



UNIVERSITY OF
BIRMINGHAM

Birmingham Law School

Institute of European Law

After Lisbon: The Future of European Law & Policy

Conference on European Law & Policy in Context

Sponsored by the Jean Monnet Fund

24-25 June 2010 at Birmingham Law School

CONFERENCE PROGRAMME

Thursday, 24 June 2010:

10.00 - 11.00 Registration, Reception (ground floor), Birmingham Law School, Coffee, Senior Common Room (2nd floor), Birmingham Law School

**Opening session, 24 June 2010, 11.00 am, Lecture Theatre 3 (2nd floor):
'The Impact of Lisbon'**

Professor Martin Trybus (Director, Institute of European Law, University of Birmingham):

Opening remarks: 'After the Treaty is before the Treaty?'

The Right Honourable Gisela Stuart, MP, Presidium of the EU Constitutional Convention 2001-3

Keynote address: 'The European Union and the Rule of Law'

Dr Urfan Khaliq (University of Cardiff):

'The new external action of the European Union under the Treaty of Lisbon'

Professor Anthony Arnall (University of Birmingham):

'The European Court of Justice after Lisbon'

Professor Estella Baker (University of Sheffield):

'Without a Third Pillar: European Cooperation in Justice and Criminal Policy under Lisbon'

Dr Martin Borowski (University of Birmingham):

'Outside the Treaties but binding: the Charter on Fundamental Rights'

1.00-2.00 pm: Lunch, Moot Room (2nd floor)

Thursday afternoon and Friday morning there will be parallel workshop sessions with the orange A-stream (constitutional) in the Lecture Theatre 3, the blue B-stream (human rights and criminal matters) in the Board Room, the red C-stream (economic law) in Law 112 and the green D-stream (external action and defence) in the Moot Room (except 1D, which will be in Law 204):

Parallel workshop sessions

Workshop Sessions 1: Thursday 24 June 2010 (2.00-3:30 pm)

1A: Lecture Theatre 3) Conferred powers, constitutionalism, and legitimacy after Lisbon

Discussant: Professor Evelyn Ellis (University of Birmingham, UK)

Dr Barbara Guastafarro (University of Naples Orientale, Italy):

The European Union as a Staatenverbund? The endorsement of the principle of conferral by the Treaty of Lisbon

Dr Yuri Borgmann-Prebil (University of Sussex, UK):

A constitutional patriotism perspective on European constitutionalism and citizenship

Dr Melanie Smith (University of Cardiff, UK):

The development of administrative principles after Lisbon: a foundational model of legitimacy?

1B: Board Room) Human rights, the EU and the ECHR in the Treaty of Lisbon

Discussant: Dr Helena Raulus (Erasmus University of Rotterdam, The Netherlands)

Professor Wolfgang Weiss (German University of Public Administration, Speyer, Germany):

Human rights in the EU: rethinking the role of the ECHR after Lisbon

Dr Tobias Lock (University College London, UK):

EU accession to the ECHR

Dr Ioana Raducu (Catholic University of Tilburg, The Netherlands):

The judicial dialogue through deference between supranational courts and domestic courts.

Finding a modus vivendi towards overlapping supranational human rights regimes

1C: Law 112) A new EU competition law?

Discussant: Dr Luca Rubini (University of Birmingham, UK)

Mr Julian Nowag (University of Oxford, UK):

Changing the competition regime without altering the Treaty's chapter on competition

Dr Arianna Andreangeli (University of Liverpool, UK):

From mobile phones to cattle: how the Court of Justice is reframing the approach to Article 101 (formerly 81 EC Treaty) of the TFEU

Mr Carlo Petrucci (University of Birmingham, UK):

Damages claims for breach of European competition law: compensation for all?

1D: Law 204) The EU and the international legal order after Lisbon

Professor Robert Cryer (University of Birmingham, UK)

Dr Aurel Sari (University of Exeter, UK):

From San Francisco to Rome: the relationship between the UN Charter and the EU Treaties after Lisbon

Mr Andres Delgado Casteleiro and Mr Joris Larik (European University Institute, Florence, Italy):

On the use of Article 4(3) TEU (ex article 10 TEC) in EU's international relations

Mr Luke Butler (University of Birmingham, UK):

Losing Perspective in a Discourse about Perspectives: Approaches to The Relationship Between EU Law and International Law

Mr Krystof Krulis (Charles University of Prague, Czech Republic):

The US Foreign Policy towards the future enlargement of the EU

Tea break: 3.30 - 4.00 pm, Senior Common Room (2nd floor)

Workshop Sessions 2: Thursday 24 June 2010 (4.00 - 5:30 pm)

2A: Lecture Room 3) The European Court of Justice under the Treaty of Lisbon

Discussant: Professor Tony Arnall (University of Birmingham, UK)

Dr Silvia Romein (University of Leiden, The Netherlands):

The individual review of legality of EU measures after Lisbon: completing the complete system of legal remedies?

Mr Ian Kilbey (De Monfort University, Leicester, UK):

Interpreting the power to impose financial penalties on Member States

Dr Agata B Capik (University of Luxembourg):

Welcome to the (new) machine: Questioning the current architecture of the Court of Justice of the European Union

2B: Board Room) The binding Charter on Fundamental Rights of the EU

Discussant: Dr Martin Borowski (University of Birmingham, UK)

Dr Helena Raulus (Erasmus University of Rotterdam, The Netherlands):

The Union fundamental rights as a set of constitutional principles

Dr Dorota Leczykiewicz (University of Oxford, UK):

Limited horizontality of the Charter of fundamental rights

Dr Anneli Albi (University of Kent, UK):

National constitutional courts, the pluralist discourse and fundamental rights

2C: Law 112) The Treaty of Lisbon and the Internal Market

Discussant: Dr Adam Cygan (University of Leicester, UK)

Dr Francesco Costamagna (University of Turin, Italy):

The internal market and the welfare state: anything new after Lisbon?

