

EVOLUTION OF the EU LAW

After the Brexit: Quo vadis, EU?



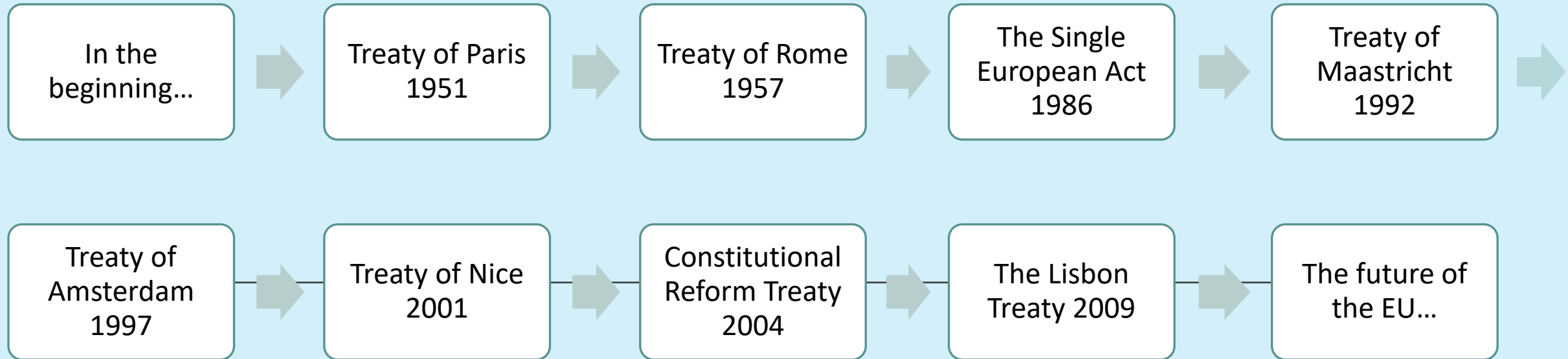
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The EUROPEAN UNION



THE UNIFICATION OF EUROPE



“Europe will not be made all at once or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity.”

Robert Schuman, 1947

Why did Europe Unify?

- I. Globalisation being deemed more important than state sovereignty.
- II. Inter-state cooperation being sought to rebuild Europe following World War II.
- III. Organisation of Europe to strengthen bonds in order to act as a deterrent.

IN THE BEGINNING...

- Initially three institutions were established in close succession of each other:
 - I. Organisation for the European Economic Cooperation (1948)
 - II. Western European Union (1948/1954)
 - III. Council of Europe (1949)
- The only one of these institutions to still exist is the Council of Europe.



The first sitting of the Council of Europe took place on 10 August 1949. The aim of the Council is to "*achieve a greater unity between its members for the **purpose** of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.*" Article 1(a) of the Statute of the Council of Europe.

EU ENLARGEMENT WAVES

1951 Belgium, France, Germany, Italy, Luxembourg, the Netherlands,(ECSC)

~~(1957 EEC and EURATOM)~~



1973 Denmark, Ireland and the UK

1981 Greece

1986 Portugal and Spain

1995 Austria, Finland and Sweden

2004 Cyprus , the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, Slovakia

2007 Bulgaria and Romania

2013 Croatia

?

Who are next?

Albania, Serbia, North Macedonia, and Montenegro are all candidate states, and all of them are in negotiations. ...

Serbia and Montenegro *could* join the **European Union** in 2025.

The European Council endorsed starting negotiations with North Macedonia and Albania on 26 March 2020, and they could join after 2025.

BUT: Is it a good time for enlargement ?

Turkey case:



