



INTERNATIONAL CONFERENCE
MARKING FIVE YEARS OF
CROATIAN MEMBERSHIP IN THE EU

**THE ROLE OF LAW AND COURTS IN
A CHANGING EUROPEAN UNION**

UNIVERSITY OF ZAGREB - FACULTY OF LAW

ZAGREB, 11 & 12 MAY 2018

INTERNATIONAL CONFERENCE MARKING FIVE YEARS OF
CROATIAN MEMBERSHIP IN THE EU

THE ROLE OF LAW AND COURTS IN A CHANGING EUROPEAN UNION

ZAGREB, 11 & 12 MAY 2018

Venues:

University of Zagreb, Trg Republike Hrvatske 14, Aula (Grand Hall)

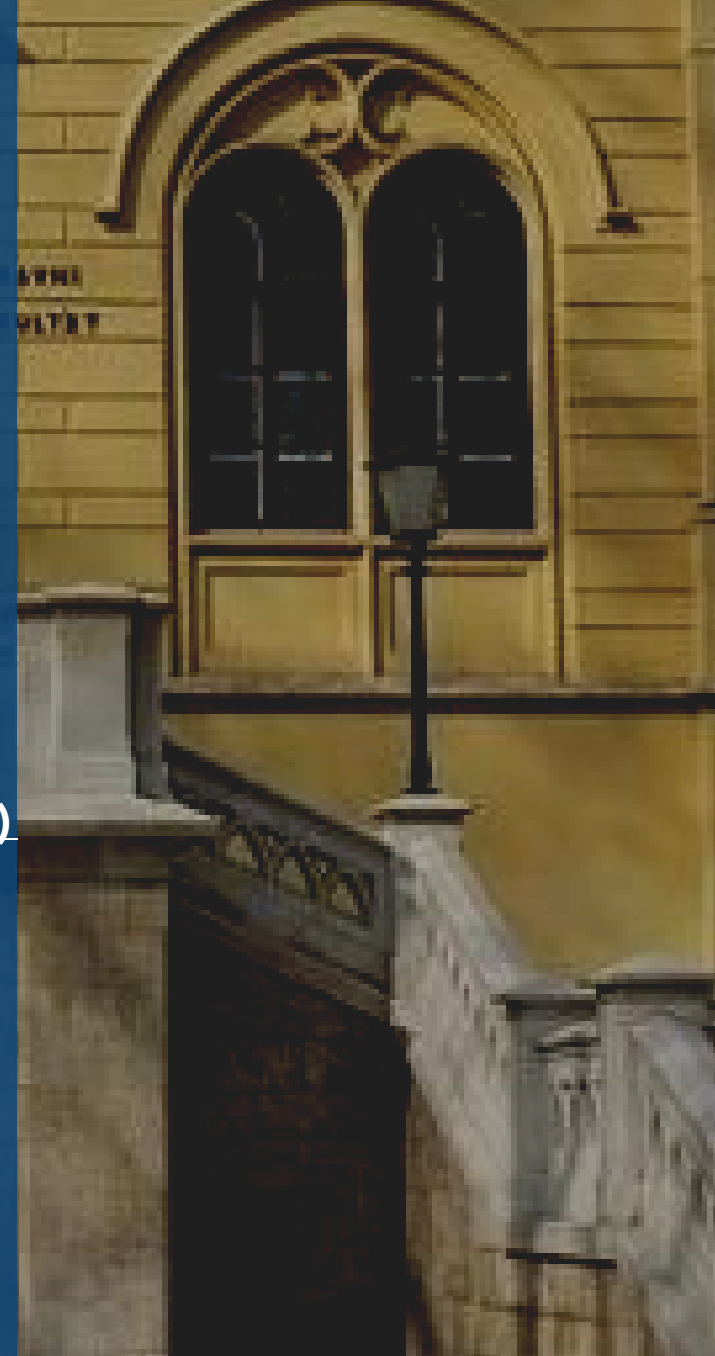
University of Zagreb - Faculty of Law, Ćirilometodska 4, no. VII

Organised by:

