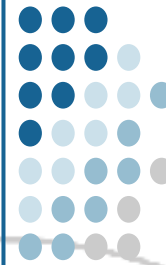


The European Law Network  
Faculty of Law  
University of Oslo

**1 September 2010**  
**Oslo, Norway**

# European Law Post-Lisbon CONFERENCE OSLO



## CONFERENCE INVITATION

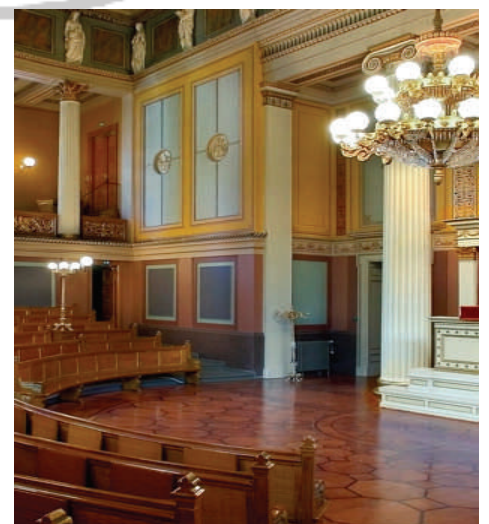
It is our pleasure to invite you to participate at our  
European Law Post-Lisbon Conference.  
The Conference will be held 1 September 2010  
at the Faculty of Law in the recently  
restored buildings from the 1850s.

## VENUE

Gamle Festsal, Domus Academica,  
Faculty of Law, University of Oslo,  
Karl Johans gate 47, 0162 Oslo, Norway

## ORGANIZERS

The conference is organized by  
the European Law Network at the Faculty of Law,  
University of Oslo, in cooperation with  
the Norwegian Association for Legal Philosophy and  
the Norwegian Association for European Law,  
and with the support of "Privatrettsfondet"  
and the University of Oslo.



**Location:**

Karl Johans gate 47  
0162 Oslo  
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P.O. box 6706  
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NO-0130 Oslo  
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[http://www.jus.uio.no/  
forskning/nettverk/  
europarettensnettverket/](http://www.jus.uio.no/forskning/nettverk/europarettensnettverket/)

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## CONFERENCE PROGRAM

### WEDNESDAY 1 SEPTEMBER 2010

0830-0900 Registration

**Welcome and Opening Speech**

0900-0910 **Welcome** by *Professor Hans Petter Graver, Dean of the Faculty*

0910-1000 **Opening speech - The New European Union:**

**Constituent Structures without a Constitution**

*By Professor Christoph Vedder, University of Augsburg*

*Discussion*

1000-1020 [Coffee/tea break](#)

**A New Legal Context for European Law - and European Law for a New Context**

*With the following panel of speakers and commentators:*

Prof. Hjalte Rasmussen, Prof. Joxerramon Bengoetxea, Prof. Christoph Vedder,

Prof. Geir Ulfstein, Dr. Christian Franklin, Dr. Christoffer C. Eriksen,

Dr. Beate Sjøfjell and Research fellow Jørgen A. Stubberud

**Chair: Dr. Beate Sjøfjell**

1020-1110 **Fundamental Rights Post Lisbon**

*By Dr. Christoffer C. Eriksen, Wikborg Rein and*

*Research fellow Jørgen Stubberud, University of Oslo*

*Comments and discussion*

1110-1200 **A Theory of Rights in EU Law**

*By Professor Joxerramon Bengoetxea, Oñati Institute and University  
of Basque Country*

*Comments and discussion*

1200-1330 [Lunch - Café Onkel Donald, Universitetsgaten 26](#)

**Chair: Dr. Christoffer C. Eriksen**

1330-1420 **The Burgeoning Principle of Consistency in EU Law**

*By Dr. Christian Franklin, University of Bergen*

*Comments and discussion*

1420-1510 **Taking Article 11 TFEU Seriously: The Legal Implications for the  
EU and its Member States**

*By Dr. Beate Sjøfjell, University of Oslo*

*Comments and discussion*

1510-1540 [Coffee/tea break](#)

