

# Public order and public security in EU Law

## A reappraisal

**June 30<sup>th</sup>, 2023**

**Centre Panthéon, Salle 6 and online via Zoom**

*Paris / Panthéon-Sorbonne Univ. – 12 Place du Panthéon, Paris 5<sup>ème</sup>*

**[Registration before June 28<sup>th</sup> – click here](#)**

Recently, the public order and public security clauses provided for in the Treaty and secondary legislation have been heavily relied upon by the Member States. For the governments, the challenge is both to try and delimit a sphere of competence immune to any European intervention and to define the meaning of public order and public security. Faced with this pressure, the European institutions have reacted in different ways depending on the context and on the areas of EU law.

The workshop organized by the *European Papers Jean Monnet network* seeks to assess whether the notions of public order and public security, and their legal regime, are evolving. Are their function, definition and articulation changing due to their massive use by the Member States in the wake of the crisis, and under the effect of an increasingly security context? Is there any coherence in the EU's response to the security needs? Can we observe a change in the legal constraints imposed by EU law, including increased procedural constraints? How can we understand the notion of "European public order"? On the conceptual side, different questions emerge. Can we now have a more precise idea of the meaning of 'public order', 'public security', 'internal security'? Is the meaning of those notions progressively changing? Is the articulation between public order and public security evolving overtime? Finally, the challenge is to understand what place and function the EU gives to 'security'. What is the status given to public order and security in a Union based on the value of Rule of law and what does it tell us of our European society that has been defined on the basis of liberal principles? These are some of the questions that the workshop will address.

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# Programme

## 09:00-12:30 – Session I

*Chair:* Ramses Wessel, (Professor, University of Groningen)

### **Introduction**

Sécolène Barbou des Places (Professor, Sorbonne Law School)

### **Article 72 TFEU as seen by the Court of justice of the EU: reminder, exception or derogation?**

Hubert de Verdelhan (Référéndaire, Court of justice)

### **The (European) public order exception in Union citizenship law: an increasing role for common EU values in the justification of Union citizen's restriction of free movement**

Clara Muller (PhD researcher, European university Institute of Florence)

*Discussion and coffee break*

### **Between Parallelism and Divergence: The Quest for Coherence in the CJEU Case law on the Meaning of 'Public Policy' and 'Internal Security' on Migration**

Daniel Thym (Professor, University of Konstanz)

### **Balancing between public security and fundamental rights: Court of Justice and the European Arrest Warrant at the time of rule of law crisis**

Adam Łazowski (Professor, University of Westminster)

## 14:00-18:00 – Session II

*Chair:* Anastasia Iliopoulou-Penot (Professor, Panthéon-Assas University)

### **Digitalisation in the Age of Security: An EU Law Perspective**

Xavier Groussot (Professor, Lund University) and Gunnar Thor Petursson (Professor, Reykjavik University)

### **'The Europeanisation of 'public order': the case of restrictive measures and of foreign direct investments**

Sara Poli (Professor, University of Pisa)

*Discussion and coffee break*

### **Conceptualising Security in EU Law: Lessons from Counter-terrorism**

Valsamis Mitsilegas (University of Liverpool)

### **Some conclusive remarks**

Stephen Coutts (Lecturer, University College Cork)