

CALL FOR PAPERS
ENHANCING THE RULE OF LAW IN THE EU'S EXTERNAL ACTION
Law School, University of Granada, Spain
17-18 March 2022

The European Union is conceived as a legal community linked to the notions of democracy and rule of law (hereinafter RoL) as two concepts that are inextricably intertwined. However, states' foreign policy fits poorly with the notion of the RoL, even in the most advanced democracies, since in this area it is traditionally considered that executives must have a greater margin of appreciation and a quick capacity of response so as not to prejudice their effectiveness in defending the national interest and achieving their strategic objectives. This dialectical tension between the mechanisms protecting the RoL and foreign policy has been transferred to the European Union, which reproduces these tensions as a global actor and can even be used by its Member States as an instrument to escape the mechanisms protecting the RoL in the domestic legal orders.

Under these circumstances, this Conference aims to scrutinize the mechanisms for guaranteeing respect for the RoL embedded in the European legal system and its operation in practice, particularly in the field of external relations. At a time when the EU is considering sanctioning some of its Member States for their failures in respecting the RoL, it is particularly urgent to determine the main constituent elements of this concept at the European level and to check whether the EU makes a consistent use of this principle. In particular, it is important to clarify whether the RoL concept is adapted or even transformed depending on its internal or external projection. Likewise, it is necessary to determine if the European definition of RoL can be extrapolated universally and evaluate the consequences that the different definitions of RoL that can be found in the international context may have for the EU. Ultimately, the Conference intends to assess the real capacity of the EU to disseminate its values (contested internally and externally) in an increasingly competitive international environment and to act as a true global actor.

In view of the above, this call for papers is structured around three issues:

- (a) The identification of the values and the political and legal theories that explain the contents of the Rule of Law as a legal category within EU law.
- b) The debate on the existence of differences between the use that EU institutions make of the Rule of Law in the internal and external spheres.
- c) The evaluation of the role played by respect for the RoL in the legal articulation of specific areas of the EU's external action. Among other issues, we are interested in papers dealing with:
 - The role of the CJEU as guarantor of the RoL in external relations.
 - Conflicts between the European RoL and Member States' international obligations.
 - Sanctions and the RoL.
 - EU immunity as a limit to the implementation of the RoL.
 - RoL in the relations with Western Balkans and Turkey.
 - Restrictions and derogations in human rights treaties.
 - Migration and RoL.
 - Is there a place for RoL in the EU energy policy with third countries?

Papers that address any dimensions of the call will be given serious consideration. We welcome papers that propose to redefine or re-imagine our understanding of the terms of the call and their meaning in the current context.

Abstracts of not more than 750 words should be submitted to acexdecongress@gmail.com by 10 December 2021 in pdf format. Please include your name, email address and a one-page curriculum vitae with your abstract. Any submission should indicate if it fits better in item a), b) or c). The abstract must also include the title of the contribution.

Successful applicants will be notified by email by 22 December 2021. Complete drafts of papers will be required by 25 February 2022. Papers may in due course be published in the proceedings of the Conference. Thus, papers previously published by third parties will not be accepted.

The University of Granada will offer two nights in a pleasant hotel in Granada for all the presenters. Lunch on both days of the Conference will also be provided for presenters. However, successful applicants will be expected to bear the costs of their own travel.¹ All the speakers must be present in Granada for the conference, even if the audience will also have the opportunity to follow the event online.

¹ There are plenty of cheap flights from all over Europe to Malaga airport, and buses from Malaga airport to Granada are available all day long. It is also possible to fly to Granada airport, but usually with stopover in Madrid or Barcelona.