

Conference

TRIAL2 Project Final Conference: Strengthening the Rule of Law through Judicial Dialogue

30 June - 1 July 2025

Cappella & Online - Villa Schifanoia, Via Boccaccio 121 - Florence

Scientific Organisers:

Federica Casarosa | European University Institute

Madalina Moraru | European University Institute and University of Bologna

Gabor Halmai | European University Institute

Introduction

This two-day conference will bring together legal practitioners, scholars, and policymakers to discuss key challenges and developments concerning the rule of law in Europe. The panels will explore four core themes. The first will focus on the boundaries and protections of freedom of expression for judges, lawyers, and prosecutors, particularly in the face of political pressure, democratic backsliding, and the influence of social media.

The second theme will address the role of mutual trust in EU judicial cooperation, examining recent tensions surrounding the enforcement of European Arrest Warrants and asylum decisions due to rule-of-law concerns in some member states. The third panel will look at strategic litigation as a tool to defend judicial independence and uphold the rule of law, highlighting the procedural avenues used by national judges.

Finally, the conference will conclude with a discussion on future challenges for legal practitioners, including growing political polarisation, the risk of political interference, and the implications of emerging technologies such as predictive justice.

Together, these sessions will provide a comprehensive view of the evolving landscape for legal professionals committed to upholding the rule of law.

The *TRust, Independence, Impartiality and Accountability of judges safeguarding the rule of Law under the EU Charter* (TRIAL) project is a DG Justice-supported project that provides training activities and tools for judges, lawyers, prosecutors, and other legal professionals in areas of salient importance for the application of the EU Charter of Fundamental Rights (CFR).

Draft Programme

30 June

13:30 – 15:00 **Welcome Address**

13:30 - 14:45 **Gábor Halmai** | Professor, European University Institute and ELTE

Keynote Panel: Judicial Independence and Cooperation in the Era of Polarization

Speakers:

Lucia Serena Rossi | EU Law University of Bologna, Judge at the CJEU 2018-2024

Andras Jakab | Judge, European Court of Human Rights

14:45 - 15:00 Discussion

15:00 - 16:30 **Theme 1: Freedom of Expression of Judges, Lawyers, and Prosecutors**

This session will examine the boundaries of freedom of expression for judges, lawyers, and prosecutors in the context of democratic backsliding, growing political pressure, and increasing social media influence. It will explore recent jurisprudence and legal safeguards to protect independent voices within the judiciary and legal profession.

Moderator: **Ondrej Kadlec** | Senior Researcher, University of Masaryk

Speaker: **Sietske Dijkstra** | Judge, Court House of Groningen

Short interventions:

Mohor Fajdiga | Researcher, University of Ljubljana – Freedom of Expression of Judges

Raluca Bercea | Professor, UNBR and University of West Timisoara – Freedom of Expression of Lawyers

Jaroslav Gwizdak | Expert, INPRIS – Freedom of Expression of Prosecutors

16:30 - 17:00 Coffee break

17:00 - 18:15 **Theme 2: Mutual Trust in the Rule of Law**

This session will explore the role of mutual trust as a fundamental principle underpinning EU judicial cooperation. It will address recent challenges, such as refusals to execute European Arrest Warrants (EAW) and asylum decisions due to rule-of-law concerns in certain member states.

Moderator: **Madalina Moraru** | Researcher, European University Institute and University of Bologna

Speaker: **Luca Perilli** | Judge, Court of Catania

Short interventions:

David Mier Galera | Researcher, UPF – Rule of Law and Mutual Trust in the field of the EAW

Marcella Feri | Researcher, UNIFI – Rule of Law and Mutual Trust in the field of Asylum

18:30 - 19:30 Aperitivo

1 July

09:30 - 11:00 **Theme 3: Strategic Litigation on the Rule of Law**

Strategic litigation has played a key role in strengthening judicial independence and upholding the rule of law. This session will examine the various procedural mechanisms to strengthen the rule of law in Europe and the procedural avenues followed by national judges to protect their independence.

Moderator: **Agnes Kovacs** | Assistant Professor, ELTE

Speaker: **Sylwia Gregorczyk-Abram** | Human Rights Lawyer, Fundacja Wolne Sądy

Short interventions:

Tiago Fidalgo de Freitas | Professor, CIDP – The Role of Apex Courts in Strengthening the Rule of Law

Tomasz Koncewicz | Professor, University of Gdansk – Going beyond lawyers' heads. On the rebuilding and keeping the rule of law

11:00 - 11:30 Coffee break

11:30 - 13:30 **Theme 4: Future Challenges for the Rule of Law for Legal Practitioners**

The growing political polarization across Europe and increasing attempts to influence judicial decisions pose significant threats to the rule of law. This session will explore future challenges, including the risks posed by predictive justice, judicial independence, and political interference.

Moderator: **Gabor Halmai** | Professor, European University Institute

Speakers:

Eva Wendler | Judge, Federal Administrative Court, Vice President of the Association of European Administrative Judges

Bostjan Zalar | Judge, Administrative Court of Slovenia, ad-hoc Judge at the ECtHR

Short interventions:

Pierpaolo Gori | Judge, Italian Court of Cassation

Andrzej Schultz | Researcher, European University Institute – The Future of the Rule of Law in Poland

Dragos Calin | Judge, Court of Appeal of Bucharest – The Future of the Rule of Law in Romania

Daniela Cavallini | Professor, University of Bologna – The ELI Guidelines on Judicial Independence and the role of academics in promoting rule of law standards in adjudication

13:30 - 14:30 Lunch & Closing Remarks