Dr Alina Tryfonidou (University of Leicester, UK):

Towards a meaningful status of Union citizenship: reconceptualizing the market freedoms as Union citizenship rights

Mr Gautier Busschaert (University of Leicester, UK):

Revisiting the fundamentals of internal market law: civil society as a third sector between the State and the market

Ms Mateja Djurovic (European University Institute, Florence, Italy):

The EU and the consumer

2D: Moot Room) EU External Action and Trade under Lisbon

Discussant: Dr Urfan Khaliq (University of Cardiff, UK)

Professor Tamara Takasc (University of Utrecht, The Netherlands):

EU external trade after the Lisbon Treaty: a strengthened role in trade, a more coherent action in external relations?

Mr Stephen Lea (University of Hull, UK):

Mixity and the Competence debate: reappraising the Common Commercial Policy after Lisbon

Mr Bart Van Vooren (European University Institute, Florence, Italy):

Government versus governance in EU external relations: EU energy policy as a case-study

Reception and Conference Dinner, 7.30 – 10.00 pm, Hornton Grange, Birmingham

Friday, 25 June 2010

Workshop Sessions 3: Friday 25 June 2010 (9:30-11am)

3A: Lecture Room 3) The Future of EU Governance and Decision Making after Lisbon

Discussant: Professor Mark Bell (University of Leicester, UK)

Dr Adam Cygan (University of Leicester, UK):

The (de)Parliamentarisation of European Union decision making?

Ms Laura Puccio (European University Institute, Florence, Italy):

The pressures inflicted by the financial crisis on Member States economic policy and the Euro Area: de facto creating a EU 'economic government' despite the status quo maintained in the Lisbon Treaty?

Mr Michael Mirschberger (German University of Administration, Speyer, Germany):

Who leads the EU? Competences, rivalry and a role for the President of the European Council, the High Representative of the Union for Foreign Affairs and Security Policy, the Presidency of the Council and the President of the European Commission

3B: Board Room) The Future of Immigration and Employment after Lisbon

Discussant: Dr Flora Goudappel (Erasmus University of Rotterdam, The Netherlands)

Professor Marie-Laure Basilien-Gainche (University Sorbonne Nouvelle Paris III, France):

The future of EU immigration and asylum policy in the new institutional context

Mr Keith Puttick (Staffordshire University, UK):

Europe's new Europeans: family migration, reception and integration after Lisbon

Ms Lisa Rodgers (Birmingham City University, UK):

The employment policy of the EU after Lisbon: a crisis of solidarity?

3C: Law 112) Competition, Broadcasting, and Energy

Discussant: Dr Luca Rubini (University of Birmingham, UK)

Ms Natalia Fiedziuk (Catholic University of Tilburg, The Netherlands):

Services of general economic interest after the Lisbon Treaty: opening doors to a whole new approach or maintaining the 'status quo'

Ms Irini Katsirea (Middlesex University, UK):

The future of public broadcasting after the revision of the 2001 Broadcasting Communication

Professor Ole Gram Mortensen (University of Southern Denmark):

The EU Third Energy Packages – not the final solution

Ms Marija Bartl (European University, Florence, Italy):

(European) Private law in the light of the Lisbon Treaty

3D: Moot Room) The new Common Security and Defence Policy of the Treaty of Lisbon

Discussant: Professor Colin Warbrick (University of Birmingham, UK)

Mr Erkki Aalto (University of Turku, Finland):

Towards a common defence? Legal foundations after the Lisbon Treaty

Dr Aris Georgopoulos (University of Nottingham, UK):

A letter from Europe? A critical evaluation of the recent developments in the field of EU defence market integration

Dr Steven Blockmans (TMC Asser Institute, The Hague, Netherlands):

The participation of Turkey in the EU's Common Security and Defence Policy: kingmaker or Trojan horse?

Professor Christopher Yukins (The George Washington University, Washington DC, USA):

European defence integration: a letter from America

Coffee break: 11.00-11.30 am, Senior Common Room

Workshop Sessions 4: Friday 25 June 2010 (11:30am-1pm)

3A: Lecture Room 3) Flexibility and Subsidiarity under Lisbon

Discussant: Professor Martin Trybus (University of Birmingham, UK)

Dr Ton van den Brink (University of Utrecht, The Netherlands):

What substantive interpretation of the subsidiarity principle after Lisbon?

Dr Ester Herlin-Karnell (Free University Amsterdam, The Netherlands):

Enhanced cooperation and conflicting values – are new forms of governance the same as good governance?

Dr Elaine Fahey (European University Institute, Florence, Italy):

A jagged-edged jigsaw: the boundaries of constitutional differentiation and Irish-British-Euro relations after the Treaty of Lisbon

4B: Board Room) Judicial Cooperation in Criminal Matters without a Third Pillar

Discussant: Professor Estella Baker (University of Sheffield, UK)

Ms Ursula Kern and Ines Walburg (University of Heidelberg, Germany):

Judicial cooperation in criminal matters: past, present and future

Professor Flora Goudappel (Erasmus University of Rotterdam, Netherlands):

Options for development of European criminal law under the Treaty of Lisbon

Mr Bleddyn Davies (University of Liverpool, UK):

Oversight of the European executive: Criminal law agencies in the post-Lisbon era

4C: Cancelled, papers moved to other workshops.

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1.00-2.00 pm: Barbecue Lunch, outside the Law School

END OF CONFERENCE