Department of European Public Law

Faculty of Law, University of Zagreb

Ćirilometodska 4, 10000 Zagreb



International celebratory conference marking five years of Croatian membership in the EU
THE ROLE OF LAW AND COURTS IN A CHANGING EUROPEAN UNION

11 & 12 May 2018

Friday, 11 May 2018

Venue: University of Zagreb, Trg Republike Hrvatske 14,
Aula (Grand Hall)

09.00 – 9.30 – Opening

Tamara Čapeta, Jean Monnet Professor, University of Zagreb

Igor Gliha, Dean, University of Zagreb – Faculty of Law

Damir Boras, Rector, University of Zagreb

9.30 – 10.10 – Keynote addresses

Koen Lenaerts, President of the Court of Justice of the EU

Andrej Plenković, Prime Minister of the Republic of Croatia

10.10 – 10.40 – Five Years of Experience and Plans for the Future

Speakers:

Blaženka Divjak, Croatian Minister of Science and Education

Dražen Bošnjaković, Croatian Minister of Justice of Croatia

Moderator:

Tamara Perišin, Jean Monnet Chair, University of Zagreb

10.40 – 11.00 – Coffee break

11.00 – 12.00 - Five Years of Judicial Cooperation

Speakers:

Miroslav Šeparović, President of the Croatian Constitutional Court

Đuro Sessa, President of the Croatian Supreme Court

Siniša Rodin, Judge at the Court of Justice of the EU

Moderator:

Iris Goldner Lang, UNESCO Chair & Jean Monnet Professor, University of Zagreb

12.00 – 12.20 – Book launch: Transformation or Reconstitution of Europe: The Critical Legal Studies Perspective on the Role of Courts in the EU,

edited by Perišin, Rodin; authored by Caruso, Čapeta, Kennedy, Lasser, Lenaerts, Nicola, Perišin, Rodin, Schlag, and Van Malleghem; Hart Publishing, 2018.

12.20 – 13.50 – Catered lunch in the Museum of Arts and Crafts (Trg Republike Hrvatske 10)

* Simultaneous translation (English – Croatian) is provided at the international celebratory conference.

International academic conference marking five years of Croatian membership in the EU
THE ROLE OF LAW AND COURTS IN A CHANGING EUROPEAN UNION

11 & 12 May 2018

Friday, 11 May 2018

Venue: University of Zagreb, Trg Republike Hrvatske 14,
Aula (Grand Hall)

13.50 – 15.20 – Panel 1: Judicial Dialogue in a Changing European Union

Moderator:

Tamara Čapeta, Jean Monnet Professor, University of Zagreb

Speakers:

Koen Lenaerts, President of the Court of Justice of the EU
Monica Claes, University of Maastricht

18.05 – Dinner reception for conference participants hosted by the Croatian Ministry of Foreign and European Affairs (prior registration required)

Venue: Government Premises, Visoka ulica

Saturday, 12 May 2018

Venue: University of Zagreb - Faculty of Law, Ćirilometodska 4, no. VII

8.30 – 10.00 – Panel 2: The New Frontiers of EU Law: Education and Social Rights in a Changing European Union

Moderator:

Catherine Redgwell, Chichele Professor, University of Oxford

Speakers:

Stephen Weatherill, Jacques Delors Professor, University of Oxford
Tamara Perišin, Jean Monnet Chair, University of Zagreb

Commentator:

Danijela Dolenc, University of Zagreb
Damjan Kukovec, Middlesex School of Law

10.00 – 10.30 – Coffee break

10.30 – 12.00 – Panel 3: The Role of Judicial Precedents in Migration Policy

Moderator:

Snježana Vasiljević, University of Zagreb

Speakers:

Siniša Rodin, Judge at the Court of Justice of the EU
Iris Goldner Lang, UNESCO Chair & Jean Monnet Professor, University of Zagreb

Commentator:

Sam Koplewicz, Harvard Satter Fellow

12.00 – 13.00 - Catered lunch

13.00 – 14.30 – Panel 4: The Limits of Judicial Interpretation

Moderator:

Melita Carević, University of Zagreb

Speakers:

Alexander Somek, University of Vienna
Tamara Čapeta, University of Zagreb

Commentator:

