODUCTIVE FUNCTIONS MINI-SERIES](#): Aurora Plomer on Advocate General Cruz Villalón's Opinion in Case C-364/13, International Stem Cell Corporation and Case C-34/10, Brüstle - Embryos, Patent and the Right to Human Dignity.
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Activities 2013-2014

- 29 May 2014: Pekka Pohjankoski - [Rights of Persons with Disabilities in the recent case-law of the CJEU](#) (with reference to Joined Cases C-335/11 and C-337/11, HK Danmark and Case C-363/12, Z).
- 30 April 2014: Pavlos Eleftheriadis - ['A Union of Peoples' - Moral and Political Principles that explain the Distinctness of the European Union](#). Discussants: Dennis Patterson and Loïc Azoulay. (Joint Event with the Legal Theory WG).
- 17 March 2014: William Phelan - [The Limited Practical Relevance of National Constitutional Rights as a Constraint on the National Application of European Law in the Early Decades of European Integration](#) - a political scientist's view.
- 25 February 2014: Maja Brkan - on Case C-131/12, Google Spain and Google - [Fundamental Rights and Information Technologies: Eternal Allies or Perpetual Enemies?](#)
- 24 February 2014: Gilles Trudeau - [When Fundamental Human Rights Meet Labour Law: The Nexus between Freedom of Association and Collective Bargaining in Canada](#).
- 27 January 2014: Gareth Davies on Case C-202/11 Anton Las - Proportionality and the Court of Justice
- 05 December 2013: AN AUTUMN OF SOCIAL RIGHTS series: [What is a Social Right in the EU?](#) - Silvana Sciarra, Sir Bob Hepple and Robin Gaddled on Advocate General Cruz Villalón's Opinion in Case C-176/12, Association de Médiation Sociale (Social Rights - Rights or Principles? A make or break for the social rights of the Charter).
- 14 November 2013: AN AUTUMN OF SOCIAL RIGHTS series: Equal Treatment in Employment and Occupation – Discrimination on Grounds of Sexual Orientation (Joint Event with the Gender, Race and Sexuality WG) - Marion Guerrero and Konstantinos Eleftheriadis on Case C 81/12, Asociația ACCEPT (Discrimination on grounds of sexual orientation, strategic litigation and football).

- 23 October 2013: AN AUTUMN OF SOCIAL RIGHTS series: [Social Rights Across the Life Cycle in the Midst of a Crisis](#) (three part series) 1. Entering the Labour Market – Nicola Countouris on Case C 290/12, Della Rocca (Precarious work and social rights) 2. Creating a Family - Marzia Barbera on Case C-7/12, Riezniece (The right to parental leave and “national economic difficulties”) 3. Getting Your Pension - Claire Kilpatrick on Case C 398/11, Hogan (Insolvent employers, pensions and economic crisis).
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Activities 2012-2013

- 18 April 2013: Joint event with the [RELEX WG](#), Joris Larik and Heko Scheltema, on [Case Nada v Switzerland ECtHR](#), Judgment of 12 September 2012, (the UN Security Council Resolutions and EU Law in the Light of the Accession of the EU to the ECHR)
 - 08 April 2013: [SPRINGTIME FOR EUROPEAN FUNDAMENTAL RIGHTS!](#) series, Daniel Sarmiento, on Case C-399/11 Melloni, Case C-917/10 Åkerberg Fransson (The horizontal provisions of the Charter in the context of constitutional pluralism)
 - 20 March 2013: [SPRINGTIME FOR EUROPEAN FUNDAMENTAL RIGHTS!](#) series,
 - Dominique Ritleng, on Case C-399/11 Melloni, Case C-917/10 Åkerberg Fransson (The scope of the Charter and its relationship with the ECHR)
 - 30 January 2013: Philippe De Bruycker, on Case C-357/09 PPU Kadzoev, C-61-11 PPU ElDridi and C-329/11 Achughbabian (Detention and removal of illegally staying third-country nationals)
 - 07 November 2012: Judy Fudge, on [Case C-147/08, Römer](#) (discrimination based on sexualorientation)
 - 05 November 2012: Alan Dashwood, on [Case C-34/09 Zambrano, C-254 Dereci and C-40/11 lida](#) (Fundamental rights and free movement - The perils of over-interpretation)
 - 24 October 2012: Giulio Itzcovich, on [Case of Lautsi and Others v. Italy](#), Judgment of 18 March 2011 (the ECtHR's Margin of Appreciation Doctrine)
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Activities 2011-2012

- 10 May 2012: Loic Azoulai, on the opinion of AG Bot in Case C-364/10, Hungary v Slovakia and the forthcoming Case C-286/12, Commission v Hungary
- 19 April 2012: Andrea Wechsler, on [Case C-360/10, SABAM](#)

- 15 March 2012: Eleanor Spaventa, on [Joined Cases C-411/10 and C-493/10](#), N.S. et M. E. and others
- 16 February 2012: Bruno De Witte, on [Case C-282/10, Dominguez and Case C-149/10, ZoiChatzi](#)