

The Inter-Relationship between the European Convention on Human Rights and European Union Law



Conference
17-18 March 2017
University of Nicosia
UNESCO Amphitheatre

Organized by
The **School of Law of the University of Nicosia**
under the auspices of
The **Cypriot Chairmanship of the
Committee of Ministers of the Council of Europe**

Sponsors



EmilianidesKatsaros



LELLOS P. DEMETRIADES LAW OFFICE LLC

School of Law

UNIVERSITY OF NICOSIA



CONFERENCE PROGRAM

FRIDAY, 17 MARCH 2017

09.30-10.30 Opening Ceremony

Addresses by

- the Cypriot Chairmanship of the Committee of Ministers of the Council of Europe, **Ambassador Alexandros Zenon**, Permanent Secretary, Ministry of Foreign Affairs of the Republic of Cyprus
- **Costas Clerides**, Attorney-General, Republic of Cyprus
- **Myron Nicolatos**, President of the Supreme Court of Cyprus
- **Theodoros Ioannides**, President, Cyprus Bar Association
- **Constantinos Phellas**, Vice-Rector for Faculty and Research, University of Nicosia

Introductory speech:

Achilles Emilianides, Dean, School of Law, University of Nicosia

10.30-11.45 First Session

Financial Crisis and Right to Property

Chair: **Costas Stratilatis**, Assistant Professor, University of Nicosia

10.30-10.50 *The European Court of Human Rights and the European Court of Justice on the protection of property rights: The evolution of a supra-national judicial dialogue*

Dr. Eleni Micha, Teaching Fellow, University of Athens

10.50-11.10 *The relationship between the European Convention on Human Rights and European Union Law during periods of crisis*

Katerina Kalaitzaki, PhD Cand., Uclan Cyprus

11.10-11.30 *The right to property in cases of crisis before the Court of Justice of the EU and the European Court of Human Rights of the Council of Europe: Protection or non-protection?*

Salome Yiallourou, PhD Cand., University of Nicosia

11.30-11.45 Discussion

11.45-12.00 Coffee Break

12.00-13.15 Second Session

Criminal Law

Chair: **Charalambos Papacharalambous**, Associate Professor, University of Cyprus

12.00-12.20 *Completion of EU Measures Through Court Decisions: The Example of the European Arrest Warrant and the role of the ECHR*

Dr. Yumiko Nakanishi, Professor, Hitotsubashi University, Japan

12.20-12.40 *The safeguard of the rights of suspects and accused persons within the framework of the function of the European Public Prosecutor's Office*
Dr. Giorgos Danihl, Adjunct Lecturer, University of Thrace

12.40-13.00 *The relationship between the EU Charter of Fundamental Rights and the ECHR in the ne bis in idem jurisprudence of Greek courts*
Dr. Costas Stratilatis, Assistant Professor, University of Nicosia
Dr. Christos Papastylanos, Assistant Professor, University of Nicosia

13.00-13.15 Discussion

13.15-14.30 Lunch Break

14.30-15.45 Third Session

Applications in Specific Legal Issues: Social Rights and Data Protection

Chair: Xenis Xenofontos, District Court Judge

14.30-14.50 *Migrant as 'cross-category' in the interplay between the ECHR and the EU*
Dr. Graziella Romeo, Assistant Professor, Bocconi University Milano

14.50-15.10 *Articles 8 ECHR and the Charter of Fundamental Rights – do the Courts understand the right to data protection?*
Henry Pearce, Lecturer, University of Hertfordshire
Dr. Adrienne Yong, Lecturer, University of Hertfordshire

15.10-15.30 *The protection of the rights of workers between the ECHR and the EU legal order*
Dr. Christina Ioannou, Associate Professor, Associate Dean of School of Law, University of Nicosia
Dr. Odysseas Christou, Assistant Professor, University of Nicosia
Prof. Achilles Emilianides, Professor, Dean of School of Law, University of Nicosia

15.30-15.45 Discussion

15.45-16.55 Fourth Session

The Accession of the EU to the ECHR I

Chair: Christina Ioannou, Associate Professor, Associate Dean, School of Law, University of Nicosia

15.45-16.05 *The EU accession to the ECHR and the article 53 conundrum: Is there really anything that the CJEU has to be jealous about?*
Władysław Józwicki, PhD Cand., Adam Mickiewicz University in Poznań