Samuel Dahan, Queen's University, Canada

Biographies (Academic Part of the Conference)

Melita Carević



Prof. Melita Carević, PhD, LLM (Ann Arbor), is Assistant Professor at the Zagreb Faculty of Law, Department of EU Law and a researcher at the Jean Monnet Chair “Global Effects of EU Law” held by Prof. Perišin. She graduated magna cum laude at the Faculty of Law, University of Zagreb, as a recipient of the Rector’s award. At the University of Michigan, where she earned her master’s degree, she held a Grotius Fellowship. During her doctoral studies, Ms. Carević was an intern at the Court of Justice of the EU (2014) and visitor-in-cabinet of AG Eleanor Sharpston (2014). In 2016, she spent a semester at the University of Oxford Law School as an academic visitor. Her research mainly focuses on EU environmental and competition law.

Monica Claes



Monica Claes is professor of European and Comparative Constitutional Law at the Law Faculty of Maastricht University. She was previously Professor of European and Comparative Constitutional at Tilburg University. She studied law at the University of Leuven (KU Leuven, Belgium) and European law at the College of Europe in Bruges (Belgium). She has a PhD from Maastricht University. Claes is a scholar of the Maastricht Centre for European Law, a member of the Ius Commune Research School and of the Montesquieu Institute Maastricht. She is a member of De Jonge Akademie (DJA). She is on the editorial board of the European Constitutional Law Review (EuConst) and of the Tijdschrift voor Constitutioneel Recht (TvCR). She was a member of the Royal Commission on the Review of the Constitution (2009-2010). Her main areas of interest are the relationship between European and national constitutional law, the development of a European constitutional space, common constitutional principles and the concept of national constitutional identity.

Biographies (Academic Part of the Conference)

Tamara Čapeta



Prof. Tamara Čapeta, PhD, LLM (Bruges) is the Head of the EU Law Department and of Postgraduate programmes in EU law at the Zagreb Faculty of Law. She held the Jean Monnet Chair “Legal System of an Enlarged European Union” (2012-16), and led the Jean Monnet Module “National Courts as European Courts” (2005-10). In 2013/14 she worked as Head of Unit of the Department for translation into Croatian at the European Court of Justice. Čapeta was a Fulbright visiting scholar at the University of Michigan; a CILE visiting scholar at Pittsburgh Law School; and a guest professor at China University of Political Science and Law, Beijing. She is the founding co-director of the Jean Monnet Dubrovnik seminar on Advanced Issues of EU Law. She is the founder of the Croatian Yearbook of European Law and Policy where she also served as editor-in-chief. Her current research interests are constitutional aspects of European integration, judicial interpretation and, since recently, artificial intelligence and law.

Samuel Dahan



Samuel Dahan joined the Faculty of Law at Queen’s University as an Assistant Professor and as a Queen’s National Scholar in 2018. Assistant Professor Dahan is an Adjunct Professor of Law at Cornell University and an affiliate faculty member of the Program on Negotiation at Harvard Law School. He is also a member of the Legal Incubateur of the Brussels’ Bar. He worked as a référendaire (legal secretary) at the Court of Justice of the European Union (Cabinet of the Chamber President Mr. Gervasoni) and as a Comparative Lawyer at the French Conseil d’Etat (French Administrative Supreme Court). Dahan holds a doctorate in law from the University of Cambridge, where his research focused on regulatory responses to the euro crisis. He has studied law and dispute resolution at Harvard Law School, Ecole Normale Supérieure (ENS-Ulm), the Sorbonne Law School, the European Academy of Legal Theory in Brussels and the University of Nice.

Biographies (Academic Part of the Conference)

Danijela Dolenec



Danijela Dolenec is the principal investigator on the project Disobedient Democracy. She works as Assistant Professor at the Faculty of Political Science, University of Zagreb, where she teaches comparative politics, protest movements and social science methodology. She received her first master degree in public policy from the London School of Economics (MSc 2005), the second master degree in European studies at the Faculty of Political Science, University of Zagreb (2007) and her doctorate at ETH Zürich (PhD 2012), under the supervision of Frank Schimmelfennig. As part of her doctorate, Dolenec studied at Harvard University as a Fulbright Scholar (2007/8).

