

Webinar

Judging Judges: Judicial Accountability Standards under EU Law

18 March, 16.00 to 17.45 (CET)

on Zoom (the event will be recorded)

Centre for Judicial Cooperation | European University Institute (EUI)

Introduction

This is the third webinar that is organised within the framework of the project TRIAL - *TRust, Independence, Impartiality and Accountability of legal practitioners safeguarding the rule of Law under the EU Charter*. The TRIAL project, which was funded by the European Union's Justice Programme (2014-2020), under G.A. no 853832, provides freely accessible training activities and tools for judges, lawyers, prosecutors, and arbitrators on the European rule of law, mutual trust, judicial independence, impartiality and accountability.

This event is dedicated to discussing recent case law from the CJEU and the ECtHR on judicial accountability standards, the challenges faced by national courts on applying these standards, and whether and how judicial interactions can assist the enforcement of the rule of law in Europe. The first speaker will discuss the scope and limits of the freedom of speech of judges through the lens of ECtHR case law. The second speaker, a former civil judge will address the challenges faced by Polish courts in ensuring the respect of CJEU standards on disciplinary sanctions against the judiciary in Poland. The third presentation will focus on defamation lawsuits brought by judges and respective ECtHR case law against Portugal for violation of freedom of expression. The final presentation will look at the future and consider two pending preliminary rulings sent by Romanian courts concerning disciplinary sanctions and civil liability of judges adopted in the context of controversial reforms of the Romanian judicial system: what role can the Cooperation and Verification Mechanism (CVM) established at the time of Romania's accession to the European Union play in the fight for justice and rule of law? Moreover, which ECtHR caselaw should inspire the CJEU in the currently pending cases on the Romanian justice system reform.

The speakers will present the key aspects of these cases and the reasoning developed, and will then reflect on the implications of these decisions with scholars and practitioners from the institutions involved the TRIAL project.

Past TRIAL webinars are available here: <https://cjc.eui.eu/projects/trial/>



Programme

18 March

- 16.00 *Moderator*
Gabor Halmai | European University Institute
- 16.10 **Mariavittoria Catanzariti** | Centre for Judicial Cooperation
Decoupling judicial accountability: from the duty of communication to the duty of restraint
- 16.25 **Jaroslav Gwizdak** | Institute for Law and Society (INPRIS)
Disciplinary actions against judiciary in Poland: difficulties in applying the CJEU standards
- 16.40 **Rita Gião Hanek** | Lisbon Centre for Research in Public Law (CIDP)
L.P and Carvalho v Portugal: how did we get here and where are we going?
A European multilevel constitutional system towards legal certainty and trust
- ‘Pending Cases to Watch’**
- 16.55 **Madalina Moraru** | Centre for Judicial Cooperation and **Raluca Bercea** | National Association of the Romanian Bars
Working together? CJEU and ECtHR on judicial accountability on Romania
(C-83/19- Judicial Inspection, C-397/19 - civil liability of members of judiciary)
- 17.20 Q& A

Participants

Raluca Bercea	National Association of the Romanian Bars (UNBR)
Mariavittoria Catanzariti	Centre for Judicial Cooperation (CJC)
Mohor Fajdiga	University of Ljubljana
Alessandra Favi	University of Florence
Zoltán Fleck	Eötvös Loránd University (ELTE)
Rita Gião Hanek	Lisbon Centre for Research in Public Law (CIDP)
Gianluca Grasso	Italian School for the Magistracy (SSM)
Jaroslav Gwizdak	Institute for Law and Society (INPRIS)
Gabor Halmai	TRIAL Project Coordinator
Tomasz Koncewicz	University of Gdansk
Nicole Lazzerini	University of Florence
Marcin Michalak	University of Gdansk
Madalina Moraru	Centre for Judicial Cooperation (CJC)
Ümit Oral	Belgian Judicial Training Institute (IFG/IGO)
Anna Podolska	University of Gdansk

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University of Maastricht

Aida Torres

University of Pompeu Fabra (UPF)

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The Hague University of Applied Sciences (THUAS)