



RULE OF LAW CHALLENGES IN THE EU: IMPLICATIONS FOR EU ECONOMIC LAW

10 JANUARY 2019

Conference Room

Hungarian Academy of Sciences

Centre for Social Sciences

(MTA TK)

1097, Budapest, Tóth Kálmán utca 4.

PROGRAMME

8:30 - 8:45 Arrivals and registration

8:45 - 9:00 Opening

Kati Cseres (University of Amsterdam and MTA TK Institute of Legal Studies)

Maciej Bernatt and Adam Jasser (University of Warsaw Centre for Antitrust and Regulatory Studies)

Marton Varju (MTA TK Institute of Legal Studies)

9:00 - 9:50 Keynote address

Eleanor Fox

Walter J. Derenberg Professor of Trade Regulation

New York University School of Law

COMPETITION LAW AND DEMOCRACY

9:50 - 10:10 Coffee break

10:10 - 11:50 Session 1: Rule of Law Challenges and EU Economic Regulation

Chair: Marton Varju (MTA TK Institute of Legal Studies)

Speaker:

Tony Prosser (University of Bristol)

ECONOMIC CONSTITUTIONS AND INSTITUTIONAL BALANCE

Panel:

Kati Cseres (University of Amsterdam and MTA TK Institute of Legal Studies)

**CHANGING CONSUMER ROLES IN CHANGING MARKETS: RULE OF LAW ISSUES
IN PUBLIC SERVICES**

Pieter van Cleynenbreugel (Université de Liège)

**MEMBER STATES AND THE EU'S LIVING ECONOMIC CONSTITUTION: *PLUS ÇA
CHANGE, PLUS C'EST LA MÊME CHOSE?***

Wojciech Sadowski (Partner, K&L Gates)

**PROTECTION OF THE RULE OF LAW IN THE EUROPEAN UNION THROUGH
INVESTMENT TREATY ARBITRATION: IS JUDICIAL MONOPOLISM THE RIGHT
RESPONSE TO ILLIBERAL TENDENCIES IN EUROPE?**

11:50 - 12:30 Lunch buffet

12:30 – 13:10 Interim address

Bente Angell-Hansen

President of the EFTA Surveillance Authority

RULE OF LAW CHALLENGES IN THE EU: THE EFTA'S PERSPECTIVE

13:10 - 15:00 Parallel sessions

Parallel session 1

Chair: Adam Jasser (University of Warsaw)

Speakers:

Stavros Makris and Alexandre Ruiz Feases (European University Institute)

COMMITMENTS AND NETWORK GOVERNANCE IN EU ANTITRUST: *GASORBA*

Or Brook (University of Leeds)

MEMBER STATES' INTEREST IN THE ENFORCEMENT OF EU COMPETITION LAW: A CASE-STUDY OF ARTICLE 101 TFEU

Konrad Zawodziński (Kozmiński University)

DOES THE PARALLEL APPLICATION OF EU COMPETITION LAWS GIVE RISE TO DOUBLE STANDARDS OF LEGAL PROTECTION?

Catalin Rusu (Radboud University Nijmegen)

TRUST, ANTITRUST AND A DIRECTIVE

Agnieszka Staszak and Mateusz Mroczek

THE NECESSITY TO PROVIDE GREATER RIGHTS FOR THE VICTIMS OF ANTI-COMPETITIVE PRACTICES IN ANTITRUST PROCEEDINGS: THE EXAMPLE OF THE POLISH OFFICE OF COMPETITION AND CONSUMER PROTECTION

Parallel session 2

Chair: Balázs Horváthy (MTA TK Institute of Legal Studies)

Speakers:

Carlo Colombo (Tilburg University)

THE EFFECTS OF STATE AID MODERNISATION ON EU ADMINISTRATIVE INTEGRATION

Jasper Sluijs (Utrecht University)

UNFAIR COMPETITION BY PUBLIC ENTITIES AND THE LIMITS OF EU COMPETITION LAW

Ildikó Bartha and Tamás M. Horváth (University of Debrecen)

SERVICES OF GENERAL INTEREST IN THE EUROPEAN UNION: CHALLENGES FOR THE EFFECTIVE ENFORCEMENT OF MEMBER STATES' OBLIGATIONS

Femke Gremmelprez (University of Ghent)

SYSTEMIC ISSUE IN THE INDEPENDENCE OF NATIONAL COURTS: A CRITICAL ANALYSIS OF THE EU COURT OF JUSTICE'S JURISDICTION TO ENFORCE THE RULE OF LAW

Parallel session 3

Chair: Ernő Várnay (MTA TK Institute of Legal Studies)

Speakers:

Giacomo Tagiuri (Bocconi University)

ILLIBERAL MARKETS: ONE MORE THREAT TO THE EU RULE OF LAW?

