

# MAKING THE EU CHARTER OF FUNDAMENTAL RIGHTS A REALITY FOR ALL

10

2009 - 2019

12 NOVEMBER 2019  
BRUSSELS



EU2019.FI Finlands  
EU-ordförändskap



**Venue:**  
**Concert Noble, rue d'Arlon 84,**  
**1040 Brussels**

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**08:00 – 09:15**      **Registration and welcome coffee**

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**09:15 – 10:15**      **Introductory session: Awareness and use of the Charter throughout the enforcement chain**

Moderator: **Tiina Astola**, Director-General for Justice and Consumers, European Commission

**Vera Jourová**, Commissioner for Justice, Consumers and Gender Equality and Vice-President designate for Values and Transparency, European Commission  
*Towards a culture of fundamental rights in the EU: the promotion and protection of Charter rights in the European Union*

**Anna-Maja Henriksson**, Minister of Justice, Finnish Presidency of the Council of the European Union  
*The Charter goes local: how national actors can make Charter rights a reality in people's lives*

**Michael O'Flaherty**, Director of the European Union Agency for Fundamental Rights (FRA)  
*Awareness and use of the Charter at national level: FRA findings*

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**10:15 – 10:45**      **Coffee break**

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**10:45 – 12:45**      **Session 1: Towards a culture of fundamental rights at national level: making, implementing and enforcing law and policy**

Moderator: **Siofra O'Leary**, Judge at the European Court of Human Rights

*This session will look at awareness and use of the Charter at national level by policy makers, administration, Courts, legal practitioners and law enforcement bodies. Participants will reflect on avenues to enhance awareness and use of the Charter at national and local level. They will identify gaps and challenges and highlight best practices and ways to make them available to all.*

### **Scene setter**

**Elise Muir**, Head of the Institute for European Law, Catholic University of Leuven  
**Steve Peers**, Professor at the School of Law, University of Essex

### **Panel 1: The role of the legislator, administration and law enforcement bodies**

**Maija Sakslin**, Deputy Parliamentary Ombudsman of Finland  
**Corinna Wissels**, State Councillor, Council of State of the Netherlands  
**Paul Maassen**, Chief of Country Support, Open Government Partnership

### **Panel 2: The role and contribution of national courts**

**Marta Cartabia**, Vice-President of the Italian Constitutional Court  
**Nina Póttorak**, Judge at the General Court of the European Union  
**Aidan O'Neill**, Queen's Counsel at the Scottish Bar and the Bar of England and Wales

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**12:45 – 14:15**      **Buffet lunch**

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**13:30 – 14:00**      **Test and explore online Charter tools**

DG Justice and Consumers, European Commission, and the European Union Agency for Fundamental Rights (FRA)

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**14:15 – 16:30**      **Session 2: Ensuring that the Charter delivers for everyone.  
The role of civil society organisations and rights defenders**

Moderator: **Friso Roscam Abbing**, Adviser on Communication, European Union Agency for Fundamental Rights (FRA)

*This session will look at the use and awareness of the Charter by civil society organisations and rights defenders in particular National Human Rights Institutions and Equality Bodies. Participants will discuss the role they play in ensuring that the Charter is effectively applied and delivers for everyone.*

***Scene setter***

**Mirosław Wróblewski**, Director of Constitutional, International and European Law Department in the Office of the Commissioner for Human Rights, Poland

**Simon Cox**, Lawyer, Open Society Justice Initiative

***Panel 1: The role and potential of strategic litigation***

**Katerina Hadzi-Miceva Evans**, Executive Director of the European Center for Not-for-Profit Law

**Beate Rudolf**, Director of the German Institute of Human Rights, representing ENNHRI, European Network of National Human Rights Institutions

**Max Schrems**, Litigator and co-founder of NOYB – European Center for Digital Rights

***Impulse talk***

**Sylvia Winkler and Stephan Köperl**, Galley Proof – the Charter on the Road: how do citizens react when they encounter the EU Charter of Fundamental Rights in public space?

***Panel 2: Raising awareness and promoting the use of the Charter***

**Tatjana Vlastic**, Adviser to the Ombudswoman, Croatia

**Sirpa Rautio**, Director of the Finnish Human Rights Centre

**Diego Naranjo**, Head of Policy, EDRI - European Digital Rights

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**16:30 – 17:00**      **Coffee break**

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**17:00 – 18:30**      **Session 3: Looking ahead to the next decade of the Charter**

Moderator: **Emmanuel Crabit**, Director Fundamental Rights and Rule of Law, Directorate General for Justice and Consumers, European Commission

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**17:00 – 17:30**      ***Keynote speech***

**Koen Lenaerts**, President of the Court of Justice of the European Union

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**17:30 – 18:15**      ***Panel discussion***

**Juan Fernando López Aguilar**, Chair of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament

**Emily O'Reilly**, European Ombudsman

**Miguel Poiares Maduro**, Director of the EUI School of Transnational Governance

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**18:15 – 18:30**      ***Closing remarks***

**Tiina Astola**, Director-General for Justice and Consumers, European Commission

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**18:30**                      **Cocktail and finger food**

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Simultaneous interpretation will be provided between 9:15 – 12:45  
and between 14:15 – 18:30 from/to: EN, FR, DE, IT, PL