Association agreement (Ankara Agreement) – 1964

U-Turkey Customs Union – since 1995

Application for joining in 1987

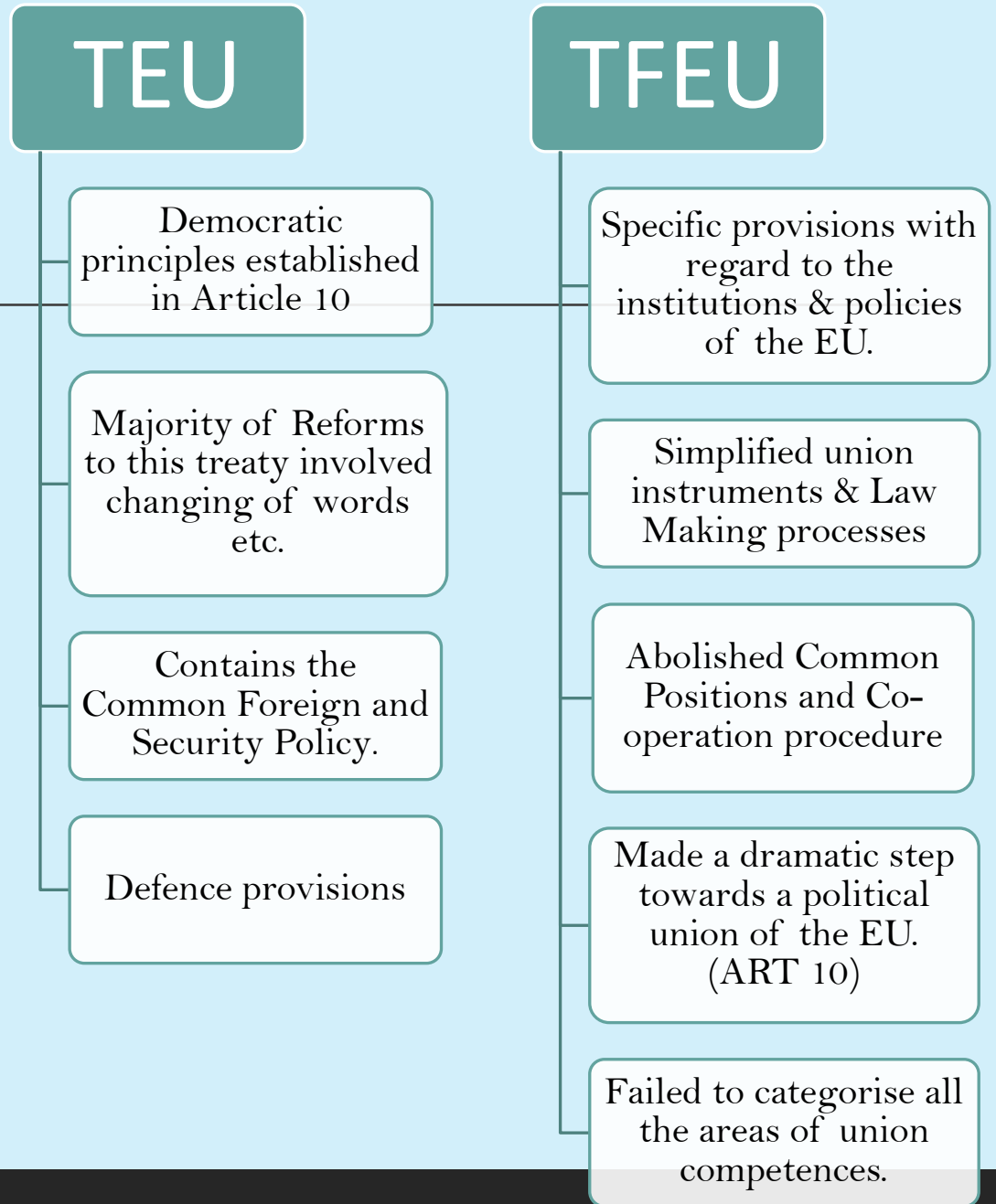
the European Council announced that membership negotiations with Turkey were officially opened on 3 October 2005.

On 24 November 2016, the European Parliament approved a non-binding resolution calling for the **"temporary freeze of the ongoing accession negotiations with Turkey"** over human rights and rule of law concerns

Is it an end of the story?

Dual Treaty Framework

- Dual Democratic legitimacy; corresponds to federal nature of the EU.
- Increased Parliaments decision making.
- Abolished pillar system. (however second pillar established in the Maastricht Treaty can be considered as the TEU.)
- The third pillar as modified by the Treaty of Amsterdam is reunited with the rest of the Maastricht Treaty; Title V of Part 3 of TFEU.
- Widening of geographical and jurisdictional scope as well as deepening supranational power.



From 6 to 28?

From 28 to 27!!!!!!

BREXIT

31 January 2020!!!!!! -

With the miscellaneous provisions!!!!

But not a member!

EU-UK Free Trade Area : 1 January 2021

A portmanteau of the words Britain and exit: BREXIT

The British referendum on the "Brexit" was as much a vote against the current forms of globalization as it was a vote against the project of "ever closer union".

We are dealing with a revolt of the insecure against post-national elites, a rebellion of the provincial against the metropolitan, a conflict between the winners and losers of globalization.



Fairy Tale story: “capricious lady”

Britain has debated the pros and cons of membership in a club of European nations almost from the moment the idea was broached, in the years after World War II.

