

Friday 16.10.15

"Tégy az emberéért!" Centre, Budapest, Szentkirályi utca 22 – 24., H-1082

14:00 – 14:30
Registration

14:30 – 15:00
Welcome

Alexandrina Najmowicz (*European Civic Forum*), István Hegedűs, (*Hungarian Europe Society*), Niccolo Milanese, (*European Alternatives*)

15:00 – 16:15

Illiberalism, populism: what can we do in case an EU member state systematically breaches European values?

Speakers: Alba Villaneuva (*No somos delito*), Daniele Archibugi, (*Italian National Research Council/Birkbeck, University of London*), Györgyi Kocsis (*Hungarian Europe Society*), István Hegedűs, (*Hungarian Europe Society*), Niccolo Milanese, (*European Alternatives*). Moderation: Oli Henman (*CIVICUS*)

Through a roundtable discussion, the speakers and audience (through an open chair) will engage in a debate to concretely discuss how we as civil society can react to the attacks on fundamental values, human rights and civil freedoms and build a Europe that respects these values. After discussing current trends of illiberalism and populism inside and outside the European Union, drawing on national examples and actions, the focus of this debate will be on the opportunities for transnational action.

16:15-16:45
Coffee break

16:45-18:00

Refugees in Europe and in Hungary: How to ensure rights protection for non-citizens?

Speakers: Anikó Bakonyi (*Hungarian Helsinki Committee, member of the Hungarian Europe Society*), Attila Melegh (*Budapest Corvinus University, member of the Hungarian Europe Society*), Chai Patel (*Migrants' Rights Network*), Dorka Mező (*Migration Aid, member of the Hungarian Europe Society*), Ernő Simon (*Office of the United Nations High Commissioner for Refugees, Budapest, member of the Hungarian Europe Society*). Moderation: András László Pap (*Hungarian Academy of Sciences, member of the Hungarian Europe Society*)

In a second roundtable discussion, speakers will discuss how we can work to ensure those without an EU passport are afforded fundamental rights protection, including how we can ensure the European institutions act in a manner compatible with Art. 2 TEU, particularly looking at the actions of the EU in regards to asylum seekers and undocumented migrants. Being in Hungary, we will particularly look at the attitudes and the measures of the Hungarian authorities regarding the refugee crisis, which raised concerns and criticism, while Hungarian volunteers created an atmosphere of solidarity with the forced migrants inside the country. After an initial discussion, the floor will be open for discussion with the audience.

18:00
Dinner

Saturday 17.10.15

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10:00-11:00

Constitutionalism and the State of Democracy in Hungary

Péter Hack, Associate Professor at ELTE University

In this presentation we will discuss the Hungarian transitional process to democracy in the early 90s when the democratic institutions were established. That was the time when the concept of the distribution of powers - the „Checks and Balances” were introduced into the Hungarian constitutional framework. In the second part of the presentation we will discuss the key elements of the constitutional changes after 2010, and the most important features of the new Hungarian Basic Law. We will concentrate on such institutions as the Constitutional Court, Judiciary, Public Prosecutors Office, State Audit Office, Ombudsman, Local Government, Media etc. The whole process could be described as a transition to Rule of Law, and from Rule of Law.

11:00-12:00

Attack on civil society in Hungary

Veronika Móra, director of Ökotárs Foundation (*Member of the foundations consortium managing the implementation of the Norway Grants*)

12:00-13:00

"Remembrance policy: from a controversial monument to Son of Saul" (working title)

Mária Kovács (*professor, Central European University*)

13:00-15:00

Lunch

15:00-18:00

Parallel sessions

Refugee crisis in Europe

Tamás Fazekas (*attorney at law*) and Júlia Iván (*Hungarian Helsinki Committee*)

- Who is a refugee? Short introduction to the 1951 Geneva Convention
- Overview of the EU's immigration and asylum policy, legal norms and institutions: how was the "Common European Asylum System" created, what is the "Dublin system"
- The Hungarian context - politics and laws, asylum system: legislation and the anti-migrant campaign, reception facilities
- Refugee crisis 2015: what response could the EU give and what was achieved so far? Which ways forward?
- Assisting refugees: campaigns, activism and public debates in 2015

Press freedom and freedom of information in Europe and Hungary

Judit Bayer (*media lawyer, member of the Hungarian Europe Society*)

- What the EU cares for: workshop participants will get to know about European rules of the media (market), and information; and other transnational rules on freedom of expression and the media. Case law analysis.

- Which topics lack consensus in the EU: in what areas is the EU particularly cautious vs Member States; participants will learn about the tendencies in European legislation in the field of citizens' rights.
- The path towards a European media law: media pluralism monitoring.
- Reference points in European Law: which areas of European competence can be connected to freedom of the media

Constitutionalism and Democracy

Attila Mráz (*Hungarian Civil Liberties Union*)

Through case studies drawn from recent Hungarian legal history, we will engage with the following topics:

- What has changed? – Democracy without limits
- Apparently unrelated problems such as Hungary's (mis)management of the refugee crisis, or the harassment of watchdog NGOs, have some common enabling causes. These causes can be traced back to the most important recent systematic changes in the public legal environment in Hungary. What are these changes, how did they happen, and how do they contribute to these rather different anomalies?
- When should we start worrying? – The limits of comparativism
- Seemingly similar institutions play very different roles in different constitutional contexts. How should we know, then, if the appearance or disappearance of a new institution, procedure or other regulation, is an instance of positive or negative change in a given state's constitutional context?
- Where to fall back? – Pushing beyond the limits
- Where constitutional guarantees or the democratic process is deficient, advocating for change requires new pathways. When advocacy targeting the legislature is impossible, and domestic constitutional adjudication or national human rights institutions do not efficiently protect constitutional and international human rights, where else can we turn? Ultimately, how to restore missing guarantees? We will discuss the advantages and disadvantages of different strategies.

18:00
Dinner

Sunday 18.10.15

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09:00-13:00

Parallel sessions (cont.)

13:00

Bringing it together, closing and lunch

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LEGAL