

FOREWORD

The 9th edition of the International Scientific Conference on EU and Comparative Law Issues and Challenges (ECLIC), titled “*Strong and Secure Europe: Legal and Economic Aspects*”, offered another valuable opportunity for scholarly reflection and exchange on current challenges in European legal systems. With contributions from participants representing 11 countries, 35 papers, and over 100 authors including co-authors, this edition continues the tradition of bringing together legal scholars and practitioners in intellectually engaging dialogue on European legal challenges. This year, the Faculty of Law in Osijek took a step beyond established practice and organisational routines by choosing to host the conference in one of the world’s and Croatia’s most treasured cities — Dubrovnik, a memorable and inspiring venue, sincerely appreciated by all participants. The conference was supported by the Croatian Representation of the European Commission, the Croatian Academy of Sciences and Arts, and the Hanns Seidel Stiftung, whose sponsorship underscores the institutional recognition of ECLIC’s contribution to legal science and policy discourse. Over the years, ECLIC has grown into a distinguished forum for addressing current challenges in EU law, comparative legal systems, and their intersection with economic and political frameworks.

As a keynote speaker, I was truly honoured to have been invited to open the academic programme of the conference with a lecture on the topic: “*EU Rule of Law on Trial: Institutional and Security Barriers to the EPPO’s Prosecutions – Focus on Croatia.*” The lecture brought critical attention to the institutional and procedural challenges of the evolving role of the European Public Prosecutor’s Office (EPPO) and exposed how its work has become a source of tension between national sovereignty and supranational criminal jurisdiction, especially in politically sensitive cases involving high-ranking officials.

The EPPO has, in recent years, shaken the political and legal foundations of several Member States, including Croatia. While it was initially welcomed, the EPPO’s actual investigations, especially those involving politically exposed persons, have revealed signs of systemic resistance. This was most recently demonstrated by a jurisdictional conflict between the EPPO and the Croatian State Attorney’s Office in a high-profile criminal investigation involving the current Minister of Health and other officials. In that case, the Croatian Chief State Attorney unilaterally deprived the EPPO of competence, invoking national legislation without judicial oversight or procedural guarantees, raising serious concerns about compliance with both EU law and the Croatian Constitution.

At the heart of this controversy lies a fundamental question: which body qualifies as the competent judicial authority under Article 25(6) of the EPPO Regulation to resolve conflicts of jurisdiction? Many EU Member States, including Croatia, have designated their Chief Prosecutors for this role, thereby disregarding a foundational legal principle dating back to Roman law: *nemo iudex in causa sua*. Such arrangements violate both procedural fairness and the principle of judicial impartiality, given that the decision on competence entails critical factual and legal assessments, functions traditionally reserved for courts.

The constitutional gravity of these issues was recently confirmed by the Croatian Constitutional Court's decision of 8 July 2025 (USRH, U-I-5437/2024). Acting upon the request of 33 Members of Parliament, the Court chose not to address the questions substantively, but instead submitted four preliminary questions to the Court of Justice of the EU, notably asking: whether the Chief State Attorney qualifies as a "court" within the meaning of Article 25(6) of the EPPO Regulation; whether such unilateral national decision-making violates the principle of EPPO's independence; and whether the EPPO has the right to effective judicial protection against national obstruction.

Despite broad judicial support (eleven out of thirteen judges), the decision illustrates the Court's reluctance to engage with politically sensitive constitutional questions, opting instead to shift responsibility to the CJEU for matters that appear legally straightforward to most constitutional and criminal law experts.

This situation reveals the fragility of European integration in the area of criminal justice but also reaffirms the need for sustained legal reflection to safeguard the integrity of the European legal order. The ECLIC serves as a meeting point for legal experts, fostering interdisciplinary exchange and addressing complex challenges. The diversity of papers in this volume reflects the intellectual strength and growing influence of the ECLIC community.

Sincere appreciation is owed to its organisers, editors, and authors for cultivating a space that brings together expertise from across Europe. The conference's continued relevance and success testifies to its clear vision, thoughtful organisation, and engagement with pressing legal issues. In doing so, ECLIC advances European legal thought and reinforces the cornerstone of the European project: the rule of law.

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