Jan Broulík (New York University Emil Noël Fellow)

CAPTURE OF EUROPEAN COMPETITION AGENCIES BY BUSINESS INTERESTS: AN EPISTEMIC COMMUNITY APPROACH

Nasiya Daminova (MTA TK Institute of Legal Studies)

THE EUROPEAN COMMISSION AND THE PARLIAMENT ON ARTICLE 7 TEU (POLAND AND HUNGARY) – WILL THE LEGAL REASONING DECIDE THE CASES?

Ádám Lukonits (ELTE Budapest)

COMPENSATION FOR DAMAGES CAUSE BY LEGISLATION – POSSIBILITIES, DILEMMAS AND IMPACTS ON THE ECONOMY

Parallel session 4

Chair: Mónika Papp (MTA TK Institute of Legal Studies)

Speakers:

Suzana Pecin (University of Ljubljana and the Constitutional Court of Slovenia)

THE RULE OF LAW THROUGH THE PERSPECTIVE OF THE CASE *KOTNIK* IN THE REPUBLIC OF SLOVENIA

Csongor István Nagy (University of Szeged)

CONSTITUTIONALISM AND THE INTERNAL MARKET: IS MONEY REALLY ONLY ABOUT THE MONEY?

Jolien Timmermans (University of Ghent)

DOES THE INSTITUTIONAL SET-UP OF THE SINGLE RESOLUTION MECHANISM CHALLENGE THE RULE OF LAW?

Agnieszka Janczuk-Gorydowa (Utrecht University)

RULE OF LAW CHALLENGES, THE FINANCIAL SECTOR AND THE ENDANGERED EFFECTIVENESS OF EU LAW

Małgorzata Kozak (Łazarski University)

SYSTEMIC PROBLEMS WITH EFFECTIVE JUDICIAL PROTECTION BEFORE NATIONAL COURTS: THE EXAMPLE OF ACCESS TO FILES IN THE PROCEEDINGS BEFORE NCAs

15:00– 15:15 Coffee break

15:15 – 17:00 Session 2: Rule of Law Challenges in Competition Law

Chair: Kati Cseres (University of Amsterdam and MTA TK Institute of Legal Studies)

Speaker:

Paul Nihoul (Judge, General Court of the European Union)

APPLYING THE RULE OF LAW IN EU COMPETITION LAW CASES

Panel:

Christopher Harding (University of Aberystwyth)

INCONSISTENCIES IN ENFORCEMENT, IN PARTICULAR THE RELATION
BETWEEN ENFORCEMENT AGAINST CORPORATE ACTORS AND AGAINST
INDIVIDUALS

Firat Cengiz (University of Liverpool)

CITIZENS IN COMPETITION POLICY: PROCEDURAL AND MORAL LEGITIMACY

Maciej Bernatt (University of Warsaw)

THE RULE OF LAW, JUDICIAL REFORMS AND COMPETITION LAW

17:00 – 17:45 Closing address

Christopher Vajda

Judge, Court of Justice of the European Union

THE RULE OF LAW WITHIN THE EU AND NATIONAL LEGAL ORDERS

17:45 Conference close

Organiser: Hungarian Academy of Sciences, Centre for Social Sciences, Institute of Legal Studies and University of Warsaw, Centre for Antitrust and Regulatory Studies

Partners: Széchenyi István University, Győr, Center for European Studies; Lendület-HPOPs *Regulatory Change* Research Group, Hungarian Academy of Sciences, Centre for Social Sciences, Institute of Legal Studies

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Contact: Márton Varju varju.marton@tk.mta.hu

Registration: Sára Hungler hungler.sara@tk.mta.hu

MTA TK Jogtudományi Intézet
Lendület-HPOPs *Regulatory Change* Kutatócsoport