# BACKGROUND NOTES

## SESSION 1

# Towards a culture of fundamental rights at national level: making, implementing and enforcing law and policy

On 1 December 2009, the Charter of Fundamental Rights of the European Union (the Charter) became legally binding. 10 years later, the institutional landscape of the EU, the case law of national and European courts and the overall fundamental rights debate in Europe is heavily influenced and shaped by this relatively young instrument. Over the recent years, the European Parliament, the Council and the European Commission have strengthened their fundamental rights culture and developed a solid toolbox to ensure that EU laws and policies fully respect the Charter<sup>1</sup>. The Commission's annual reports on the application of the Charter illustrate the steady development of a specific body of laws and policies directly promoting and protecting Charter rights. The Court of Justice of the EU has developed a rich Charter case law (356 cases with a reference to the Charter in 2018 alone) and played its role as the ultimate authority on the compliance of EU legal acts with the Charter. National courts also increasingly use the Charter as a relevant source of interpretation, sometimes even beyond the scope of EU law<sup>2</sup>.

At the same time, Charter awareness remains low amongst the general population<sup>3</sup> and amongst legal practitioners<sup>4</sup>. Regular reports by the EU Agency for Fundamental Rights (FRA)<sup>5</sup> show that the Charter is not sufficiently used by national legislators and there are hardly any government policies that proactively promote Charter awareness and application among the various actors in the Charter's enforcement chain. The co-existence of different fundamental rights instruments, and the fact that the Charter only applies to the Member States when implementing EU law (Article 51 of the Charter), contribute to the perception of complexity, which further discourages the use of the Charter. Efficient tools, guidance and training programmes are therefore essential<sup>6</sup>. A variety of tools (such as for instance Charterpedia<sup>7</sup>, the FRA Handbook on the applicability of the Charter<sup>8</sup> or the European e-Justice Portal<sup>9</sup> and trainings are available<sup>10</sup>. They should be promoted and better used. New funding opportunities, including for training and awareness raising, were recently proposed<sup>11</sup>.

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<sup>1</sup>Commission strategy for the effective implementation of the Charter, available [here](#); Commission Guidance on taking into account fundamental rights in impact assessments, available [here](#) and the Better Regulation Package, which makes Charter mainstreaming an integral part of the impact assessment (available [here](#)); Council Guidelines on fundamental rights compliance check, available [here](#); possibility for the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) to submit an opinion on any legislative file (European Parliament's rules of procedure – Rule 39).

<sup>2</sup>Commission's 2018 Report on the application of the EU Charter of Fundamental Rights (focus section on the 10th anniversary of the entry into force of the Charter), available [here](#).

<sup>3</sup>Special Eurobarometer 487b on the "Awareness of the Charter of Fundamental Rights of the European Union", available [here](#).

<sup>4</sup>See also the conference paper *The 'national life' of the EU Charter of Fundamental Rights at its tenth anniversary*, as submitted by FRA.

<sup>5</sup>See most recently, FRA's 2019 Fundamental Rights Report.

<sup>6</sup>Session 2 will deal with this aspect in more detail.

<sup>7</sup>See <https://fra.europa.eu/en/charterpedia>.

<sup>8</sup>FRA guidance on applying the Charter at national level, available [here](#).

<sup>9</sup>See <https://e-justice.europa.eu/>.

<sup>10</sup>Commission Justice programme, information available [here](#); European Judicial Training Network, <http://www.ejtn.eu/>.

<sup>11</sup>See the Commission proposal establishing a Rights and Values programme, available [here](#).

*Panel 1 will focus on the use and awareness of the Charter by national legislators, national public administration and local authorities, and law enforcement bodies. Panel 2 is dedicated to the role and contribution of national courts.*

### **Panel 1 – The role of the legislator, administration and law enforcement bodies**

The constitutional traditions of the EU Member States have a strong track record in the protection of fundamental rights<sup>12</sup>. However, to date, the Charter is not used to its full potential by national law and policy makers and by law enforcement bodies, such as the police. The Charter still has to find its place in various institutional practices at national level<sup>13</sup>. Participants in Panel 1 will look at how national legislators, national public administration, local authorities and law enforcement bodies can make the Charter a living instrument in their daily work. They will share promising practices and the challenges they encounter in using the Charter, including in operations supported by EU funds. They will also look at how civil society organisations and rights defenders, such as National Human Rights Institutions, Equality Bodies and Ombuds institutions, can cooperate with Member States in ensuring the application of the Charter.

### **Panel 2 – The role and contribution of national courts**

National judges play a key role in upholding fundamental rights and ensuring the uniformity of the application of the Charter. When applying EU law they act as European judges. Data shows that they are increasingly referring to the Charter. One tenth of the requests for preliminary rulings that reach the Court of Justice of the European Union mention the Charter (84 references in 2018). The Charter is also used by national judges to interpret EU and national law outside the context of preliminary rulings. Some cases show that the Charter's added value is being increasingly recognised, even beyond the scope of application of EU law. Participants in Panel 2 will exchange experiences with applying the Charter in concrete cases and explain how the Charter has played out against the background of their specific constitutional settings. They will also seek to identify tools and means to make the Charter a legal instrument that is easy to use for national judges.

