



European
University
Institute

MAX WEBER
PROGRAMME
FOR
POSTDOCTORAL
STUDIES

DEPARTMENT
OF LAW

ROBERT
SCHUMAN
CENTRE FOR
ADVANCED
STUDIES

Conference

CHALLENGES TO EU LAW AND GOVERNANCE IN THE MEMBER STATES

8 June 2018 | European University Institute

Badia Fiesolana, Emeroteca, Via dei Roccettini 9, San Domenico di Fiesole (FI)
Clara Rauchegger | Anna Wallerman

■ PROGRAMME

- 8.30–9.00 Registration
- 9.00–9.15 Welcome by **Deirdre Curtin** | EUI
- Introduction by **Clara Rauchegger** and **Anna Wallerman** | EUI
- 9.15–9.45 (EU Law) Scholarship in (Times of Permanent) Crises: Detached or Engaged?
Keynote speech by **Michal Bobek** | Court of Justice of the European Union
- 9.45–11.15 **Panel I | Addressing Fundamental Challenges by Eurosceptic Governments**
Chair: Clara Rauchegger | EUI
Does Government Euroscepticism Influence the Conduct of Infringement Procedures in the EU?
Dimitar Toshkov | Leiden University
What the EU Can, Should and Wants to Do Against Hungary? The Feasibility of Rule of Law Conditionality
Gábor Halmai | EUI
Poland's Defiance Against the CJEU in the *Puszcza Białowieska* Case
Przemysław Tacik | Jagiellonian University of Kraków
Discussants: **Cyrille Thiébaud** | EUI and **Mónika Papp** | Hungarian Academy of Sciences
- 11.15–11.45 Break

- 11.45–12.45 **Panel II | Challenges and Compliance within the AFSJ**
 Chair: Aydin Yildirim | EUI
 EU Criminal Law: A Model for an Ever-closer Union?
Auke Willems | London School of Economics and Political Science
 Migration, Schengen and the Resurrection of the Westphalian Nation-state
Peter Thalmann, Vienna University of Economics and Business
 Discussant: **Evangelia (Lilian) Tsourdi** | University of Oxford
- 12.45–14.00 Lunch in Sala Rossa (for speakers, discussants and chairs)
- 14.00–15.30 **Panel III | Subtle but Far-reaching Challenges to Free Movement of People**
 Chair: Mirjam Dageförde | EUI
 “Euroreluctance” at the Heart of Europe? Challenges to the Free Movement of People in a Border Region: The Example of Luxembourg
Catherine Warin | Lawyer, Luxembourg
 “In Search of the Law”: Governing Homeless EU Citizens in a State of Legal Ambiguity
Dion Kramer | Vrije Universiteit Amsterdam
 “No, Not and Other Than”: The Impact of Negative Legislative Drafting on Free Movement Rights
Denis Edwards, Lawyer, Scotland, England, Chinese University Hong Kong
 Discussant: **Massimo Fichera** | University of Helsinki
- 15:30–16.00 Break
- 16.00–17.30 **Panel IV | Domestic Obstacles to the Preliminary Ruling Procedure**
 Chair: Anna Wallerman | EUI
 National Judges’ Reluctance to Participate in the Preliminary Ruling Procedure: A Case Study on Slovenia and Croatia
Monika Glavina | KU Leuven
 Attitude or Aptitude? Explaining the Lack of Preliminary References in Dutch Competition Law Cases
Jesse Claassen | Radboud University Nijmegen
 Game of Courts: Might the Polish Constitutional Court Constrain Lower Judges’ Cooperation with the CJEU?
Juan A Mayoral | iCourts, University of Copenhagen
 Discussant: **Urška Šadl** | EUI

- 17.30–18.00 Brexit and “Constitutional Requirements”: What Happens When an Under-Constitutionalised State Leaves an Over-Constitutionalised EU?
Max Weber Occasional Lecture by **Kenneth A Armstrong** | University of Cambridge
- 18.00 Closing remarks by **Clara Rauegger** and **Anna Wallerman** | EUI
- 18.15 Drinks reception in the cloister

■ SPEAKERS

Prof Kenneth A Armstrong	University of Cambridge, Professor of European Law and Director of the Centre for European Legal Studies
Prof Michal Bobek	Court of Justice of the European Union, Advocate General
Jesse Claassen	Radboud University Nijmegen, PhD candidate
Prof Deirdre Curtin	European University Institute, Professor of European Union Law and Head of Department of Law
Dr Mirjam Dageförde	European University Institute, Max Weber Fellow, Department of Political and Social Sciences
Denis Edwards	Chinese University of Hong Kong, Advocate in Scotland and Barrister in London
Dr Massimo Fichera	University of Helsinki, Academy of Finland Research Fellow and Adjunct Professor of EU Law
Monika Glavina	KU Leuven, Centre for Legal Theory and Empirical Jurisprudence, PhD candidate
Prof Gábor Halmai	European University Institute, Professor of Comparative Constitutional Law and Director of Graduate Studies
Dion Kramer	Vrije Universiteit Amsterdam, PhD candidate
Dr Juan A Mayoral	iCourts, University of Copenhagen, Faculty of Law, Assistant Professor in Law & Politics
Dr Mónika Papp	Hungarian Academy of Sciences Centre for Social Sciences, Institute for Legal Studies, Research Fellow
Dr Clara Rauegger	European University Institute, Max Weber Fellow, Department of Law
Prof Urška Šadl	European University Institute, Professor of Law
Dr Przemysław Tacik	Jagiellonian University of Kraków, Institute of European Studies, Assistant Professor
Dr Peter Thalmann	Vienna University of Economics and Business, Institute for European and International Law, Assistant Professor
Dr Cyrille Thiébaud	European University Institute, Max Weber Fellow, Department of Political and Social Sciences
Dr Evangelia (Lilian) Tsourdi	University of Oxford, Lecturer in International Human Rights and Refugee Law

Dr Dimiter Toshkov	Leiden University, Associate Professor of Public Administration
Dr Anna Wallerman	European University Institute, Max Weber Fellow, Department of Law
Dr Catherine Warin	Practicing lawyer, Luxembourg bar
Dr Auke Willems	London School of Economics and Political Science, Fellow in EU Law
Dr Aydin Yildirim	European University Institute, Max Weber Fellow, Robert Schuman Centre for Advanced Studies