1540-1630 **Will the Rule of Law Eclipse the Rule of Integration?**

**Private Plaintiffs' Standing in Direct Annulment Actions Revisited**

*By Professor Hjalte Rasmussen, University of Copenhagen*

*Comments and discussion*

1630-1645 **Closing:** *By Dr. Beate Sjøfjell, University of Oslo*

1700-1800 [Reception, Wine and tapas - Frokostkjelleren, Karl Johans gate 47](#)

## BIOGRAPHY - SPEAKERS

### **Professor Joxerramon Bengoetxea**

teaches legal theory, Philosophy and Sociology of Law at the University of the Basque Country (in Basque), European Integration, Cohesion Policy and Free Movement at the Online courses (UBC and Asmoz, in Spanish)) and Comparative Legal Cultures at the Socio-Legal Master of the Oñati Institute (in English). His main research interests are legal reasoning and legal theory applied to EU law and the ECJ; multilevel governance, regionalism in the EU; Free Movements, Human Rights and Social Policy of the EU. He is currently working on "Multi-cultural and pluri-legal approaches to European Law" and on Public/Private Partnerships.

### **Dr. Christoffer C. Eriksen**

is a Senior Lawyer in the law firm, Wikborg, Rein & Co. He is a member of the firm's Trade, Industry and Public Sector group, and assists Norwegian and foreign clients with issues regarding EU/EEA law, International law and Norwegian public law. He is an advocate, and holds the degree Cand. Jur. He is also Cand. Philol based on studies (hovedfag) in philosophy. Eriksen has a PhD from the Faculty of Law, University of Oslo. He is the author of *The European Constitution, Welfare States and Democracy* (forthcoming on Routledge 2011, see [http://www.routledge.com/books/subjects/European\\_EC\\_Law\\_LW340000/](http://www.routledge.com/books/subjects/European_EC_Law_LW340000/)). He has co edited (together with Marius Emberland) the *The New International Law: An Anthology* (forthcoming on Brill, 2010), published articles on topics such as International law and democracy, European law and Norwegian politics, and Norwegian law and Norwegian foreign policy. He has also published articles on legal philosophy, including an analysis of the role of power of judgment in legal reasoning, and an introduction to the Norwegian translation of Giorgio Agamben's *Homo Sacer: Sovereign Power and Bare Life*.

### **Dr. Christian N. K. Franklin**

is a graduate of Manchester University (LL.B Hons), holds a Master of European law degree from the University of Stockholm and is a Barrister of Gray's Inn, London. The primary focus of his legal research is EU external relations law. Dr. Franklin was awarded his doctoral degree by the University of Bergen for his dissertation entitled "Consistency in EC External Relations Law" in February 2010. He has previously worked at the Universities of Stockholm and Oslo, and is currently employed by the Faculty of Law at the University of Bergen as a research fellow.

### **Professor Hjalte Rasmussen (Dr. Jur.)**

has since 1993 held the chair of European Union Law at the Law Faculty of the University of Copenhagen. Formerly he served as a professor of EU-law at the Copenhagen School of Business and a visiting professor of EU Law at l'Université Aix-Marseille III (CERIC; 2007); the College of Europe at Bruges (1987-1992) and of the Institute of Public Administration at Maastricht (1984-1990). Since 1997 he has been an Honorary Jean Monnet Professor of European Law. He is a distinguished corresponding member of "Det Norske Videnskaps Akademi" (the Academy of Sciences of Norway) since 2003 and was made Chevalier dans l'Ordre National du Mérite in 2006 by the President of the French Republic.

Professor Rasmussen won international scholarly notoriety in the wake of the publication, in 1986, of his doctoral thesis that was an innovative, comparative study in judicial policymaking and judicial activism focusing on the European Court of Justice (Nijhoff, Dordrecht, the Netherlands, 1986; available on the internet). He is today one of the leading legal scholars dealing with the European Court's case laws and policies and, not least, with the often dysfunctional cooperation between it and the national judiciaries, including the consequential defaulting compliance patterns of national authorities, including many highest national courts.

### **Dr. Beate Sjøfjell**

is an Associate Professor at the Faculty of Law in Oslo, and the author of 'Towards a Sustainable European Company Law. A Normative Analysis of the Objectives of EU Law, with the Takeover Directive as a Test Case', Kluwer Law International, 2009. The book is based on her thesis for the degree of *dr. juris*.