#### ***Indicative questions to steer the discussion:***

- 1.** How can we stimulate national authorities to invest more in the promotion of the application of the Charter provisions?
- 2.** How can we best reach out to legal practitioners to encourage them to get training on the Charter and use it in their daily work?
- 3.** Are there examples of national practices that have promoted the use of the Charter in national courts, national parliaments and administrations as well as law enforcement bodies?
- 4.** Can you give examples of cooperation between rights defenders/civil society organisations and Member States that have led to a better application of the Charter? How could such cooperation be improved?
- 5.** How can the EU, its institutions, bodies, offices and agencies better assist actors at the national level to use and apply the Charter? (Improve existing tools? Develop new ones? Offer more training?).

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<sup>12</sup>See in this context FRA's national Charter factsheets available at <https://fra.europa.eu/en/publication/2019/eu-charter-country-sheets>.

<sup>13</sup>FRA, *Challenges and opportunities for the implementation of the Charter of Fundamental Rights, Opinion 4/2018*, p. 41.

## SESSION 2

# Ensuring that the Charter delivers for everyone. The role of civil society organisations and rights defenders

As underlined in the European Commission's Report on the application of the EU Charter of Fundamental Rights in 2018<sup>1</sup> and in the EU Agency for Fundamental Rights (FRA) Fundamental Rights Report 2019<sup>2</sup>, civil society organisations (CSOs) and rights defenders such as National Human Rights Institutions (NHRIs), Equality Bodies and Ombuds institutions and their networks play an essential role in ensuring that people can effectively enjoy their Charter rights in the EU. Their contribution is cross-cutting and ranges from advice, monitoring and (strategic) litigation to awareness raising and fundamental rights education.

CSOs and rights defenders are key partners to help national governments and parliaments promote and protect the rights enshrined in the Charter (this will be specifically discussed in Session 1, panel 1). They are also key actors in helping victims of fundamental rights violations, especially the more vulnerable, know about their rights, identify the adequate redress mechanism and receive effective judicial protection. A recent Eurobarometer survey conducted by the Commission shows that Charter awareness remains relatively low and that there is a high demand by citizens for more information on Charter rights and where to turn when those rights are violated<sup>3</sup>. Rights defenders and CSOs are well placed to raise people's awareness of their Charter rights and assist them with litigation. A recent survey carried out by FRA amongst civil society organisations working in the field of fundamental rights found that half of the respondents were of the view that the relevant staff in their organisation was not sufficiently aware of the Charter<sup>4</sup>. 80 per cent of the responding CSOs said they had never attended a training on the Charter or provided such training. Almost all NHRIs interviewed by FRA<sup>5</sup> indicated that they were not exploiting the full potential of the Charter in their work. For CSOs and rights defenders to be able to play their role in an effective manner and make the Charter a reality in people's lives, they themselves need to be fully aware of the Charter, its scope of application and the most recent case law.

*Session 2 will focus on the role and impact of strategic litigation of Charter rights (Panel 1), and will highlight promising practices to promote and raise awareness about the Charter (Panel 2).*

### Panel 1 – The role and potential of strategic litigation

The number of strategic litigation cases involving rights enshrined in the Charter has increased in recent years, which contributes to effective access to justice for all and to a more coherent implementation and application of EU law. However, handling such cases requires not only legal capacity and specialised knowledge, but also the development of a strategic approach. Indeed, the success of litigation initiatives imply, beyond legal expertise, communication, advocacy

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<sup>1</sup>Commission, 2018 Report on the application of the EU Charter of Fundamental Rights, available [here](#).

<sup>2</sup>FRA (2019), Fundamental Rights Report 2019, available [here](#).

<sup>3</sup>Special Eurobarometer 487b of June 2019.

<sup>4</sup>FRA (2019), The 'national life' of the EU Charter of Fundamental Rights at its tenth anniversary, Conference paper, November 2019.

<sup>5</sup>FRA (2019), The 'national life' of the EU Charter of Fundamental Rights at its tenth anniversary, Conference paper, November 2019.

and community engagement, to reach policy-makers, mobilise public opinion, maintain victims' engagement in the process and ensure the enforcement of decisions. In this context, the support and assistance to the victims provided by CSOs, NHRIs and Equality Bodies is instrumental. The Commission is currently implementing a preparatory action proposed by the European Parliament to provide support for litigating cases relating to violations of democracy, rule of law and fundamental rights<sup>6</sup>. Participants in Panel 1 will share their positive experiences of litigation as well as their difficulties and explore avenues for cooperation. Participants will also focus on the specific needs of actors involved in litigation, such as funding, training, networking and peer learning.

## **Panel 2 – Raising awareness and promoting the use of the Charter**

Charter proficiency is essential to be able to identify Charter rights violations. As mentioned earlier, data show that citizens, CSOs and rights defenders do not consider themselves sufficiently well informed. Tools exist such as Charterpedia<sup>7</sup> and the European eJustice Portal<sup>8</sup> (on which presentations will be made over the lunch break). These tools could be better promoted and possibly improved. The European Commission provides funding for trainings on the Charter and FRA has been cooperating with NHRIs on specific training modules for national administrations, civil society and others<sup>9</sup>. The Commission's proposal for a new Justice, Rights and Values Fund opens the possibility for further funding opportunities, in particular for CSOs and national authorities.

In Panel 2, participants will exchange views on how to improve CSOs and rights defenders' knowledge about the Charter. They will focus on strengths and weaknesses of existing tools and explore ways to improve and disseminate them effectively. In addition, participants will reflect on how to enhance the contribution provided by their networks and promote dialogue and synergies between their members. Participants will also reflect on how the different actors in the Charter's enforcement chain can best share their experience and best practices on awareness and use of the Charter, including successful campaigns. They will explore avenues to address existing challenges in reaching out to the public in an effective way, especially to the more vulnerable persons.