Iris Goldner Lang



Iris Goldner Lang, LL.M. (LSE), Ph.D. (Zagreb), is a Jean Monnet professor and the holder of the UNESCO Chair on Free Movement of People, Migration and Inter-Cultural Dialogue at the University of Zagreb. She was a John Harvey Gregory Visiting Professor of Law and World Organization and a Fulbright Visiting Researcher at Harvard Law School in 2015/16. In June/July 2017, as a Visiting Researcher, she held lectures at Harvard Law School Immigration and Refugee Clinic. As a British Government Chevening Scholar, she earned her LL.M. degree at the London School of Economics. She did part of her doctoral research at the LSE and as an Ernst-Mach Scholar at the Johannes Kepler University in Linz. She has been the leader of two Jean Monnet Modules "EU Migration Law and Policy" and "EU Internal Market Law". She is the president of the Croatian Society for European Law (FIDE branch) and the Croatian representative in the Odysseus Monnet Network for Immigration and Asylum. She is the Editor-In-Chief of the Croatian Yearbook of European Law and Policy.

Biographies (Academic Part of the Conference)

Sam Koplewicz



Sam Koplewicz, JD (Harvard Law School), BA (Brown), is currently a visiting lecturer at the University of Zagreb – Faculty of Law where he is teaching on EU refugee law and comparative EU – US legal issues. As a Harvard Law Satter Fellow he is also working on policy driven media advocacy, in particular concerning international humanitarian law with a focus on Syria. He has worked at Human Rights Watch where he researched and wrote: “‘I Would Like to Go to School.’ Barriers to Education for Children with Disabilities in Lebanon.”

Sam Koplewicz graduated from Brown University with a BA in Public Policy and from Harvard Law School with a JD. At Harvard, Koplewicz was President of the Harvard Law Documentary Studio. Between receiving his undergraduate degree and matriculating in law school, he spent a year in Croatia investigating changes in anti-money laundering policy as a Fulbright Scholar.

Damjan Kukovec



Dr. Damjan Kukovec earned his master's and doctoral degrees at Harvard Law School. He practised, among other places, at the Legal Service of the European Commission, the European Court of Justice and at the Special Court for Sierra Leone. He successfully pleaded numerous cases before the European Court of Justice. He has published in the fields of EU law, international law and international trade, competition law and legal theory. He has taught at Harvard Law School, at FGV Law School in Rio de Janeiro, at the EUI in Florence and at Kent Law School in Brussels and lectured at several other universities worldwide. He was recently appointed Senior Lecturer at Middlesex School of Law, London.

Biographies (Academic Part of the Conference)

Koen Lenaerts



Koen Lenaerts is the President of the Court of Justice of the European Union since 8 October 2015. Lenaerts earned his lic. iuris, at Ph.D. in Law at the Katholieke Universiteit Leuven; and the Master of Laws, Master in Public Administration at Harvard University. He was a Lecturer (1979-83), and subsequently a Professor of European Law at the Katholieke Universiteit Leuven (since 1983). He also worked as Legal Secretary at the Court of Justice (1984-85); Professor at the College of Europe, Bruges (1984-89); member of the Brussels Bar (1986-89); Visiting Professor at the Harvard Law School (1989); Judge at the Court of First Instance of the European Communities from 25 September 1989 to 6 October 2003; Judge at the Court of Justice since 7 October 2003; Vice-President of the Court of Justice from 9 October 2012 to 7 October 2015 before having become the President of the Court of Justice. He is a prolific academic who has written and published texts on a wide spectrum of topics relevant for the European Union.

Tamara Perišin



Prof. Tamara Perišin, MJur (Oxon), PhD, holds the Jean Monnet Chair “Global Effects of EU Law” at the University of Zagreb – Faculty of Law. In 2015/16 she was a John Hervey Gregory Visiting Professor of Law and World Organization at Harvard Law School. Perišin has studied at the University of Oxford (Chevening), the Asser Institute, Georgetown University, the University of Michigan (Fulbright), CEU Budapest, the Max Planck Institute, Harvard University and has been a ‘visitor-in-the-cabinet’ of Advocate General Sharpston. She has authored and edited books for Hart P, Springer, Asser Press and other publishers, and published articles in international journals. She is the Editor-in-Chief of the Croatian Yearbook of European Law and Policy. She is the President of the Croatian European Union Studies Association (ECSA branch). She served as Vice Dean for International Cooperation, participated in Croatia’s EU accession negotiations, and currently serves as a Special Advisor to the Croatian Minister of Science and Education for Law, Academic Mobility and Excellence in the EU.

