



Call for Applications

Article 7 TEU, the EU Rule of Law Framework and EU Values: Powers, Procedures, Implications

Conference

hosted jointly by the **University of Warsaw, Faculty of Law and Administration, Chair of European Law and the Max Planck Institute for Comparative Public Law and International Law, Heidelberg**

- **Where? Faculty of Law and Administration, University of Warsaw, Poland**
- **When? 13 September (afternoon) to 15 September (midday) 2017**

Conference Background

In January 2016, the European Commission activated its new mechanism to combat systemic deficiencies in the rule of law in certain Member States of the EU, the “EU Framework to strengthen the Rule of Law”, for the first time. Its addressee is Poland, where the government is undertaking substantial changes regarding the Constitutional Tribunal, the media and several other areas of law which are of key importance to the rule of law. Since then, an uneasy dialogue on the situation in Poland has been under way between the European Commission and the Polish Government. As of December 2016, the Rule of Law Framework has reached its final stage concerning Poland without considerable results. It is currently unclear how either party will proceed. The European Commission may decide to invoke, also for the first time in its history, Article 7 TEU or resort to other measures yet to be fully explored, such as a modified version of the infringement action under Art. 258 TFEU. The Polish Government, on the other hand, appears to go ahead with the changes to the Constitutional Tribunal without any leeway for negotiation.

At this stage, it is unclear where this new pre-Article 7 mechanism may lead to. It poses many questions for EU lawyers but the domestic issues in Polish constitutional law are also very complex. To the non-Polish academic community, the latter is a particular challenge.

For these reasons, the **Chair of European Law at the Faculty of Law and Administration, Warsaw University**, and the **Max Planck Institute for Comparative Public Law and International Law, Heidelberg**, have teamed up to bring together for the very first time experts in EU law and Polish public law to discuss the issue. Although the whole topic is politically very sensitive, we think that a legal and academic analysis is due.

Aim of the Conference

At this conference, renowned experts and young scholars will present and discuss draft papers concerning legal problems regarding the new EU Rule of Law Framework and the Article 7 TEU procedure, for example:



- The competence of the European Commission to adopt the Framework on Strengthening the Rule of Law and the legal implications of the Framework (in EU Law, national law, ECHR)
- The relation of the EU Rule of Law Framework to Art. 7 TEU
- Further sanction mechanisms such as the infringement procedure or financial sanctions
- Case studies for other EU Member States in which the framework may be used
- The practice by the Venice Commission and its influence on national law-making
- The proceedings of the European Commission in connection with the Polish Constitutional Court
- Legal effects of each of the steps taken in the Art. 7 TEU proceedings (in EU Law, national law, ECHR)
- Internal ways of the national legal system to solve the possible infringement of values contained in Art. 2 TEU.

The organizers of the conference would like to put an emphasis also on showing other ways (beside the EU Rule of Law Framework and art. 7 TEU) how to safeguard the Rule of Law and other values expressed in Art. 2 TEU within the existing legal framework of EU Law and national laws of the Member States (i.a. by national courts).

There will be a conference volume with a well-established publisher for which the speakers are invited to submit a manuscript of around 10,000 words. The deadline for submission is 15 November 2017.

Who can apply?

This call is open to **post-graduate applicants pursuing a doctoral degree in law or political science**, preferably in relation to the topic and to **every post-doctoral applicant, researcher or practitioner**. Applications from either group are expressly welcome. The selection of speakers will be made solely on the merits of the application. The conference language is English, a translation from Polish into English will be available for speakers on request.

How do I apply? Who do I contact?

By sending an **abstract of your paper proposal** containing no more than 500 words and a **1-page A4 CV by e-mail only** to Dr. Maciej Taborowski (m.taborowski@wpia.uw.edu.pl) and Dr. Piotr Bogdanowicz (p.bogdanowicz@wpia.uw.edu.pl) at the University of Warsaw, **no later than 30 April 2017**.

Are my costs covered?

Yes, the conference hosts will cover your reasonable travel expenses and hotel in case your application is accepted. Further information is available after your submission is accepted.

Can I also apply as an engaged listener?

Yes, this option is open on a first come, first served basis. If you wish to register as an engaged listener, please write an e-mail to Dr. Maciej Taborowski (m.taborowski@wpia.uw.edu.pl) and Dr. Piotr Bogdanowicz



(p.bogdanowicz@wpia.uw.edu.pl) **no later than 15 June 2017**. Registration is free of charge but no travel expenses, nor accommodation will be covered for engaged listeners.

Who else is attending?

At this stage, we are very happy to confirm the participation of i.a.:

- **Armin von Bogdandy**, Director at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg
- **Monica Claes**, Faculty of Law, Maastricht University
- **Emmanuel Crabit**, Head of Unit, EC, DG Justice and Consumers, Justice and Rule of Law
- **Christophe Hillion**, Faculty of Law, Leiden University
- **Dimitry Kochenov**, Faculty of Law, University of Groningen
- **Laurent Pech**, Middlesex University London
- **Jörg Polakiewicz**, Director of Legal Advice and Public International Law, Council of Europe
- **Werner Schroeder**, University of Innsbruck
- **Frank Schorkopf**, Goettingen University
- **Pál Sonnevend**, Eötvös Lóránt University Budapest
- **Maciej Szpunar**, Advocate General at the Court of Justice of the European Union
- **Joseph Weiler**, NYU School of Law

We look forward to hearing from you.

Prof. Dr. Armin von Bogdandy

Dr. Maciej Taborowski

Dr. Piotr Bogdanowicz