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## COLLECTED COURSES OF THE ACADEMY OF EUROPEAN LAW **WORKSHOP WITH THE AUTHORS:** *Contemporary Challenges to EU Legality*

Tuesday 5 February 2019  
Sala degli Stemmi  
Villa Salviati  
Via Bolognese 156, Florence

The 2018 Academy of European Law summer course on the Law of the European Union focused on the theme of contemporary challenges to EU legality.

Five Specialized Courses taught by prominent scholars in the field, identified and assessed the ways in which EU actions and norms can challenge legality, and considered the pathways taken towards or away from EU legality by EU institutions. They explored the production of norms by EU institutions and institutional arrangements/safeguards for legality in norm production, implementation and enforcement. They also examined adjudication of legality of EU norms as a central legality safeguard.

As well as providing theoretical overviews of how we can conceive of EU legality, the Academy summer course lecturers have explored further ways of examining how legality challenges arise and are accepted or challenged. These involved an examination of discrete areas of EU law where there appears to be strong evidence of developments challenging legality: EU asylum policy, Common Foreign and Security Policy and Brexit. A further cross-cutting theme entailed consideration of the extent to which accession to international instruments does, can and should act as an EU legality constraint.

In addition, a Distinguished Lecture delivered during the summer course addressed the theme of rule of law backsliding in EU Member States. This was concerned with rule of law challenges within the EU and considered how the EU can respond to domestic challenges to the Rule of Law.

This Workshop brings together these scholars to discuss and debate their draft chapters for the Collected Courses volume that will be published from the courses: *Contemporary Challenges to EU Legality*. Discussants will comment on the draft papers.

### ■ PROGRAMME

- 09:00 – 09:10 Introduction  
**Claire Kilpatrick and Joanne Scott**
- 09:10 – 10:10 *The Theoretical Foundations of EU Law*  
**Neil Walker**  
Discussants: **Sylvie Taylor Armstrong**

10:10 – 11:10	<i>Accession to International Instruments as an EU Legality Constraint</i> <b>Bruno De Witte</b> Discussant: <b>Maria Barata</b>
11:10 – 11:40	Coffee Break
11:40 – 12:40	<i>Legal Acts in EU Common Foreign and Security Policy: Combining Legal Bases and Questions of Legality</i> <b>Ramses A. Wessel</b> Discussant: <b>Aruna Michiels</b>
12:40 – 13:40	Lunch Break
13:40 – 14:40	<i>EU Legality as a Challenge to EU Asylum and Migration Policies (and vice versa)</i> <b>Evelien Brouwer</b> Discussant: <b>Jaka Kukavica</b>
14:40 – 15:40	<i>Brexit and the Court of Justice of the European Union</i> <b>Kieran Bradley</b> Discussant: <b>Luigi Pedreschi</b>
15:40 – 16:00	Concluding Discussion

## ■ PARTICIPANTS

**Maria Barata**, Ph.D. Researcher, EUI

**Kieran Bradley**, Special Adviser on Brexit to the Court of Justice of the European Union (TBC)

**Evelien Brouwer**, Senior Researcher, Faculty of Law, Vrije Universiteit, Amsterdam

**Bruno De Witte**, Professor of European Union Law, Maastricht University and EUI

**Claire Kilpatrick**, Professor of International and European Labour and Social Law, EUI

**Jaka Kukavica**, Ph.D. Researcher, EUI

**Aruna Michiels**, Ph.D. Researcher, EUI

**Luigi Pedreschi**, Ph.D. Researcher, EUI

**Joanne Scott**, Professor of European Law, EUI

**Sylvie Taylor Armstrong**, Ph.D. Researcher, EUI

**Neil Walker**, Regius Professor of Public Law and the Law of Nature and Nations, University of Edinburgh

**Ramses A. Wessel**, Professor of International and European Law & Governance, University of Twente