Biographies (Academic Part of the Conference)

Catherine Redgewell



Catherine Redgewell is Chichele Professor of Public International Law and fellow of All Souls College, and Co-Director of the Oxford Geoengineering Programme of the Oxford Martin School. Her current affiliations include membership of the Academic Advisory Group of the Section on Energy, Environment, Natural Resources and Infrastructure Law of the International Bar Association, the Council of the British Branch of the International Law Association, and of the Public International Law Advisory Board of the British Institute of International and Comparative Law. She is joint general editor of the British Yearbook of International Law and joint editor of the Oxford Monographs in International Law series (OUP), having previously served as joint general editor and chair of the editorial board of the International and Comparative Law Quarterly. Her research interests fall broadly within the public international field, including international energy law and international environmental law.

Siniša Rodin



Siniša Rodin serves as Judge at the Court of Justice of the European Union since 4 July 2013. He earned his PhD at the University of Zagreb, Faculty of Law in 1995; and an LL.M at the University of Michigan Law School in 1992. He was a Fulbright Fellow and Visiting Scholar at Harvard Law School (2001-2002). At the University of Zagreb, Faculty of Law he has held tenure track and tenured positions since 1987, he held a Jean Monnet Chair since 2006 and Jean Monnet Chair ad personam since 2011. At Cornell Law School he was a Visiting Professor 2012. Rodin of a Member of the Croatian Constitutional Amendment Committee, the President of a working group on EU membership (2009-2010); Member of the Croatian EU membership negotiating team (2006-2011). He authored and edited numerous publications.

Biographies (Academic Part of the Conference)

Alexander Somek



Alexander Somek is Professor of Legal Philosophy at the Institut of Legal Philosophy at the University of Vienna School of Law. He held the Charles E. Floete Chair in Law at the University of Iowa College of Law until July 31, 2015. Somek was a Visiting Researcher at Harvard Law School (Erwin Schrödinger Grant), a Fulbright Fellow at the University of Pennsylvania, Washington University and University of Kansas, a Parson's Visitor at the Law School of the University of Sydney. He was also a Visiting Professor at the University of Kansas School of Law. His major areas of research are public law and legal philosophy. He is currently interested in exploring the nature of legal knowledge. In addition, he also tries to understand why the law constitutes a particular relation among people.

Snježana Vasiljević



Dr. Snježana Vasiljević, M. Phil (Cantab), Ph.D (Zagreb) is an Assistant Professor of EU law at the University of Zagreb. She earned her masters (summa cum laude) and doctoral degree from the University of Zagreb. As a British Government Chevening scholar she earned her M. Phil degree at the University of Cambridge. She specialized in European law and human rights at London School of Economics and Political Science, the University of Liverpool, and Johannes Kepler Universität Linz. She was a Visiting Fellow at Columbia University, and University of California Los Angeles. She also works as a national expert for the Fundamental Rights Agency and Council of Europe and is a lecturer of the Academy of European Law in Trier. Her work focuses on human rights, European antidiscrimination law, international women's rights and ethnic minorities, European identity and diversity.

Biographies (Academic Part of the Conference)

Stephen Weatherill



Stephen Weatherill is the Jacques Delors Professor of European Law. He also serves as Deputy Director for European Law in the Institute of European and Comparative Law, and is a Fellow of Somerville College. Before joining the Oxford Faculty, he held the Jean Monnet Chair of European Law at the University of Nottingham, and he has also previously held positions at the Universities of Manchester and Reading since beginning his academic career as a research assistant at Brunel University a long time ago. His research interests embrace the field of European Law in its widest sense, although his published work is predominantly concerned with European Union trade law. The areas in which he has published papers in journals and edited collections in recent years include; the impact of subsidiarity in EU law; the involvement of the EU in private law; aspects of "flexible" integration in Europe; the elaboration of strategies for the management of the internal market; sport law, and the law and practice of product safety.

