

Triial - Trust, Independence, Impartiality and Accountability of Judges and Arbitrators Safeguarding the Rule of Law under the Eu Charter Kick-off Meeting

14 February 2020

Sala del Capitolo - Badia Fiesolana, Via dei Roccettini 9 - San Domenico di Fiesole (Fiesole, Florence)

organised by the Centre for Judicial Cooperation, RSCAS

Introduction

The **TRIIAL** Project proposal comes at a time of constitutional turmoil in many Member States. Whilst it is a common knowledge that liberal democracies require the tripartite division of powers, the role of judges and the challenges their work presents from the perspective of guaranteeing judicial impartiality, independence, and accountability, have been rarely explored and recently also threatened.

TRIIAL aims at assisting in the response of the present constitutional crisis. The standards enshrined in the EU Charter of Fundamental Rights (CFR), and, in particular, in Article 47 on the right to an effective remedy and to a fair trial, are part of a wider EU-level legal framework that guarantees the independence, impartiality and accountability of judges, and arbitrators and other legal practitioners. In addition, it will increase the ability of legal practitioners, including the judiciary, to promote rule of law in their everyday work on the basis of the EU fundamental rights legal framework. In doing so, the Project aims to support the development of networks of knowledgeable legal practitioners working on the rule of law and democracy.

TRIIAL will run from 1st of January 2020 until June 2022 and will provide training activities and tools for judges, lawyers, arbitrators and other legal professionals in areas of salient importance for the application of the CFR: trust, independence, impartiality, accountability of judges and arbitrators. Its main objective is to explain and disseminate knowledge of the CFR potential for ensuring and improving the fundamental rights standards, ultimately benefiting the rule of law in the Member States. TRIIAL is led by the Centre of Judicial Cooperation of the European University Institute (EUI) together with 12 co-beneficiaries, which include: 2 Judicial Schools (the *Italian School for the Judiciary* and the *Belgian Judicial School*); the *National Association of the Romanian Bars*; 8 academic institutions (*Universities of: Barcelona-Pompeu Fabra, Eötvös Loránd, Florence, Gdansk, Ljubljana, Maastricht, Lisbon, and The Hague University of Applied Sciences*), and a Polish think tank (*INPRIS*).



Draft Programme

09.00 - 10.45 **Research Methodology in the Field of Judicial Independence, Impartiality and Accountability**

CJC Distinguished Lecture

David Kosar | Masaryk University

Chair: **Gábor Halmai** | Project Director TRIIAL, European University Institute

Discussants:

Jaroslav Gwizdak | INPRIS

Zoltan Fleck | ELTE

Nicole Lazzerini | University of Florence

10.45 - 11.00 Discussion

11.00 - 11.15 Coffee break

11.15 - 13.00 **Rule of Law and Judicial Independence Past and Ongoing Projects - methodology and findings**

Chair: **Madalina Moraru** | Centre for Judicial Cooperation, RSCAS, European University Institute

Petros Alikakos | European Judicial Training Network

tbc | Italian School for the Judiciary

Jana Gajdosova | FRA

Marta Achler | Former OSCE

Michal Ziolkowski | EUI

David Rabenschlag | Verwaltungsgericht Berlin

Ewa Biernat | European Commission (tbc)

13.00 Concluding remarks