

1. Dear Colleagues, dear friends from” IUSTITIA” dear Speakers and participants.

I am really privileged and honoured to be part of this event, marking second anniversary of "ONE THOUSAND GOWNS MARCH”.

2. It is because, this was unique event, after which nothing is the same, manifesting unity of judges in Europe to support independence of justice, rule of law and democracy in Europe.

3. Today two chosen topics are best illustration how rule of law can easily be brought to jeopardy and how sometimes such events are used to deliberately squeeze the principles Europe is brought up.

4. Martin Luther King said:

“History may not repeat itself but it often rhymes”.

5. Two last years have been like no other in recent memory. While the COVID – 19 pandemic is first and foremost a public health crisis, we must not lose sight of related challenges that are consequential for containing this threat and for promoting a rapid and sustainable recovery.

The struggle to uphold the rule of law is one of them.

6. For example there a risk that some states may utilize emergency powers to consolidate executive authority at the expense of the rule of law, suppressing and undermining democratic institutions, especially where courts and other oversight bodies struggle to perform due to COVID-related restrictions.

7. The distribution of different forms of emergency aid, can be fertile ground for corruption and without effective justice system, where again judges are in the centre of it, that will ensure transparency, accountability and oversight, much of it will not reach intended beneficiaries.

8. From time to time, every nation has an emergency of one kind or another to face. It tests all aspects of that nation -- the people, the facilities, the finances -- and very occasionally it also tests a commitment to the Rule of Law.

9. Let us remember that the Rule of Law is the crucial building block for any society to be stable and prosper. Without the Rule of Law there is no prosperity. Without the Rule of Law a nation's prosperity declines, human rights are abandoned and social order eventually breaks down. It is as inevitable a consequence of the lack of the Rule of Law.

10. Second crisis, aggression on Ukraine, which is unfortunately so similar to experience my Country, Croatia experienced 30 years ago, bring me at the

end to revoke descending opinion of justice Lord Atkin in the case:
Liversidge v Anderson [1942] AC 206

11. In a speech that should serve as a lesson to us all he said, "...Amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace."

12. The crisis we are facing brought something good. It forced us all to "get out of the box" to find new ways of delivering justice.

13. In this respect, we should remember that crisis passes, and when it does pass, it is crucial that the Rule of Law remains strong in its wake. Society is built on the foundations of the Rule of Law and if, following this crisis, we are still left with a strong commitment to the Rule of Law we will have strong foundations to recover and build prosperity for citizens.

14. At the end I would only like to congratulate organizers for all efforts in organizing this Conference.

The LexisNexis definition of Rule of Law.

Ultimately and thankfully for the Rule of Law, Lord Atkin's view, namely that even governments are subject to the review of the law, prevailed and became the approach of much of the global legal world.

We are now living through unprecedented times of a different but no less serious kind. The European Commission is planning to ban all non-essential travel throughout Europe's Schengen free-travel zone. More countries are implementing lockdowns of various kinds and closing their borders to try to limit the spread of Coronavirus. Spain and Italy are isolating whole towns and cities. The United States has banned travel between the European Union and the US.

We are witnessing an unparalleled crisis in public health. There is no clear way to see when the pandemic will end or what further restrictions may become necessary. Further restrictions may become necessary that in normal times would be considered an infringement of civil liberties. Indeed, this blog may be out of date at the moment of publication!

The latest idea suggested by a number of people is that jury trials should be suspended (not abandoned I presume). I am sure other impacts will be felt: access to the justice system will be slowed down, maybe emergency health legislation passed, and who knows yet what more may be needed.

But let us remember the lessons of history: Even in the midst of the most serious of crises there is no need to abandon the Rule of Law. Society is not benefited in the long run by removing the foundations upon which it is built. The taking of extraordinary powers should be a mechanism to bypass bureaucracy not the Rule of Law!

We should remember that in a crisis, the people who are affected most by the abandonment of the Rule of Law are the most vulnerable. Sticking to important principles is not always easy but they are the foundation of civilized society and a crisis should not take away our civilization.

For information on free, continually updated news coverage and resources for legal professionals and business leaders from LexisNexis, [click here](#).