16.05-16.25 *The EU factor: Is the EU ready for an EU judge in the European Court of Human Rights?*
Kaja Kazmierska, EU law consultant, Spark Legal Network and Consultancy

16.25-16.40 *The accession of the EU in the ECHR and the autonomy of EU law*
Alexis Antoniadis, Doctoral Researcher, University of Maastricht

16.40-16.55 Discussion

11.45-12.00 Coffee Break

17.10-18.25 Fifth Session

The Accession of the EU to the ECHR II

Chair: Annie Pantazi Lambrou, District Court Judge

17.10-17.30 *Accession of the EU to the ECHR: Problems, challenges and the European judicial perspective*
Dr. Stelios Andreadakis, Senior Lecturer, Leicester University

17.30-17.50 *With friends like that, who needs enemies? The EU accession to the European Convention of Human Rights' conundrum and the scope of the ECtHR's review powers regarding EU law*
Dr. Vasilis Pergantis, Adjunct Professor, American College Thessaloniki

17.50-18.10 *Where do we go from here? Rethinking EU's accession to the ECHR after Opinion 2/13*
Dr. Nikolas Kyriakou, Advisor, Law Office of the Republic of Cyprus

18.10-18.25 Discussion

18.25-19.35 Sixth Session

Keynote Speeches

Chair: Achilles Emilianides, Dean, School of Law, University of Nicosia

18.25-18.50 *Looking for Ariadne's thread in the labyrinth of Opinion 2/13*
Prof. Jorg Polakiewicz, Director, Directorate of Legal Advice and Public International Law, Council of Europe

18.50-19.15 *Accession of the EU to the ECHR: A key role (to be) played by the Parliamentary Assembly?*
Prof. Andrew Drzemczewski, Visiting Professor at Middlesex University School of Law London; former Head of the Parliamentary Assembly's Legal Affairs & Human Rights Department, Council of Europe

19.15-19.35 Discussion

SATURDAY, 18 MARCH 2017

9.30-10.45 Seventh Session

The Dialogue between the ECHR and EU Systems I

Chair: Stergios Mitos, Lecturer, University of Nicosia

09.30-09.50 *The Charter of Fundamental Rights of the European Union as a factor affecting the European consensus notion*

Nasiya Daminova, PhD Cand., Scuola Superiore Sant'Anna,
DIRPOLIS Institute, Pisa

09.50-10.10 *The legal value of EU law provisions in the ECHR system*

Nele Verbrugghe, PhD researcher, University of Leuven

10.10-10.30 *The longer-term future of the ECHR system in case of non-accession
by the EU to the ECHR*

Dr. Martin Kuijer, Professor, Vrije Universiteit Amsterdam

10.30-10.45 Discussion

10.45-12.00 Eighth Session

The Dialogue between the ECHR and EU Systems II

Chair: Christos Papastylanos, Assistant Professor, University of Nicosia

10.45-11.05 *The ECHR as a yardstick: Is the Charter sometimes offering a “more
extensive protection” (Art 52§3) or “restricting or adversely affecting
human rights” (Art 53)?*

Dr. Lina Papadopoulou, Associate Professor, Aristotle University of
Thessaloniki

11.05-11.25 *The horizontal relationship between the CJEU and the ECtHR as an
example of judicial dialogue*

Dr. Constantinos Kombos, Associate Professor, University of Cyprus

11.25-11.45 *The relationship between the EU legal order and the ECHR in the
“post-2/13 Opinion era:” A study on the connections between the EU
integration process and the ECHR system*

Dr. Monica Parodi, Adjunct Professor, University of Genoa

11.45-12.00 Discussion

12.00-12.15 Coffee Break

12.15-13.15 Ninth Session

Views from Within

Chair: Achilleas Demetriades, Advocate

12.15-12.35 *The protection of fundamental rights in the EU legal order*

Giorgos Arestis, former Judge, Court of Justice of the European
Union

12.35-13.00 *The Principle of Effectiveness as used in interpreting, applying and
implementing the European Convention on Human Rights*

Dr. Georgios Serghides, Judge, European Court of Human Rights

13.00-13.15 Discussion

CONFERENCE CLOSING