



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME



Presidency of Germany
Council of Europe
November 2020 – May 2021
Présidence de l'Allemagne
Conseil de l'Europe

Draft: 15.03.2021

THE RULE OF LAW IN EUROPE - VISION AND CHALLENGES

Thursday, 15 April 2021

**Seminar Room (Human Rights Building, Strasbourg) and KUDO
Interpretation into English, French**

Sponsored by the German Government

09.15 a.m. - 09.30 a.m. – Welcome and opening remarks:

Chair: Anja Seibert-Fohr

Robert Spano, President of the European Court of Human Rights

Rolf Mafael, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Germany to the Council of Europe (tbc)

09.30 a.m. - 11.00 a.m. – Panel I: The Rule of Law and the Health Crises:

Chair: Raffaele Sabato

Stéphanie Dagron:

Etat de droit et crises sanitaires d'hier et d'aujourd'hui : quel rôle pour la CEDH ?

Patricia Popelier:

The role of courts in times of crisis: a matter of trust, legitimacy and expertise

Commentators:

Paul Lemmens, Section President, Judge elected in respect of Belgium

Armen Harutyunyan, Judge elected in respect of Armenia

Alena Poláčková, Judge elected in respect of Slovak Republic

Ana Maria Guerra Martins, Judge elected in respect of Portugal

11.00 a.m. - 12.30 p.m. – Panel II: The Rule of Law and Judicial Independence:

Chair: Anja Seibert-Fohr

Kateřina Šimáčková:

Dissenting Opinions to Constitutional Court Judgments and their Role in Increasing the Legitimacy of Judgments

Hans Petter Graver:

Can international institutions deal with national dismantling of the rule of law?
Some thoughts based on the recent EUCJ judgement in Case C 824/18

Commentators:

Iulia Antoanella Motoc, Judge elected in respect of Romania

Jolien Schukking, Judge elected in respect of the Netherlands

Péter Paczolay, Judge elected in respect of Hungary

Lorraine Schembri Orland, Judge elected in respect of Malta

12.30 p.m. Lunch break

2.15 p.m. -3.45 p.m. – Panel III: The Rule of Law in the Digital Age:

Chair: Síofra O’Leary

Andrew Murray: The Rule of (Human) Law in the Digital Age

Oreste Pollicino:

Digital Private Powers Exercising Public Functions: How to deal with this constitutional Paradox in the Digital Age?

Commentators:

Ganna Yudkivska, Judge elected in respect of Ukraine

Dmitry Dedov, Judge elected in respect of the Russian Federation

Tim Eicke, Judge elected in respect of the United Kingdom

Mattias Guyomar, Judge elected in respect of France

3.45 p.m. – 4.00 p.m. Closure of the meeting

List of participants:

EUROPEAN COURT OF HUMAN RIGHTS

Robert Spano, President, Judge elected in respect of Iceland
Paul Lemmens, Section President, Judge elected in respect of Belgium
Síofra O'Leary, Section President, Judge elected in respect of Ireland
Ganna Yudkivska, Judge elected in respect of Ukraine
Dmitry Dedov, Judge elected in respect of the Russian Federation
Iulia Antoanella Motoc, Judge elected in respect of Romania
Armen Harutyunyan, Judge elected in respect of Armenia
Alena Poláčková, Judge elected in respect of Slovak Republic
Tim Eicke, Judge elected in respect of the United Kingdom
Jolien Schukking, Judge elected in respect of the Netherlands
Péter Paczolay, Judge elected in respect of Hungary
Raffaele Sabato, Judge elected in respect of Italy
Lorraine Schembri Orland, Judge elected in respect of Malta
Anja Seibert-Fohr, Judge elected in respect of Germany
Ana Maria Guerra Martins, Judge elected in respect of Portugal
Mattias Guyomar, Judge elected in respect of France

SPEAKERS (in alphabetical order)

Stéphanie Dagon, Professor of International, European and National Health Law, University of Geneva, Global Studies Institute / Institute of Global Health, Switzerland,

Hans Petter Graver, Professor of Law, University of Oslo, Norway,

Andrew Murray, Deputy Head of Department and Chair in Information Technology Law
Director at the London School of Economics

Oreste Pollicino, Professor of Constitutional Law, Bocconi University, Italy,

Patricia Popelier, Professor of Law, Faculty of Law, University of Antwerp, Belgium,

Kateřina Šimáčková, Judge of the Czech Constitutional Court, Czech Republic.

PERMANENT REPRESENTATION OF GERMANY TO THE COUNCIL OF EUROPE

Rolf Mafael, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Germany to the Council of Europe