The implications of Brexit: EU and post-EU constitutional and substantive law

The League of European Research Universities (LERU) is an association of 23 leading research-intensive universities that share the values of high-quality teaching within an environment of internationally competitive research.¹

LERU is organising a number of seminars on the decision of the UK to withdraw from the European Union. These seminars will be jointly organised by the Universities of Leuven and Edinburgh. Their focus will be on EU and post-EU institutional and substantive law implications of Brexit and on the future EU-UK relationship in this regard. The seminars will be spaced one year apart. This will allow us to revisit some of the questions raised when we will know more about the final outcome of the Brexit negotiations.

Aims and structure of the seminar

The seminar aims to bring to the fore the key challenges posed to (EU) constitutional and substantive law by Brexit.

We particularly encourage junior researchers affiliated with LERU universities to present a paper. We are also very keen on the involvement of scholars who are primarily active in one of the substantive areas of law which have an EU dimension (e.g. labour law, financial law, administrative law …).

The following themes are indicative only and we welcome all submissions on the overall theme of the seminar.

¹ A list of LERU members can be found here: http://www.leru.org/index.php/public/about-leru/members/.
Themes of EU and post-EU constitutional law, e.g.

- structure of the negotiations and the relationship between the withdrawal agreement and the future EU-UK agreement;
- conclusion of the withdrawal agreement and the other agreements;
- the status of the withdrawal agreement/transitional agreement/future relationship agreement under EU law;
- the enforceability and enforcement of the withdrawal agreement;
- dispute settlement after Brexit;
- consequences of a no-deal Brexit;
- Brexit and the principle of loyal cooperation;
- British nationals within EU institutions, bodies, offices and agencies: their status and limits during and after the withdrawal;
- transparency and the role of public opinion and national Parliaments in the negotiations;
- internal adjustments in the composition of the EU institutions after the finalization of the withdrawal;
- Financial Settlement: a ‘single financial settlement’ in respect to the Union budget, the European Investment Bank, the European Central Bank, the European Development Fund and other funds such as the Facility for Refugees in Turkey?
- the European Union (Withdrawal) Bill and the status of EU law in the UK after the withdrawal.

Themes of EU and post-EU substantive law, e.g.

- UK associate membership of the EU’s Customs Union?
- the impact of Brexit on free movement: diverging rights of third country nationals under free movement, rights or obligations for companies to re-establish, possibility to provide services to and from the EU post Brexit, etc.;
- how to guarantee rights of EU and UK businesses, what rights should and would be protected and enforced, and for how long;
- the impact of Brexit on EU citizenship; the rights of EU citizens in the UK and vice versa, after Brexit;
- the impact of Brexit on EU competition law (e.g. merger control) and its enforcement;
- the future of EU (trade) agreements with third countries, both mixed and EU-only;
- EU-UK cooperation in Justice and Home Affairs after Brexit;
- CFSP and CSDP after Brexit;
- Issues around the Irish border;
- What does Brexit mean for European integration more generally?

Discussions will be organised in panels. Each panel will be joined by a discussant from either Leuven or Edinburgh.

Information

The seminar will take place on Friday, 17 November in Leuven.

(Modest) accommodation for one night will be provided, but it is expected that travel costs are born by participants’ institutions.

Researchers affiliated to LERU universities can ask for further information, and can propose their papers by sending an abstract (about 500 words) to the following email address:

LERUbrexitseminar@kuleuven.be.