### ***Indicative questions to steer the discussion:***

- 1.** What are the key ingredients needed to mount successful strategic litigation cases and what can be CSOs/rights defenders' added value? Would you have best practices to share?
- 2.** What specific obstacles are CSOs and rights defenders facing when supporting victims in a strategic litigation case?
- 3.** Which strategies and tools have proven effective in improving knowledge about the Charter among CSOs and rights defenders? How could existing instruments be improved?
- 4.** How can CSOs and rights defenders best play their role in informing citizens about their Charter rights and where to turn when their rights are violated? How could national governments cooperate with/support civil society actors and rights defenders in developing targeted tools and increase Charter awareness, in particular amongst the more vulnerable population?

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<sup>6</sup>COMMISSION DECISION on the financing of the preparatory action Union fund for financial support for litigating cases relating to violations of democracy, rule of law and fundamental rights and the adoption of the work programme for 2018 (C(2019) 120.

<sup>7</sup><https://fra.europa.eu/en/charterpedia>.

<sup>8</sup>[https://beta.e-justice.europa.eu/584/EN/charter\\_tutorial](https://beta.e-justice.europa.eu/584/EN/charter_tutorial).

<sup>9</sup>Commission, 2018 Report on the application of the EU Charter of Fundamental Rights, focus section on the 10th anniversary of the entry into force of the Charter.



## Věra Jourová

**Commissioner for Justice, Consumers and Gender Equality and Vice-President designate for Values and Transparency, European Commission**

Věra Jourová is currently European Commissioner for Justice, Consumers and Gender Equality. She is nominated as Vice-President responsible for values and transparency and in the upcoming Commission will deal with democracy, rule of law, disinformation, media pluralism and institutional reform of lead candidate system. Previously, she was the Czech Minister for Regional Development and Member of the Chamber of Deputies from 2013 to 2014. In 2019, Time magazine ranked Věra Jourová as one of the 100 most influential people of the year, due to her outstanding work on the development of the General Data Protection Regulation (GDPR), new privacy rights and her work with tech platforms to fight illegal hate speech online.



## Anna-Maja Henriksson

**Minister of Justice, Finnish Presidency of the Council of the European Union**

Anna-Maja Henriksson is the Minister of Justice of Finland, serving in Antti Rinne's Cabinet since June 2019. Mrs. Henriksson also held the office of Finland's Minister of Justice from 2011 to 2015. She was first elected to the Finnish Parliament in 2007, and has served as a Member of Parliament since then. As a Member of Parliament Mrs. Henriksson has been the vice chair of the Legal Affairs Committee, a member of the Constitutional Law Committee, a member of the Social Affairs and Health Committee among others. Mrs. Henriksson was the chairperson of the Swedish Parliamentary Group from 2015 to 2016. She has served as a Member of the Nordic Council from 2016 to 2019.

Mrs. Henriksson is the chairperson of the Swedish People's Party of Finland, a position she has held since she was first elected in 2016. Mrs. Henriksson is Master of Laws with court training.



## Michael O'Flaherty

**Director of the European Union Agency for Fundamental Rights (FRA)**

Michael O'Flaherty is Director of the EU Agency for Fundamental Rights. Previously, he was Established Professor of Human Rights Law and Director of the Irish Centre for Human Rights at the National University of Ireland Galway, and served as Chief Commissioner of the Northern Ireland Human Rights Commission. From 2004-2012, he was a member of the UN Human Rights Committee. His earlier UN career included leadership of human rights protection programmes in Sierra Leone and Bosnia-Herzegovina.



## Tiina Astola

**Director-General for Justice and Consumers, European Commission**

Since 1 February 2016, Ms Astola is Director-General for Justice and Consumers at the European Commission. The DG deals with civil justice, including contract and company law, criminal justice, fundamental rights, data protection and free movement, equality and consumer law and policy. Before joining the Commission, Ms Astola was Permanent Secretary of the Finnish Ministry of Justice, with overall responsibility for both international and domestic law matters, including courts and prisons. Prior to that, she headed units responsible for civil law and European law at the Department of Legislation of the Ministry and has also worked for the Finnish Ministry of Finance and the Finnish Foreign Trade Association. Ms. Astola has been awarded an Honorary Doctorate by the Faculty of Law of the University of Helsinki in May 2017.



## **Elise Muir**

**Head of the Institute for European Law, Catholic University of Leuven**

Prof. dr. Elise Muir is Head of the Institute for European Law of the KU Leuven and Visiting Professor at the College of Europe.

She studied law both in France and in the UK before graduating from the College of Europe in Belgium (LLM, top law student). She has been a visiting researcher at Columbia Law School (Fulbright grantee) and the European University Institute before completing her PhD at the University of London (Queen Mary, 2010). Elise has worked at the Faculty of Law of Maastricht University before moving to Leuven.

Her post-doctoral research projects on EU fundamental rights law have received the financial support of the Dutch research Council (Veni programme, 2013-2017) and the European Commission (Marie Curie Intra-European Fellowship, 2011-2013). Elise's research programme has been awarded the 2012 Edmond Hustinx prize for science from the University of Maastricht. As from 2020, Elise will start a new large scale project that revisits the constitutional architecture of EU fundamental rights law with the support of the European Research Council (Starting Grant, 'RESHUFFLE', 2020-2025).



