Judicial coherence in the European Union

Third REALaw Research Forum - Utrecht, 30 January 2015

Free registration as participant via montaignecentrum@uu.nl

9:30 – 10:00 Registration and coffee & tea

10:00-10:05 Welcome and short introduction of the Montaigne Centre for Judicial Administration and Conflict Resolution by Prof. dr. Philip Langbroek

10:05-10:10 Opening of the REALaw Research Forum by Prof. dr. Rob Widdershoven

10:10 – 10:40 Keynote lecture - Judicial coherence and preliminary references to the European Court of Justice by Prof. dr. Morten Broberg

10:40 – 10:50 Short Break

10:50 – 12:30 Session A: Coherence in effective judicial protection? – Raadzaal – Chairman: Prof. dr. Rob Widdershoven

1. Franziska Grashof – Judicial Coherence in Public Environmental Law The Case of Access to Justice in England, Germany and the Netherlands

2. Eleftheria Neframi – Effectiveness and/or Effective Judicial Protection: Is there a European standard of judicial protection in the fields covered by EU law?

3. Filipe Brito Bastos – 25 years after the Borelli doctrine: two issues of coherence in the case-law on actions for annulment in bottom-up composite administrative decision-making

4. Malu Beijer – Active guidance of (procedural) fundamental rights protection by the ECJ: exploring the potential and the limits of a development of positive obligations

12:30 – 13:40 Lunch


1. Ricardo García Antón – “The preliminary reference procedure in the field of Direct Taxation under the constructive cooperation paradigm: challenging l’horizontalité”

2. Clelia Lacchi – The ECHR interference in the dialogue between national courts and the Court of Justice of the EU: implications on the functioning of preliminary references

3. Ramona Grimbergen – How boundaries have shifted

4. Markku Kiikeri – The preliminary ruling as a dynamic and organic discourse
### Session C: Coherence: in search of new conceptual frameworks – Toon Peterszaal – Chairman: Prof. dr. Kars de Graaf

1. Stephen Pethick – Coherence, Law and the CJEU: Some Overlooked Preliminaries
2. Bas van Bockel – Constitutional coherence in the EU as seen through the lens of legal accountability
3. Federica Casarosa – Helping judges in the adjudication of fundamental rights: the results of a project on judicial dialogue techniques
4. Sim Haket – Opportunities for a Sustainable Coherent Application of EU Law through the Concept of Consistent Interpretation

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<td>15:20 – 15:40</td>
<td>Coffee &amp; tea break</td>
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### Session D: Judicial coherence in the Area of Freedom, Security and Justice – Raadzaal – Chairman: Prof. dr. Chris Backes

3. Dominik Düsterhaus – Judicial coherence and autonomy in the Area of Freedom, Security and Justice: Squaring mutual trust with effective judicial protection
4. Paola Chirulli & Luca De Lucia – Specialized adjudication and coherence of the EU system of rights protection

### Session E: Judicial coherence in the context of European economic law - Toon Peterszaal – Chairman: Prof. dr. Anna Gerbrandy

1. Marcin Weisbrot – Application of the EU general principle of legitimate expectations in the Member States
2. Carlo Maria Colombo - Did the ECJ misinterpret the principles framing EU administrative law in Lufthansa AG v. FFH? Some thoughts on the complementary role of national courts to enforce EU State aid law.
3. Claartje van Dam – When Commission soft law meets Dutch courts

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<tr>
<td>17:20 – 17:30</td>
<td>Closing remarks (Raadzaal) by Dr. Herman van Harten</td>
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<td>17:30 – 19:00</td>
<td>Cocktail drinks</td>
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**Date:** 30 January 2015  
**Location:** Achter Sint Pieter 200, 3512 HT Utrecht, The Netherlands  
**Free registration as participant:** montaignecentrum@uu.nl