

**Windsor Framework, Article 2:**

***where are we now after the Court of Appeal’s decision in the* Dillon *(Legacy Act) case?***

**Date: 24th October 2024**

**Venue: Moot Court Room, QUB School of Law, Belfast**

|  |  |
| --- | --- |
| **12.30** | **Registration and Sandwich Lunch** |
| **13.00 – 13.15** | **Welcome and Introduction Robert McTernaghan BL**  |

|  |  |
| --- | --- |
|  |  **Chair: Christopher McCrudden** |

**Programme**

|  |  |
| --- | --- |
| **13.15 to 14.15** |  **Session 1: Using Article 2 in domestic litigation: the basics after *Dillon*** |
| **13.15 – 13.35****13.35 – 13.55****13.55- 14.15** | **Dr. Lisa Whitten (QUB)****Anurag Deb (QUB)****Q & As****Issues to be considered:*** status and effect of section 7A of the European Union (Withdrawal) Act 2018
* overall justiciability of Article 2 Windsor Framework
* effect of Article 4(1) of the Withdrawal Agreement on the approach to be taken to the scope and application of Article 2 WF
* the ‘direct effect’ of Article 2 WF
 |

|  |  |
| --- | --- |
| **14.15 to 15.15** |  **Session 2: Remedies after *Dillon*** |
| **14.15 - 14.35****14.35 - 14.55****14.55 – 15.15** | **Professor Colin Murray (Newcastle)****Professor Eleni Frantziou (Durham)****Q & As****Issues to be considered:*** approach that will be adopted to the issue of remedies in the event that a breach of Article 2 WF is established
* in particular whether the remedy of ‘*disapplication’* is mandatory where a breach of Article 2 WF has been established
* relationship between ECHR remedies and remedies under Article 2 WF
 |
| **15.15 to 15.45** |  **Tea/coffee break** |
| **15.45 to 16.45** |  **Session 3: Scope of rights protected by Article 2 after *Dillon*** |
| **15.45 – 16.05****16.05 – 16.25****16.25 – 16.45** | **Professor Tobias Lock (Maynooth)****Professor Emeritus Brice Dickson (QUB)****Q & As****Issues to be considered:*** Vienna Convention on the Law of Treaties and the interpretation of the B-GFA
* interpretation of the relevant part of the Belfast-Good Friday Agreement (‘B-GFA’), and in particular the scope of ‘*civil rights’* in that context
* relationship between the ECHR, the Charter of Fundamental Rights and breaches of Article 2 WF, and in particular the issue of ‘*diminution’* in that context
* scope of the CFR
 |
| **16.45 to 17.15** |  **Questions and moderated discussion**  |
| **17.15 to 17.30** |  **Closing comments (Advocate General Anthony Collins)****(Chair: Robert McTernaghan BL)** |

|  |  |
| --- | --- |
| **17.30**  | **Drinks reception** |