## **Steve Peers**

**Professor at the School of Law, University of Essex**

Professor of EU and Human Rights Law at the University of Essex. He is the co-editor of a Commentary on the EU Charter of Fundamental Rights (second edition forthcoming), as well as the author, co-author or co-editor of books on the EU Citizenship Directive, EU Justice and Home Affairs Law and EU Immigration and Asylum Law. He is the editor of the EU Law Analysis blog, a consultant and speaker on EU law issues, and a frequent contributor to the work of the UK Parliament, the EU institutions and a number of NGOs on EU law, especially human rights aspects.



## **Maija Sakslin**

### **Deputy Parliamentary Ombudsman of Finland**

Deputy Parliamentary Ombudsman Maija Sakslin. Maija Sakslin has served as Deputy Parliamentary Ombudsman since 2010. She was elected for her third term by the Parliament in 2018. In 2012 – 2015 she chaired the Management Board of the European Union Agency for Fundamental Rights. She was a member of the board during 2010 – 2015. She has served as an expert in Constitutional law at the Constitutional Committee of the Parliament and as an expert in several working groups for drafting constitutional amendments and reforms. She was also a member of a expert group supporting Finnish members of the Convention which drafted the EU Charter of Fundamental Rights. In Early 1990s, she was one of the secretaries of the Fundamental Rights Committee, thus contributing to the drafting of the fundamental rights in the constitution of Finland.

She was previously assistant of Constitutional Law and researcher at International Institute of Economic law at Helsinki University, and senior researcher at Social Insurance Institution. Her research and publications has focused on fundamental rights and constitutional law as well as EU social security coordination. She has received an Honorary Doctorate in Law at University of Eastern Finland 2019.



## **Corinna Wissels**

### **State Councillor, Council of State of the Netherlands**

Corinna Wissels is member of the Administrative Jurisdiction Division of the Council of State of the Netherlands. Before joining the Council of State in 2013, she was head of the European Union Law department of the Ministry of Foreign Affairs, both responsible for the agents representing the Netherlands at the Court of Justices of the EU and for the EU law specialists advising the Ministry of Foreign Affairs and other Ministries on EU law (2007-2013). From 1997 to 2013 Corinna Wissels was one of the agents representing the Netherlands at the Court of Justice.

From 1993 to 1997 Corinna Wissels worked in Moscow, first as a lawyer (Gide Loyrette Nouel and Baker & McKenzie), then as director of the IRIS Russia Commercial law Project, advising the Russian Government on the drafting of the new Russian Civil Code. She started her career as a lawyer in Rotterdam, Brussels and Amsterdam, specialising in European Law (Loeff Claeyss Verbeke Sorel, 1987 – 1993). She has a law degree from the University of Leiden (1986) and a Diplome d'Etudes Approfondies of the University of Paris (Paris II) on European and International Law (1987). As president of the Dutch Association for European law, Corinna Wissels actively promotes the discussion on EU law in the Netherlands. She is the current president of the International Federation of European law (FIDE).



## **Paul Maassen**

**Chief of Country Support, Open Government Partnership**

As Chief, Country Support Paul leads on the implementation of the OGP strategy at the national and local level. His team supports global efforts to increase transparency, accountability and participation. Paul has a long track record in the role technology and media can play in changing people's lives and the societies they live in.



## **Marta Cartabia**

**Italian Constitutional Court – Vice President**

Marta Cartabia, full professor of Constitutional Law, is currently Vice President of the Italian Constitutional Court. Her main areas of study and scholarship are Italian and European constitutional law, constitutional review of legislation, protection of fundamental rights, law and religion.

Since December 2017, she is a Substitute member for Italy of the Venice Commission. She is a member of the Society's Council of ICON•S (The International Society of Public Law) and President and co-founder of the Italian Chapter of the same society since 2018. She is currently member of the Advisory Board of the International Journal of Constitutional Law (I•CON).



## **Nina Póltorak**

**Judge at the General Court of the European Union**

Nina Póltorak is judge at the General Court of the European Union since April 2016. She is professor of EU law at the Jagiellonian University in Krakow. She was Director of Postgraduate Study Programs in EU law at the Jagiellonian University and visiting scholar at e.g. the University of Oxford at the European University Institute. She has been judge seconded to the Supreme Administrative Court of Poland and Director of the EU Law Department at the Supreme Administrative Court. She is author of numerous publications on European law and speaker at many conferences concerning European law.



## **Aidan O'Neill**

**Queen's Counsel at the Scottish Bar and the Bar of England and Wales**

Aidan O'Neill QC is a barrister and Queen's Counsel in both England and Scotland ("double silk"). He is a member of Matrix Chambers, London and of Ampersand, Edinburgh. He is ranked among the top ten counsel in the UK in terms of number of appearances before the UK Supreme Court. In addition to his work in employment/equality law and human rights, he has a wide-ranging European, constitutional and public law practice both north and south of the border in consistently ground-breaking cases. Aidan was previously a teaching fellow at Princeton and Edinburgh universities. He is the author of substantial academic articles, blog posts and legal practitioner textbooks.



## **Siofra O'Leary**

### **Judge at the European Court of Human Rights**

Judge Siofra O'Leary, BCL (University College Dublin), PhD (European University Institute) was sworn in as a Judge at the European Court of Human Rights in July 2015.

