



College of Europe
Collège d'Europe

Brugge



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College of Europe – European University Institute

Joint conference on **Differentiation: A new pragmatism or the end of ever closer union?**

Thursday 17 November 2016
College of Europe, Dijver 9-11, Bruges
Room E

The referendum in the UK in favour of withdrawal from the European Union, the economic problems in the Eurozone and the influx of refugees and other migrants have raised questions about the legitimacy and effectiveness of EU policies, have exposed the limits of the willingness of Member States to be bound by common rules and act in unison in times of crises and have cast doubt on the aim of “ever closer union”.

The second joint conference between the College of Europe and the European University Institute examines, from the perspective of different disciplines, whether it is feasible or desirable for smaller groups of Member States to act alone to address those problems. What will be the consequences? Will cooperation among fewer Member States be more effective or will it contribute to unravelling the European Union? Will small groups of willing Member States be able to act without undermining the single European market and weakening the fundamental freedoms on which it is based?

Before the referendum in the UK, the agreement of 19 February 2016 on a new settlement between the EU and the UK conceded that not all Member States shared the same vision on the future path of integration. In the immediate aftermath of the referendum, European leaders reacted by expressing two opposing views: deeper integration v repatriation of competences to Member States.

The forthcoming negotiations on the terms of exit of the UK are supposed to be between two sides. Yet, it is increasingly obvious that neither on the UK side, nor on the EU side is there a cohesive view on the nature of a future relationship. There is, however, a growing realisation that whatever is agreed is likely to affect profoundly the process of further integration among the remaining Member States.

Each session of the conference will address the nature of possible differentiation, identify likely consequences and consider their impact on the evolution of the EU. A session will specifically focus on the developments concerning the negotiations with the UK.

Conference Programme

- 8.30-9.00 Registration and coffee, room A/B (ground floor.)
- 9.00-9.15 Room E (first floor)
Welcome address by Rector Jörg MONAR, College of Europe, Bruges and Professor Renaud DEHOUSSE, President, European University Institute, Firenze
- 9.15-10.30 **Definitions and implications of “differentiation” and “flexibility”:
Views of speakers from different disciplines**
Chair: Marise CREMONA, Professor of European Law, European University Institute, Firenze
Speakers:
Sieglinde GSTÖHL, Professor and Director, Department of EU International Relations and Diplomacy Studies, College of Europe, Bruges
Stefano MICOSSI, Director-General ASSONIME, Rome
Wolfgang WESSELS, Jean-Monnet Chair, University of Cologne
- 10.30-10.45 Break (room A/B)
- 10.45-11.45 **What have we learned from the negotiations between the UK and the EU on the feasibility and side-effects of seeking differentiation? And, first indications on the process and outcome of the withdrawal negotiations.**
Jonathan FAULL, Director-General, Task Force for Strategic Issues related to the UK Referendum, European Commission
- 11.45-13.00 **Deeper integration without discrimination of non-participating countries: The euro**
Deeper integration within the Eurozone is bound to have an impact on non-Eurozone countries. Common rules or policies do not have to be discriminatory to have such an impact. What kind of assurances can be given to non-participating countries and what can be done when cross-border effects through normal market mechanisms cannot be avoided?
Chair: Phedon NICOLAIDES, Professor and Director of the Department of European Economic Studies, College of Europe
Speakers:
Rebecca ADLER-NISSEN, Professor, Department of Political Science, University of Copenhagen
Daniel GROS, Director, Center for European Policy Studies, Brussels
Stefano MICOSSI, Director-General, ASSONIME, Rome
Wim KÖSTERS, Member of the Board of Directors, RWI-Leibniz-Institut für Wirtschaftsforschung, Essen
Loukas TSOUKALIS, Professor of European Integration, University of Athens
- 13.00-14.00 Speakers’ lunch (room A/B)
- 14.00-15.15 **Temporary suspension of fundamental freedoms: Movement of persons**
Some Member States are in favour of safeguards in the form of restrictions on movement and access to social security. Do conditional and temporary safeguards provide solutions that can apply to all Member States, establishing “temporary differentiation” that can function as a relief valve? Or, will they create permanent sources of friction and discord?
Chair: Inge GOVAERE, Professor and Director, Department of European Legal Studies, College of Europe

Speakers:

Catherine BARNARD, Professor of European Union Law, University of Cambridge

Gareth DAVIES, Professor of European Law, Free University, Amsterdam

Sacha GARBEN, Professor, Department of European Legal Studies, College of Europe

Claire KILPATRICK, Professor of International European and Social Law, European University Institute, Firenze

Paul NEMITZ, Director, Directorate-General for Justice, Directorate Fundamental rights and Union citizenship, European Commission

15.15-15.30 Break (room A/B)

15.30-16.45 **Applying a brake to deeper integration: Democratic legitimacy and greater involvement of national parliaments**

It is often claimed that the EU suffers from a democratic deficit that fuels disaffection among its citizens. Will the concerns of EU citizens be allayed by greater involvement of national parliaments? What is the likely impact of greater involvement of national parliaments on the EU's decision-making efficiency?

Chair: Olivier COSTA, Professor and Director, Department of Political and Administrative Studies, College of Europe, Bruges

Speakers:

Michele CHANG, Professor, Department of Political and Administrative Studies, College of Europe, Bruges

Thomas CHRISTIANSEN, Chair in European Institutional Politics, University of Maastricht

Adrienne HÉRITIER, Emeritus Professor, European University Institute, Firenze

16.45-18.00 **External differentiation: Foreign policy**

Integration progresses through spill-overs from one policy to another. Is the reverse process also possible? Given that Member States have widely divergent interests in areas of EU external action, how does internal differentiation spill-over to external differentiation?

Chair: Simon SCHUNZ, Professor, Department of EU International Relations and Diplomacy Studies, College of Europe, Bruges

Speakers:

Marise CREMONA, Professor of European Law, European University Institute, Firenze

Simon DUKE, Professor, European Institute of Public Administration Maastricht

David PHINNEMORE, Professor of European Politics, Queen's University Belfast

Frank SCHIMMELFENNIG, Professor of European Politics, ETH Zürich

18.00-19.00 **Conclusions**

The chairs of the various sessions summarise the main points of discussion and identify common themes and possible conflicting views

19.30 Speakers' dinner