

THE EU CHARTER OF FUNDAMENTAL RIGHTS AND THE JUDICIAL ACTIVISM OF THE CJUE

A BILL OF RIGHTS UNDER PRESSURE

27TH
NOV.
2015

VENUE: University of Lisbon School of Law
CONVENORS: M. L. Duarte, T. Fidalgo de Freitas, R. Tavares Lanceiro, M. Quaresma dos Reis

09H30
OPENING SESSION

J. Miranda – FDUL/CIDP

09H40
KEYNOTE ADDRESS

R. Moura Ramos
FDUC, former President of the Portuguese Constitutional Court
and former Judge of the Court of First Instance of the EU

10H00
**SESSION I – THIRD COUNTRY NATIONALS: REFUGEES,
ASYLUM SEEKERS, AND MIGRANTS' RIGHTS**

CHAIR: A. Goucha Soares – ISEG

**RIGHTS OF IRREGULAR IMMIGRANTS:
DIRECTIVE 2008/115/CE IN THE CJEU'S CASE-LAW**
N. Piçarra – FDUNL

**THE STATUS OF NON-REMOVABLE ILLEGALLY STAYING
THIRD-COUNTRY NATIONALS IN THE EU**
B. Queiroz – FDUL/CIDP, EUI

**THE CHARTER AND THE REFUGEE CRISIS:
THE RIGHTS OF PERSONS IN NEED OF INTERNATIONAL
PROTECTION PUT TO THE TEST**
A. R. Gil – FDUNL

11H15
COFFEE BREAK

11H30
**SESSION II – POLICE AND JUDICIAL
COOPERATION IN CRIMINAL MATTERS:
TERRORISM AND PRIVACY**

CHAIR: M. J. Rangel de Mesquita
FDUL/CIDP and Constitutional Court Justice

**RESTRICTIVE MEASURES AND THE FIGHT AGAINST
TERRORISM IN THE EU: RECENT LESSONS FROM THE CJEU**
P. Fragoso Martins – FDUCP

**MULTILEVEL CONSTITUTIONALISM AND THE PROTECTION OF
FUNDAMENTAL RIGHTS IN THE EU: CONSEQUENCES OF THE
MELLONI CASE (C-399/11) IN THE FIELD OF EXCLUSIONARY
RULES OF EVIDENCE**
V. Costa Ramos – FDUL

**PRIVACY AND THE FIGHT AGAINST TERRORISM:
THE DIGITAL RIGHTS IRELAND CASE**
T. Violante – FDUNL

12H45
LUNCH (by invitation)

14H15
**SESSION III – EQUALITY AND SOLIDARITY
IN TIMES OF CRISIS**

CHAIR: M. Moura e Silva – FDUL

**ARTICLE 36 OF THE CHARTER
AND ACCESS TO PUBLIC SERVICES**
D. Gallo – LUISS Guido Carli

**HOW TO PURSUE INTER- AND INTRA-GENERATIONAL
SOLIDARITY IN A WEAK-ENED EU**
M. Quaresma dos Reis – FDUL/CIDP

**WEAK SUBJECTS, EQUALITY RIGHTS,
AND THE ECONOMIC CRISIS**
M. Rodrigues Canotilho – FDUC

**DANO, ALIMANOVIC, AND BEYOND: WELFARE
ENTITLEMENTS AND EUROPEAN CITIZENSHIP**
T. Fidalgo de Freitas – FDUL/CIDP, EUI

15H45
**SESSION IV – FROM OPINION 2/94 TO
OPINION 2/13: THE UNCERTAIN FUTURE
OF THE ACCESSION TO THE ECHR**

CHAIR: A. M. Guerra Martins
FDUL/CIDP, Justice at the Portuguese Constitutional

AN ESSENTIALIST COURT
F.-X. Millet – University of the Antilles/CJEU

**THE LONG SHADOW OF OPINION 2/13 ON THE
ESTABLISHMENT OF A TTIP INVESTMENT COURT**
F. Fontanelli – Edinburgh Law School

**EU ACCESSION TO THE ECHR AND THE
AUTONOMY OF EU LAW**
F. Paes Marques – FDUL/CIDP

17H00
COFFEE BREAK

17H15
**SESSION V – THE CHARTER'S SCOPE
OF APPLICATION: A CHARTER FOR WHOM?**

CHAIR: C. Blanco de Moraes – FDUL/CIDP

**AUSTERITY ON THE LOOSE - THE MISSED OPPORTUNITY
OF JUDICIAL REVIEW IN CASES C-128/12 (SINDICATO
DOS BANCÁRIOS DO NORTE) AND C-264/12 (SINDICATO
NACIONAL DOS PROFISSIONAIS DE SEGUROS)**
F. Pereira Coutinho – FDUNL

**RIGHTS AND PRINCIPLES IN THE CHARTER
AND GENERAL PRINCIPLES OF EU LAW:
'WE'RE ONE, BUT WE'RE NOT THE SAME!'**
L. Lourenço – EUI/CJEU

NATIONAL PUBLIC ADMINISTRATIONS AND THE CHARTER
R. Tavares Lanceiro – FDUL/CIDP

**CONTEMPORARY CHALLENGES IN EU FUNDAMENTAL
RIGHTS PROTECTION AFTER THE CHARTER**
V. Kosta – Leiden Law School