Prior to joining the European Court of Human Rights, Judge O'Leary worked for 18 years at the Court of Justice of the European Union, where she served as a référendaire and Chef de cabinet for Judges Aindrias Ó Caoimh, Fidelma Macken and Federico Mancini. She later ran part of that Court's Research Directorate.

Judge O'Leary has been a Visiting Professor at the College of Europe in Bruges for many years where she has taught LLM courses on EU law and the individual, EU Social Law and Policy and now a judicial workshop. She has, in recent years, been a member of the Editorial Board of the Common Market Law Review and is now a member of both its Advisory Board and the Board of the Irish Centre for European Law. In 2016 she was elected an Honorary Bencher of the Honorable Society of King's Inns.

Before joining the Court of Justice of the European Union, Siofra O'Leary was the Assistant Director for the Centre of European Legal Studies at the University of Cambridge and a Fellow of Emmanuel College. She was previously a Visiting Fellow at the Faculty of Law, University College Dublin, a Postdoctoral Fellow at the University of Cádiz, Spain and a Research Associate at the Institute for Public Policy Research in London. She is the author of two books entitled *The Evolving Concept of Community Citizenship* (Kluwer, 1996) and *Employment Law at the European Court of Justice* (Hart Publishing, 2001) and has published extensively in academic journals and monographs on the protection of fundamental rights, EU employment law, the free movement of persons and services and EU citizenship.



## Mirosław Wróblewski

**Director of Constitutional, International and European Law Department  
in the Office of the Commissioner for Human Rights, Poland**

Attorney at law - expert on constitutional, European and human rights law. Political scientist. Author of more than 50 articles, editor of books and other publications and reports on human rights. He i.a. conducted research on the Charter within EC funded projects "Charter as a Living Instrument" and "Judging the Charter". Since 2014 he has been training judges, advocates, attorneys at law and NGOs on the Charter application on EU and national level.

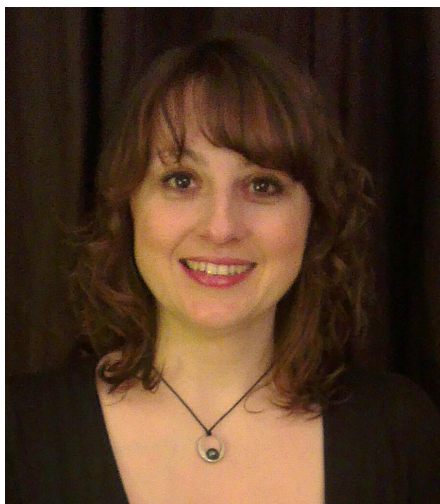
He served in the EU Fundamental Rights Agency between 2012 and 2017, being a member of the FRA Management Board, member of the FRA Executive Committee (2015-2017) and a Chairman of the FRA Budget Committee. He is a member of the Polish Association of the European Law and a member of the Polish Constitutional Law Association. Between 2014 and 2019 he was a member of the management board of Professor Zbigniew Hołda Association. From 2016 a vice-chair of the Committee for Human Rights in the Polish Bar Association of Attorneys at Law.



## Simon Cox

**Lawyer, Open Society Justice Initiative**

Simon Cox is a lawyer and rights activist. Barrister at Doughty Street Chambers, London. Migration Lawyer at Open Society Justice Initiative from 2011, developing legal arguments & strategies in EU law for NGOs constrained by illiberal laws including in Hungary, Romania, Italy; and in national & international law for migrant-led groups including in Greece & South-East Asia. Pleaded before Court of Justice of EU in NS (returns of asylum-seekers to Greece), Shirley McCarthy (no EU right to family reunion for dual national in own member state), CEZ (race discrimination against Roma districts in Bulgaria), numerous cases on free movement (Payir, Sonmez, Oguz, Bartlett) and asset freezing (Ayadi, Othman); also Chowdury v Greece, European Court of Human Rights, 2017 (Bangladeshi irregular migrant workers subjected to forced labour).



## **Katerina Hadzi-Miceva**

**Executive Director of the European Center for Not-for-Profit Law**

Katerina is a legal expert who for over 18 years works with civil society organizations (CSOs), public authorities, philanthropists to create policy and legal conditions for CSO enabling environment. She has helped design innovative tools for CSO law monitoring, provided expertise in developing norms at the UN and EU level, has spoken at different forums e.g., at TEDx Liberdade, launch of Community of Democracies' Democracy and Security Dialogue initiative with former U.S. Secretary of State M. Albright. She is member of the EU Fundamental Rights Agency Advisory Panel, OSCE/OIDHR Panel on Freedom of Assembly and of Association and the Council of Europe Expert Council on NGO Law. Katerina has been with ECNL through the phase of transition from a branch office to an independent organization; she became ECNL director in 2012. Under her leadership ECNL broadened its expertise to address new challenges that CSOs are facing (e.g., counter-terrorism, digital technology and artificial intelligence). She is currently working with colleagues on research and capacity building that promotes the use of EU law and the EU Charter of Fundamental Rights with the aim to advance and protect the CSO legal environment and support law reform and litigation. Twitter: @KHME and @enablingNGOlaw



## **Beate Rudolf**

**Director of the German Institute for Human Rights, representing ENNHRI, European Network of National Human Rights Institutions**

Since 1 January 2010, Prof. Dr. iur. Beate Rudolf has been the Director of the German Institute for Human Rights. Prior to that, she was a junior professor for public law and equality law at the faculty of law of Freie Universität Berlin. From March 2016 until March 2019, she also served as Chairperson of the Global Alliance of National Human Rights Institutions (GANHRI) which represents over 100 National Human Rights Institutions (NHRIs) worldwide. GANHRI coordinates the activities of the NHRIs at the global level, promotes the role of NHRIs worldwide, provides a forum for its members to interact and exchange, and facilitates their engagement with international organizations.”



