

London-Leiden Conference: London, 24 June 2023

Unity in Diversity: Promoting and defending the Rule of Law as a foundational value in the UK and EU

As an EU core value, the Rule of Law (ROL) should inform the implementation of policies at the Union and MS levels, but this carries with it important challenges. Despite departure from the EU, effectively as of 1 January 2021, the UK continues to be committed to the ROL as a core constitutional principle. Eminent speakers in three sessions will explore how ROL considerations and safeguards operate in practice and the related challenges in the framework of different policy areas in the EU and in the UK. These issues, and possible ways to overcome them, will be discussed in the 62nd session of the London-Conference, on 24 June 2023.

9.30-10.00 **REGISTRATION**

10.00-10.15 **WELCOME**

Prof. Spyros Maniatis, Director of the British Institute of International and Comparative Law (BIICL)

Dr. Julinda Beqiraj, Maurice Wohl Senior Fellow in European Law, Bingham Centre for the Rule of Law, BIICL

Prof. Margot Horspool, Honorary Fellow in European Law, BIICL

10.15-11.00 **SESSION 1: THE ROL AS A FOUNDATIONAL CONSTITUTIONAL VALUE**

In introducing the Conference, a discussion on democratic processes and the Rule of Law will be held. The session will focus on fundamental constitutional principles which form the foundations of European liberal democratic States. Speakers will discuss the capacity of the Council of Europe and the EU to uphold the rule of law and how this has changed in recent years. The theme will also be addressed in the light of the research carried out and the findings of an ongoing ELI project regarding the tenets of the Rule of Law as understood in European liberal democracies as well as standards to be observed by those countries.

Moderator: **Prof. Sir David Edward**, Honorary Fellow of University College, Oxford, Professor Emeritus at the School of Law, University of Edinburgh

Prof. Takis Tridimas, Director Centre for European Law, King's College, London
ELI project on Fundamental Constitutional Principles of European Liberal Democracy – Findings of the Working Group.

Prof. Rick Lawson, Leiden University Law School (online)
Two Guardians, One Treasure: The Council of Europe, the EU and the ROL

11.00-11.15 **COFFEE BREAK**

11.15-12.30

SESSION 2: THE ROL DIMENSION ACROSS EU POLICIES

The second panel will focus on the ROL dimension across EU policies and will cover topics such as external relations, migration law, compliance with ROL standards during emergencies, AI regulation developments, and youth engagement regarding the ROL and democracy.

Moderator: Dr. Anna Krisztián, Leiden University Law School

Dr. Joelle Grogan, King's College London and CEU Budapest
ROL Challenges in Europe and the UK, and Adaptations to Future Crises.

Ashley Winton, Partner, AI and Innovation, Mishcon de Reya LLP
Is the Rule of Law protected by the EU or UK approach to AI regulation?

Prof. Roman Petrov, Jean Monnet Chair in EU Law, National University of Kyiv-Mohyla Academy and British Academy Research Fellow, BIICL (online)
The ROL in EU External Relations

Dr. Jean-Pierre Gauci, British Institute of International and Comparative Law (BIICL)
Selective ROL Adherence in the UK And EU: The Case of Migration Management.

Ola Ugwu, Bingham Centre for the Rule of Law, BIICL
Public and Youth Engagement: An Essential Mechanism for Advancing the ROL in a Democratic Society.

12.30-13.45

LUNCH

13.45-15.30

SESSION 3 – THE ROL AND JUDICIAL INDEPENDENCE

Judicial independence is an essential aspect of the ROL. Montesquieu's concept of the *Trias Politica* entails that there are three branches of the State: the judicial, the legislative, and the executive branches. In order to comply with this model, it is crucial that the judiciary remains independent, both externally and internally. Panelists will engage in a discussion of the (potential) challenges to independence of the judiciary in European countries, also in light of the case law of the CJEU and the ECtHR.

Moderator: Prof. Margot Horspool, Honorary Fellow in European Law, BIICL

Dr. Oliver Gerstenberg, UCL Faculty of Laws
'United in Diversity': The Role of The CJEU as an Exponent of the ROL in the EU.

Prof. Adam Lazowski, Westminster Law School
Independence of the Judiciary as Condition Sine Qua Non of EU Membership.

Dr. Barbara Grabowska Moroz, CEU Democracy Institute
Judicial Independence in The Context of a Debate Between Luxembourg and Strasbourg.

Dr. Oana Stefan, Centre of European Law, King's College London
Judicial Independence and ROL: A Romanian Case Study

Dr. Julinda Beqiraj, Bingham Centre for the Rule of Law, BIICL
Judicial Reform in Albania: The Path Towards Meeting Standards for EU Membership.
