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TRIIAL 2 project is co-funded

by the European Commission

Directorate General for Justice and Consumers

(Project no. 101089737)

**FUNDAMENTAL RIGHTS AND THE USE OF THE PRELIMINARY REFERENCE PROCEDURE**

HYBRID CROSS-BORDER TRAINING WORKSHOP FOR JUDGES, PROSECUTORS, ATTORNEYS AND OTHER LEGAL PROFESSIONALS

Date: 17–18 October 2024

Time: 9.30–17.30 and 9.30–13.30, CET

Host: Eötvös Loránd University (ELTE) Faculty of Law, Budapest

Place: ELTE Faculty of Law and online

**Call for Participants**

This workshop is offered within the European Commission’s funded project TRIIAL 2 – TRust, Independence, Impartiality and Accountability of Legal Professionals under the EU Charter – part 2 (project no. 101089737, JUST-2022-JTRA). The TRIIAL 2 project provides training activities and tools for judges, attorneys, and prosecutors on the European rule of law, mutual trust, judicial independence, impartiality and accountability.

See the dedicated website: <https://cjc.eui.eu/projects/triial-2/>; on the project and previous workshops in Hungarian: <https://www.ajk.elte.hu/jot_kutatasok>.

# **What is the Cross-Border Workshop about?**

The preliminary reference procedure is the primary tool for vertical judicial interaction within the EU, aiming to ensure the uniform interpretation and application of EU law and to provide effective judicial protection for individuals. When national judges deal with human rights cases, they have to look at various sources of law: national, European and international law. This task is particularly challenging for judges considering the high level of abstraction human rights are formulated, the debates around the applicability and hierarchy of these different sources, and regarding the similarities and dissimilarities in the normative concepts and standards of human rights protection put in place in national and European jurisdictions.

This workshop aims to provide guidance to judges on how to use the preliminary reference procedure to ensure a high level of human rights protection, in particular, to enforce the EU Charter and the common values of the EU enshrined in Article 2 TEU with the help of judicial dialogue between domestic and EU courts.

Also, the workshop seeks to reveal the dynamics of the CJEU’s jurisprudence in preliminary ruling cases, especially regarding the developments in the admissibility criteria, to equip judges with the skill of drafting a successful request for a preliminary ruling. It also addresses how courts and legal practitioners can work together under Article 267 TFEU procedure to defend human rights effectively.

# **Methodology**

* 2-day hybrid workshop, including:
  + lectures and discussion sessions,
  + hypothetical case sessions, where participants will discuss real legal issues through a case, replicating real-life scenarios in small groups,
  + interactive roundtable discussions.
* preparatory materials distributed to participants in advance of the training:
  + thematic booklet on the role of the preliminary reference procedure, the admissibility criteria, and judicial interaction in the field of human rights protection,
  + case notes analysing the relevant national jurisprudence.

# **Application process**

*Target groups*

ELTE will host 40 legal practitioners, 15 participants in presence and 25 online. The workshop is open to judges, public prosecutors and attorneys from all European Union (EU) countries. Participants will be issued attendance certificates.

*Application requirements*

1. A full CV in English (including a section on proof of knowledge of English);  
2. A brief motivation letter in English explaining the reasons for applying and how the candidate would benefit from and contribute to the project.

Applicants are invited to submit their application, in accordance with the requirements specified above, by **20 August 2024** to [brezovszki.anna@ajk.elte.hu](mailto:brezovszki.anna@ajk.elte.hu)

Applicants will be notified about the result of the selection process **by 26 August 2024.**

Participation is free of charge. In-person participants will be refunded under the rules of the EC projects.

**Selection Process**

The selection process aims to identify participants who will effectively and substantially contribute to disseminating project results. Thus, candidates are expected to have a general knowledge of and experience in the workshop topic. However, applicants are neither required to have participated in similar training programmes before nor will recent participation in similar training programmes necessarily prevent them from being accepted.

The assessment of applications will be based on the following criteria:

1. Gender and age balanced;
2. Geographically balanced;
3. Balance in the judicial hierarchy: both higher and lower instance courts shall be represented among selected participants;
4. Trainers will have priority in selection (please refer to relevant training responsibilities in your CV);
5. Knowledge of and experience with fundamental rights and rule of law issues;
6. Good knowledge of English;
7. Single participation within the same Training Project (TRIIAL 2): in principle, no participant can attend more than one workshop among those offered within the TRIIAL 2 Project. In exceptional cases, deviations are subject to express and prior permission of the organiser.

Participants are asked to devote the necessary time to this training and to prepare for the workshop by reading the relevant materials in advance. The selected candidates are expected to be ready to commit to active participation in the workshop.

**Outcome of the Workshop**

* You will receive a certificate of participation.
* You will be able to understand and explain the main legal issues relating to the European rule of law (the training’s “core”).

You will also be able:

* to acquire the knowledge and the ability to refer questions to the CJEU for a preliminary ruling
* to become familiar with the CJEU standards concerning the admissibility of preliminary references
* to understand the different legal pathways in Europe to protect fundamental rights
* to determine whether the Charter of Fundamental Rights of the EU is applicable in a certain case or not;
* to become part of a network of legal practitioners, and scholars dealing with similar issues that could provide support for future questions.

**Contact person and general information:**

For any information on the workshop or doubts concerning the call for application, please contact [kovacs.agnes@tatk.elte.hu](mailto:kovacs.agnes@tatk.elte.hu) or [somodyb@ajk.elte.hu](mailto:somodyb@ajk.elte.hu).