## Max Schrems

**Litigator and co-founder of NOYB – European Center for Digital Rights**

Maximilian Schrems (usually referred to as Max Schrems) is an Austrian activist and author who became known for campaigns against Facebook for privacy violation, including its violations of European privacy laws and alleged transfer of personal data to the US National Security Agency (NSA) as part of the NSA's PRISM program. Schrems is the founder of NOYB – European Center for Digital Rights.

In 2013, Schrems filed a complaint against Facebook Ireland Ltd with the Irish Data Protection Commissioner (DPC), Ireland being the country where Facebook has its European Headquarters.[4] The complaint was aimed at prohibiting Facebook to further transfer data from Ireland to the United States, given the alleged involvement of Facebook USA in the PRISM mass surveillance program. On 1 August 2014, Schrems filed a lawsuit against Facebook at the local Viennese courts. He enabled other Facebook users to join his case, generating a "class action" style suit, dubbed by the press as a David and Goliath suit, estimated as likely to be the largest class action privacy suit ever brought in Europe.

Shortly after its coming into effect on 25 May 2018, Schrems filed suit under the newly promulgated General Data Protection Regulation (GDPR) in Ireland against Google and Facebook for coercing their users into accepting their data collection policies. Three complaints totalling over €3.9 billion were filed.

On 18 January 2019, Schrems filed further GDPR complaints against Amazon, Apple Music, DAZN, Filmmit, Netflix, SoundCloud, Spotify, and YouTube. His non-profit, noyb.eu, alleged they failed to respond, did not include sufficient background information, or provided insufficient or unintelligible raw data. noyb predicted a maximum total fine of €18.8 billion for the 8 companies.



## Sylvia Winkler

Artist

\*1969 in Austria; Stuttgart State Academy of Arts; Since 1997 research based art projects in collaboration with Stephan Köperl which culminate in public performances or video works, e.g. about the election system in Indonesia, a Korean smart city or the International Criminal Court for the Former Yugoslavia. In her individual work she focusses on the implementation of political-historical research in diagrams and drawings. She is board member of the 'Kunstverein Wagenhalle e.V.', Stuttgart.



## Stephan Köperl

Artist

\*1966 in West-Germany; Stuttgart State Academy of Arts; Since 1997 collaboration with Sylvia Winkler and individual art projects on subjects like polyamory, sexual objectification or body shame. He volunteers as a lay assessor at the Higher Regional Court Stuttgart.



## Sirpa Rautio

### Director of the Finnish Human Rights Centre

Ms Rautio is the Chairperson of the FRA Management Board since 2017 and a member, since 2015. She is the Director of the Finnish Human Rights Centre, which together with the Parliamentary Ombudsman forms the Finnish National Human Rights Institution accredited with A-status, since 2014.

Prior to this appointment, Ms. Rautio worked abroad for over 20 years in various human rights positions in international organisations, including in the World Bank Nordic Trust Fund on human rights, the Council of Europe, the Office of the Commissioner for Human Rights, the OSCE/ODIHR, OHCHR field mission in the former Yugoslavia and the EU Rule of Law mission in Kosovo. Ms. Rautio has worked both in the field and at headquarters positions and has extensive experience working in post conflict settings and countries in transition, including in the former Yugoslavia. Ms. Rautio is a lawyer by profession having graduated from the University of Turku, Finland.



## **Diego Naranjo**

**Head of Policy, EDRI - European Digital Rights**

Diego Naranjo is a qualified lawyer and co-founder of the Andalusian human rights organisation Grupo 17 de Marzo. During the last six years, Diego has been specialising on human rights law. He owns a Master's degree in human rights from the European Inter-University Centre for Human Rights and Democratisation in Venice. Diego joined EDRI in October 2014 where he works as Senior Policy Advisor. He advocates for the protection of citizens' fundamental rights and freedoms online in the fields of data protection, surveillance and copyright. In the past, Diego gained experience in the International Criminal Tribunal for former Yugoslavia, the EU Fundamental Rights Agency (FRA) and the Free Software Foundation Europe. Previously to all that he worked as a lawyer in Spain. He is part of the expert group on digital rights of the Spanish Ministry of Energy, Tourism and Digital Agenda. Diego is co-author of the Council of Europe's Study DGI(2014)31 "Human Rights Violations Online", prepared by EDRI for the Council of Europe on 4 December 2014.



## **Friso Roscam Abbing**

**Adviser on Communication, European Union Agency for Fundamental Rights (FRA)**

Friso Roscam Abbing is Adviser on Communication and Spokesperson of the EU Agency for Fundamental Rights where he previously headed the Fundamental Rights Promotion Department. He was previously a spokesperson on freedom, security and justice at the European Commission, Cabinet member, and headed the Sector in the Commission dealing with asylum policy. Before that, he led the EU Office of the European Council on Refugees and Exiles, a European network of 96 NGOs in 40 European countries protecting and advancing the rights of refugees, asylum seekers and displaced people. He holds a bachelor degree in law and a master degree in Public Administration at the University of Amsterdam.