Publications in 2017/18

Croatian Yearbook of European Law and Policy

The Croatian Yearbook of European Law and Policy is a peer reviewed journal specialized in EU law and policy. It seeks to advance academic scholarship, postgraduate education, to develop European and regional academic networking, to create professional opportunities for law academics, and to promote academic reflection on European Law and European values. The specific angle of the Yearbook aims to be critical, realistic, multidisciplinary. The editors recognise that significant answers to legal questions can be found only in a wider political, economic and social context.

The editors welcome contributions on a wide range of European topics. CYELP publishes articles, notes, reports, comments and book reviews. All manuscripts should be submitted online at www.cyelp.com (instructions provided on the specified website).

The final deadline for the submission of manuscripts for Volume 14 (2018) is 1 June 2018.



IMPRESSUM:

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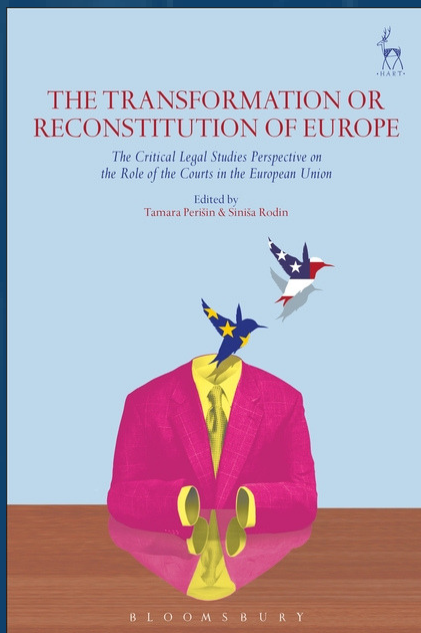
Library and Database Coordinator
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Publications in 2017/18

The Transformation or Reconstitution of Europe: The Critical Legal Studies Perspective on the Role of the Courts in the European Union, edited by Perišin, Rodin (Hart Publishing, 2018)



It is generally understood that EU law as interpreted by the ECJ has not merely reconstituted the national legal matrix at the supranational level, but has also transformed Europe and shaken the well-established, often formalist, ways of thinking about law in the Member States. This innovative new study seeks to examine such a narrative through the lens of the American critical legal studies (CLS) perspective.

The introduction explains how the editors understand CLS and why its methodology is relevant in the European context. Part II examines whether and how judges embed policy choices or even ideologies in their decisions, and how to detect them. Part III assesses how the ECJ acts to ensure the legitimacy of its decisions, whether it resists implementing political ideologies, what the ideology of European integration is, and how the selection of judges influences these issues. Part IV uses the critical perspective to examine some substantive parts of EU law, rules on internal and external movement, and the European arrest warrant. It seeks to determine whether the role of the ECJ has really been transformative and whether that transformation is reversible. Part V considers the role of academics in shaping the narratives of EU integration.

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Tamara Čapeta, Siniša Rodin, *Osnove prava EU*, III. izmijenjeno i dopunjeno izdanje (Narodne novine 2018)

Novo izdanje knjige odražava činjenicu da je Hrvatska sada punopravna članica EU-a. To je utjecalo na organizaciju sadržaja knjige u odnosu na prethodno izdanje. Članstvom Hrvatske u EU-u, s gledišta domaćih pravnih aktera – sudaca, odvjetnika i ostalih pravnika, sadašnjih i budućih (dakle, i studenata prava) – kojima je knjiga ponajprije namijenjena, situacija se bitno promijenila utoliko što je pravo EU sada postalo domaće pravo koje svakodnevno primjenjuju sva tijela u Hrvatskoj. Ipak, i u novim uvjetima, osnovna ideja ove knjige ostala je ista. Knjiga i dalje ima ambiciju dati čitatelju osnovne alate za razumijevanje, ali i kritičko promišljanje pravnog poredka EU-a te omogućiti razvijanje vještina za primjenu prava EU-a.

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