

INVITATION EuCourts Master Class: European Integration and National Constitutional Identity - 7 April



EuCourts Master Class V European Integration and National Constitutional Identity

Friday 7 April 2017

14:00- 16:00 Master Class - 16:00 drinks

Statenzaal, Maastricht

With:

Peter Huber

Judge at the Federal Constitutional Court in Germany

&

Bruno de Witte

Professor of European Union law at Maastricht University and the European University Institute in Florence

In this fifth EuCourts master class we address the recent Order of the Bundesverfassungsgericht regarding the surrender under the European Arrest Warrant of a person convicted in absentia. The Court ruled in this case that the complainant was admissible in his challenge of the extradition order on the basis that his right to human dignity is part of the constitutional identity of the German Basic Law. However an 'identity review' was not deemed necessary according to the Court, given that EU law in this case was in line with German constitutional identity. The case raises a number of questions: Can the EU indeed be identified as a "union of states, constitutions, administrations and courts" as the Bundesverfassungsgericht outlines in paragraph 44 of the Order. And, as to the relationships between the Court of Justice of the EU and the national constitutional courts: Which court has the last word in cases where a constitutional identity review is needed because of apparent incompatibility of European Union and national law, de jure and de facto? Will this case raise the bar for fundamental rights protection by the Court of Justice of the EU? Mark de Werd, professor of European law at Maastricht University will chair the meeting.

In addition to an in-depth discussion of the above questions, second year law students of the Maastricht University Law College will contribute a comparative legal study and a societal impact research to the discussion. The master class is open to all (master) students and employees of UM, and we also warmly welcome interested members of the judiciary and legal practice to register here: <http://bit.ly/2d2wb16>

*Please be advised that appropriate preparation for the master class is recommended: Bverf. Order of 15 December 2015 2 BvR 2735/14:
https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2015/12/rs20151215_2bvr273514en.html