## Koen Lenaerts

**President of the Court of Justice of the European Union**

Born in 1954, he was awarded degrees from the University of Leuven (Lic. iur.; PhD in Law) and Harvard University (LL.M.; M.P.A.) before holding the posts of Lecturer (1979-83) and, subsequently, Professor of European Law at the University of Leuven (since 1983). He was Legal Secretary at the Court of Justice (1984-85), Professor at the College of Europe in Bruges (1984-89) and member of the Brussels Bar (1986-1989). He became a Judge at the Court of First Instance of the European Communities in 1989 and, since 2003, has been a Judge at the Court of Justice of the European Union. From 2012 to 2015, he served as Vice-President of the Court of Justice. He has been President of the Court of Justice of the European Union since 8 October 2015.



## Juan Fernando López Aguilar

**Chair of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament**

Juan Fernando López Aguilar has been a Member of the European Parliament since 2009. He currently serves as a Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and as a member of the ACP-EU Joint Parliamentary Assembly.

Prior to this, he was Minister of Justice of Spain (2004 - 2007) and he also served as a Head of the Spanish Socialist Delegation to the European Parliament (2009 - 2014), as a Member of the Spanish Parliament (2000 - 2009), and as a Secretary General of the Spanish Socialist Workers' Party in the Canary Islands (2007 - 2011). At the same time, he has built an academic career as a Professor of Constitutional Law at the University of Las Palmas.



## **Emily O'Reilly**

### **European Ombudsman**

Emily O'Reilly was first elected as the European Ombudsman in 2013. Following the European Parliament elections, she was re-elected for a five-year mandate in 2014. As the European Ombudsman she investigates maladministration in the institutions and bodies of the European Union. She was awarded Schwarzkopf Europe Award 2017 and the Prague European Summit Vision for Europe Award 2018 in recognition of her work.

From 2003 to 2013, Ms O'Reilly was the first female Ombudsman and Information Commissioner in Ireland and since 2007 Commissioner for Environmental Information. As national Ombudsman she was conferred in 2008 with an Honorary Doctorate in Law by the National University in Ireland for her work in promoting human rights. In 2014 she was awarded an Honorary Doctorate of Law from the University College Dublin for her work as Irish Ombudsman. As a former journalist and political editor,



## Miguel Poiares Maduro

### Director of the EUI School of Transnational Governance

Miguel Poiares Maduro is Director of the School of Transnational Governance at the European University Institute. Before, he was Professor at the Law Department and at the Robert Schuman Centre of the European University Institute where he was the Founding Director of the Global Governance Programme (from 2010 to 2013). From 2013 to 2015 he was Minister Deputy to the Prime Minister and Minister for Regional Development in Portugal. Until 2009 he was Advocate General at the European Court of Justice. From June 2016 to May 2017 he was Chairman of the new Governance and Review Committee of FIFA. He was a member of the EU High Level Group on Media Freedom and Pluralism. He has been a regular Visiting Professor at Yale Law School, the College of Europe and Universidades Católica and Nova in Portugal. He has also taught at the London School of Economics, the Centro de Estudios Constitucionales (Madrid) and Chicago Law School. He is a Doctor of Laws by the European University Institute (Florence) and was the first winner of the Rowe and Maw Prize and winner of the Prize Obiettivo Europa (for the best PhD thesis at the EUI). He has been Fulbright Visiting Research Scholar at Harvard Law School. He is Co-Director of the Academy of International Trade Law (Macao). He belongs to the editorial or advisory board of several law journals, including the European Law Journal and the Common Market Law Review and was founding editor of Global Constitutionalism. He co-edited with Joseph Weiler the Special Book Review Issue of the European Law Journal. And with Francis Snyder the Hart Publishers Series Studies in European Law and Integration. He is the author of *We the Court - The European Court of Justice and the European Economic Constitution* (Oxford, Hart Publishing, 1997). He has published articles, in several languages, on issues of EU law, constitutional law, human rights law and international economic law. More recently he published *A Constituição Plural – Constitucionalismo e União Europeia* (Lisboa, Principia, 2006) and *The Past and Future of EU Law* (co-edited with Loic Azoulay, Oxford, Hart Publishing, 2009). He has also published a non-legal book (*Crónicas de um Peixe Fora de Água*, Lisboa, Entrelinhas, 2006). He has been honoured by the President of the Portuguese Republic with the Order of Sant'Iago da Espada for literary, scientific and artistic merit. In 2010 he was awarded the Gulbenkian Science Prize.



## **Emmanuel Crabit**

**Director Fundamental Rights and Rule of Law, Directorate General for Justice and Consumers, European Commission**

Emmanuel Crabit is director of the directorate “Fundamental rights and rule of law.” Previously, he was head of unit for “Fundamental right and rights of the child”, and then for “Justice policy and rule of law” in the European Commission’s DG for Justice and Consumers. Before working for DG Justice and Consumers, Emmanuel Crabit worked in the Internal Market and Services Directorate General and, inter alia, dealt with Commission initiatives in the field of data protection, media pluralism, e-commerce and services. Emmanuel Crabit holds a PhD in public law and was senior lecturer in public law before joining the European Commission.”

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