

# SYMPOSIUM

Committee on Constitutional Affairs



# THE QUEST FOR THE RULE OF LAW

## Towards a common understanding

**10 November** - House of European History (by invitation only)

**11 November** - SPINELLI 3G-2 (public)

### Opening

**Roberta Metsola**

President of the European Parliament

### Key Note

**Koen Lenaerts**

President of the European Court of Justice



### Organised by

**Sven SIMON**, Chair of the Committee on Constitutional Affairs (AFCO)

**Javier ZARZALEJOS**, Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE)

# THE QUEST FOR THE RULE OF LAW

## *Towards a common understanding*

### CONCEPT

For the European Union, law is the foundation of its very existence. The idea of the integrating power of law has always been central to European unification. In the preamble to the Treaty on European Union, the Parties reaffirm their commitment to the principles of freedom, democracy, respect for human rights and fundamental freedoms, and the rule of law. Article 2 of the Treaty on European Union lists the rule of law as one of the values on which the Union is founded. Since 2020, the European Commission has published an annual Rule of Law Report on the Member States and in 2021, the EU Rule of Law Mechanism entered into force with Regulation (EU) 2020/2092. However, the concept of the rule of law is not only legally significant, but also a central political argument — which is interpreted and used differently depending on the context.

The terms '*Rechtsstaatsprinzip*', 'rule of law' and '*État de droit*' are often used synonymously. On closer inspection, however, the terms are already in Germany, France and the United Kingdom concepts with very different meanings. Each reflects a distinct constitutional tradition and legal philosophy, resulting in variations in procedures and the jurisdiction of the competent courts. Even today, significant divergences remain among the Member States in the design of the catalogue of fundamental rights, as well as in the understanding of individual fundamental rights. The organisation of national constitutional and higher courts likewise varies considerably across the Member States. The training of lawyers differs greatly from one another on the European continent. Even in harmonized areas of law, serious problems can arise. Due to differing legal and cultural traditions, the same rule may produce markedly different practical effects in the legal systems of the Member States.

These examples show that the content of legal regulations differs not only in detail, but in principle. Legal thinking in Europe is deeply shaped by cultural traditions. This relativism of legal orders and juridical thinking has far-reaching implications for European integration — it even has the potential to jeopardise '*unity in diversity*'. Once the acceptance of law is no longer grounded in a shared internal conviction, its integrative power begins to fade.

Recent policy debates have focused on individual cases of Member States. The European Commission's annual Rule of Law Reports include assessments of judicial independence, media pluralism and institutional balance, but rarely address the deeper conceptual differences. However, broader discussions about the basic nature of the concept remain rare.

Against this background, the symposium will explore which mechanisms and strategies need to be researched, developed and applied in order to bridge legal-cultural differences in Europe — in the search for a uniform understanding of the rule of law.



## Symposium on “The Quest for the Rule of Law – Towards a common understanding”

10 November 2025 — House of European History, Rue Belliard 135 (by invitation only)  
11 November 2025 — European Parliament, Rue Wiertz 60, room SPINELLI 3G-2 (public)

### PROGRAMME

#### Monday, 10 November 2025

17:30	<b>Admission of Guests</b>
18:00	<b>Opening of the Symposium</b>
	<b>Opening remarks by Sven Simon</b> <i>Chair of the Committee on Constitutional Affairs (AFCO)</i>
	<b>Welcoming speech by Roberta Metsola</b> <i>President of the European Parliament</i>
	<b>Welcoming words by Javier Zarzalejos</b> <i>Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE)</i>
	<b>European Commission address by Michael McGrath</b> <i>Commissioner for Democracy, Justice and the Rule of Law</i>
	<b>Keynote speech by Koen Lenaerts</b> <i>President of the Court of Justice of the EU</i>
	<b>“The House of European History” by Hans-Gert Pöttering</b> <i>Former President of the European Parliament</i>

#### Tuesday, 11 November 2025

08:30	<b>Admission to the European Parliament</b> Altiero Spinelli building (ASP) entrance (public event)
9:00 – 10:00	<b>PANEL 1:</b> <b>The Rule of Law: A Well-Established and Defined Principle</b> Witnesses <b>Professor Laurent Pech (FR/IE)</b> <i>Professor of Law at the UCD Sutherland School of Law</i> <b>Professor Matthias Storme (BE)</b> <i>Emeritus Professor of EU Law and Comparative Law at KU Leuven and Emeritus Professor at the University of Antwerp</i>

**Dr Jan van Zyl Smit (UK)**  
*Director of the Bingham Centre for the Rule of Law*

**Professor Jeff King (UK)**  
*Professor of Law at University College London*  
Examination of witnesses

10:15 – 11:15

**PANEL 2:**  
**Rechtsstaat, Rule of Law, l'État de droit: Member States' Constitutional Identities and Primacy of the Rule of Law**

Witnesses

**Professor Peter M. Huber (DE)**  
*Emeritus Professor of Public Law and Philosophy of State at the Ludwig-Maximilians-University Munich and former Justice of the Federal Constitutional Court*

**Professor Lucia Serena Rossi (IT)**  
*Professor of EU Law at the University of Bologna and former Judge of the Court of Justice of the European Union*

**Professor Monika Polzin (AT)**  
*Professor of Public and Public International Law at the Vienna University of Economics and Business*

**Professor Andrzej Bryk (PL)**  
*Professor of Constitutional Law and Legal History, Director of the Institute of American Studies at the Jagiellonian University*

Examination of witnesses

11:30 – 12:30

**Panel 3:**  
**The Legislative Process and Principles of the Rule of Law**

Witnesses

**Professor Luis María López Guerra (ES)**  
*Former Vice President of the European Court of Human Rights and former member of the Venice Commission on behalf of Spain and of other Ibero-American countries*

**Professor Juha Raitio (FI)**  
*Professor of European Law at the University of Helsinki and member of the Helsinki Rule of Law Forum*

**Professor Jan Wintr (CZ)**  
*Professor at the Faculty of Law, Charles University and Judge of the Constitutional Court of the Czech Republic*

Examination of witnesses

12:30 – 14:00

| Break

14:00 – 15:00

**PANEL 4:**  
**Rule of Law Backsliding in Europe**

Witnesses

**Professor Tomasz Tadeusz Koncewicz (PL)**

*Professor of Law and Director of the Department of European and Comparative Law at the University of Gdańsk*

**Professor Jan Wouters (BE)**

*Professor of International Law and International Organizations at KU Leuven*

**Ana Palacio (ES)**

*Former Minister of Foreign Affairs of Spain and former Chair of the European Parliament's JURI Committee*

Examination of witnesses

15:15 – 16:15

**PANEL 5:**  
**Methodology of the Rule of Law Reports**

Witnesses

**Daniel Calleja Crespo (ES)**

*Director-General of the European Commission's Legal Service*

**Professor Paweł Czubik (PL)**

*Professor of Law and Head of the Department of International and European Law at the Cracow University of Economics and Judge of the Supreme Court of Poland*

**Florian Geyer (DE)**

*Head of the Rule of Law Unit, Directorate-General for Justice and Consumers, European Commission*

Examination of witnesses

16:30 – 17:30

**Closing of the Symposium**