

DEMOCRACY AND LAW
IN EUROPEAN INTEGRATION
AND IN INTERNATIONAL RELATIONS

PREFACE

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THE University of Szeged and the European Public Law Organization (EPLO) signed a cooperation agreement on October 16, 2017, in Budapest. The agreement is part of the trilateral cooperation, which has been established between the Ministry of Justice of Hungary, the EPLO and the University of Szeged. The cooperation between the two institutions can cover wide spheres, such as joint conferences, summer universities, workshops and research projects. In the frame of this cooperation an international conference was organized by the International and Regional Studies Institute of the University of Szeged, Faculty of Law, Europe Direct Szeged and the European Public Law Organization on 10-11 May 2018 at the University of Szeged, Hungary.

The aim of the conference was to try to find answers to questions shaping the future of Europe, the solution of which will define power relations within the European Union for a long time. The theme of the conference closely resonated with the subject of the 2018 EPLO activities, especially the EGPL Reunion. Such questions were raised as whether democracy deficit still exists at the

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European and international level? Is referendum the proper form to decide European and international issues? Is it necessary to widen the European and international legal repertoire in order to be able to ensure national and European interests at the same time? What legal challenges arise from the Brexit-referendum for the EU and for Member States?

The first day of the conference started with the welcome speech of the Minister of Justice of Hungary, Prof. László Trócsányi, who pointed out the importance of cooperation between the European Member States to reach better democracy at the Union level, and finalized his speech by welcoming the new cooperation between the EPLO and the University of Szeged. As the importance of democracy was highlighted, the EPLO Director, Prof. Spyridon Flogaitis, emphasized in his keynote speech that democracy, as a value of Ancient Greece, has built and is going to shape the future European way of understanding of democracy and the European identity. The event continued with the keynote speech of Prof. Bertrand Mathieu (University of Paris 1, Panthéon-Sorbonne), where he gave a comparative vision of risks and advantages of direct and indirect democracy in Europe.

In the session entitled “Democracy and Constitutionalism”, chaired by Zsuzsanna Fejes, (PhD, University of Szeged), the President of the Hungarian Constitutional Court, Tamás Sulyok presented an overview about human rights protection, more specifically, in the light of the national constitutional identity. He also referred to the jurisprudence of the Hungarian Constitutional Court within the European constitutional dialogue. Following Mr. Sulyok’s approach, Tamás Korhecz, Judge at the Constitutional Court of Serbia, gave an overview of the typology of democracy, and then explained the practice of direct democracy in Serbia based upon his experiences. The final presentation of the first session was given by Prof. Eivind Smith (University of Oslo, Norway), about the relationship between democracy and constitutionalism.

The second session entitled “Democracy and European Integration”, chaired by Anikó Szalai (PhD, University of Szeged), started with the presentation of Prof. Emeritus Jaap de Zwaan (Erasmus University). Prof. de Zwaan drew the attention to the fact that Euro-

pean Union institutions could do more to be transparent toward the citizens in democracy-related issues. The following presentation by Prof. Pál Sonnevend (Eötvös Loránd University, Budapest), pointed out the problem of democratic deficit in the European Union. The final presentation of the first day of the Conference was delivered by Veronika Bilková, Vice President of the Venice Commission, related to the current obstacles in democracy and human rights. Prof. Nóra Chronowski (Eötvös Loránd University), concluding the first day of the conference, summarized the presentations and offered new aspects and thoughts on this complex topic.

On the second day of the conference, different aspects of democracy were discussed by young researchers and PhD students in four main thematic areas: “Democracy and Human Rights”, “Democratic Principles in Constitutional Law and Other Fields of Law”, “Democracy and International Law and Relations”, and “The Culture of Democracy”. All in all, this international conference brought together several researchers and experts from the Central and Eastern Europe and became an important meeting point of discussions about democracy and law including also a regional approach to the theme.

This issue of the *Central and Eastern European Legal Studies* publishes some of the papers of the conference so as to give an insight into the views of scholars, mainly from the Central and Eastern European region. These selected writings cover such exciting topics as the crisis of democracy in Europe (see Bertrand Mathieu’s paper), the possibilities of rejuvenating European decision-making (see Miklós Könczöl’s paper) and the necessity of national Parliaments for EU’s democratization (see Despina G. Skoula’s paper). From a more international legal point of view, the democratic tendencies of the United Nations Security Council are discussed (see András Hárs’s paper) and several papers concentrate on human rights aspects, such as language rights as a *sine qua non* of democracy (see Noémi Nagy’s paper), the problems of the institutional framework of human rights protection in Slovakia (see Eduard Csudai’s paper), and the principles of legality and officiality in the criminal procedure (see András Lichtenstein’s paper).

By reading the articles of this edition the honourable Reader can deepen into the scientific aspect of the cooperation between the EPLO and the University of Szeged, in addition to joint academic, educational and other activities, which are also conducted in this framework.

Wishing good reading and new ideas to be taken away.

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