Beate's field of interest includes European company and financial market law, law and economics, general EU law, environmental law, human rights and labour law. She is the project leader for the research project 'Sustainable Companies', the general objective of which is to examine how to integrate the goal of sustainable development and especially its environmental dimension as a decisive factor in the decision-making in companies.

Beate has written a number of papers on the EU Takeover Directive, European company law and the integration of sustainable development, including 'Political Path Dependency in Practice: The Takeover Directive', *Yearbook of European Law* (2008), volume 27, pp 387-404, and 'Internalizing Externalities in EU Law: Why

Neither Corporate Governance nor Corporate Social Responsibility Provides the Answers', *The George Washington International Law Review* (2010), Vol. 40, No. 4, 977–1024.

All papers in English and the first chapter of Beate's book are available at [ssrn.com/author=375947](https://ssrn.com/author=375947).

### **Research Fellow Jørgen A. Stubberud**

holds the degree *cand.jur.* from the Faculty of Law, University of Oslo, with a master's thesis on the legal philosophy of Alf Ross (2002). In addition he holds a *cand.mag.* degree from the University of Oslo on the basis of exams in Philosophy, Russian language, Latin language, and Russian law. Jørgen is an *advocate* and worked several years as a lawyer focusing on investments in Russia, Russian contracts, and Russian company law.

Jørgen became a research fellow with the Faculty of Law (Oslo) in 2006, and is currently writing a doctoral thesis consisting in an analysis of EU law from the perspective of legal philosophy. He has previously published articles i.a. about Alf Ross' non-cognitivism, about the legal philosophy of A.M. Schweigaard, and about the effects of European judicialization on division of powers in Norwegian society. Jørgen teaches European Law, Administrative Law and Legal Philosophy at the Faculty of Law, Oslo.

Jørgen co-edited the Norwegian legal journal *Lov og Rett* 2006-2008. He is the President of the *Norwegian Association for Legal Philosophy*.

### **Professor Christoph Vedder**

was appointed to the Chair of Public Law, Public International Law and European Law as well as Sports Law at the University of Augsburg, Germany in 1996. In 2001 he was awarded a Jean Monnet Chair on European Law *ad personam*. In 1978 he earned his doctoral degree from the University of Göttingen with a thesis on the foreign relations law of the EC. He wrote his habilitation thesis on interstate compacts concluded by the German federal states and received his habilitation degree from the University of Munich in 1989.

Professor Vedder held the chair for Public Law, Public International Law and European Law at the University of Bielefeld from 1992 to 1996. He has been visiting scholar at the University of New Mexico, Albuquerque, the Southwestern University Law School, Los Angeles and the

University of Michigan, Ann Arbor. He was visiting professor at the University of Graz, Austria and the Kant University of Kaliningrad, Russia as well as at the University of Oslo, Norway and the University Law School in Bratislava, Slovakia as well as the University of Leiden, The Netherlands. He is the chairman of the Commission for the Settlement of Disputes Related to Confidentiality of the Organization for the Prohibition of Chemical Weapons.

Professor Vedder teaches German constitutional law, public international law and European law, including international economic law. Many of his publications are in the area of the external relations of the EU and the relationship between public international law and both European law and national law as well as on federalism on a domestic and comparative basis. In 2007 a commentary on the European Constitutional Treaty, co-authored and co-edited by Professor Vedder was published. A commentary on the Treaty of Lisbon will be published in 2010.

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## **CONFERENCE IDEA**

*The Lisbon Treaty provides a new legal framework for European law. At the same time the Lisbon Treaty is a response to a new context in which the member states have agreed to confer extended competences to the European Union to attain objectives they have in common, including the sustainable development of Europe based on balanced economic growth. Against this background, this conference will address two main questions: What effects may the new legal context constituted by the Lisbon Treaty have for European legal principles and legal reasoning? Is the new legal context constituted by the Lisbon Treaty an adequate response to the objectives that the member states have in common? In addition, as a Norwegian initiative the conference also encourages perspectives on the effects of the Lisbon Treaty for the legal relations between the European Union and its external periphery, such as the Agreement on the European Economic Area.*