In the 1960s, it applied twice for membership in what was then the European Economic Community, only to be vetoed both times by France.

The first Association Agreement in the EU’s history – with the UK!

In 1973, Britain finally joined the club — and held its first referendum on whether to leave less than three years later. At the time, 67 percent of voters supported staying in the bloc.

UK & EU: short story

~~1973: Joining the European Economic Community~~

Referendum 1975: positive results, but Euroscepticism remains.

Referendum 2016 – 51,9% for exiting, 48,1% against (Scotland, Northern Ireland)

Art. 50 Treaty on European Union – procedure

02.2017: House of Commons decisions to launch the exit procedure

28.03.2017: UK official notification on Brexit

19.06.2017: official negotiations started

Exit 31.01.20, withdrawal agreement, miscellaneous period till 31.12.20

Free trade area since : **01.01.21**

What are the details:

- **November 14, 2018:** It was announced that UK cabinet ministers had agreed to a draft agreement on the terms of the United Kingdom's exit but this was followed by a series of ministerial resignations and it still has to be voted on in Parliament though the EU has tentatively scheduled an emergency summit for the end of November.
- **November 25, 2018:** European leaders endorsed the BREXIT agreement announced earlier in November.
- **December 10, 2018:** The vote in Parliament scheduled for December 11 was canceled. The European Court of Justice agreed with the [advice of its top legal officer External](#), who declared that the UK has the power to withdraw its notification to leave the EU under Article 50 without the agreement of other member states.

- **January 15, 2019:** The BREXIT vote on the government's plan was rejected by Parliament 432 to 202.
- **March 12, 2019:** The BREXIT vote on the government's plan was rejected by Parliament for a second time 391 votes to 242.
- **March 13, 2019:** Parliament voted to reject leaving the European Union without a deal.
- **March 14, 2019:** Parliament voted for a delay in BREXIT but rejected a second referendum.
- **March 22, 2019:** The British Prime Minister was able to secure a delay of BREXIT. The new date is April 12 (with a possible extension to May 22) if Parliament approves the delay by the end of the following week.
- **March 29, 2019:** The BREXIT vote on the government's plan was rejected by Parliament for a third time 344 votes to 286.
- **April 10, 2019:** A new deadline of October 31 was approved but if a plan is approved prior to that date, the extension would be terminated.
- **May 24, 2019:** Prime Minister Theresa May announces her resignation.
- **September 4, 2019:** Parliament rejects the Prime Minister's call for new elections but did pass a bill forcing the Prime Minister to ask the E.U. to delay BREXIT until January if there is no exit agreement.
- **September 10, 2019:** Parliament is suspended (prorogation) for 5 weeks until October 14. On September 24th the Supreme Court of the United Kingdom [deemed External](#) the Order in Council ordering the prorogation "null and of no effect".
- **October 16, 2019:** It was announced that a deal between the EU and the UK had been reached, now but it still has to be ratified by European leaders and the British Parliament.
- **October 19, 2019:** Sitting in a special Saturday session, Parliament withheld support for the Prime Ministers plan until related supporting legislation was passed.
- **October 28, 2019:** The EU approved the UK's request for a three-month extension to the Brexit process.
- **December 27, 2019:** British lawmakers gave preliminary approval to the Prime Minister's Withdrawal Agreement Bill that clears the way for the U.K. to leave the European Union on January 31.

- **January 9, 2020:** British lawmakers voted overwhelmingly in favor of the Prime Minister's Brexit deal, which means the path is clear for the country to leave the European Union later this month. It now goes to the House of Lords.
- **January 22, 2020:** The House of Parliament rejected the House of Lords Amendments and the Lords relented and agreed to accept the legislation without tweaks.

- **January 23, 2020:** The legislation received the royal assent.
- **January 29, 2020:** The withdrawal agreement was approved by the European Parliament 621 votes in favor, 49 against and 13 abstentions.
- **January 31, 2020:** BREXIT. The next phase is an 11-month transition period, during which time the UK will continue to follow most EU rules but will not have any decision-making power in the EU.
- **December 24, 2020:** The UK and the EU reach a trade deal.
- **January 1, 2021:** The final split between the UK and EU. Other issues may need to be ironed out and add dates to the timeline.

- Britain's split from the European Union took full effect as 2021 began.

How will the EU move forward now?

- it would further divide the EU
 - the UK was an influential player in the [European Parliament](#) and the [Council of the European Union](#). Its absence will impact the ideological balance within the EU institutions
-

- Who will benefit? EU or UK?

Membership fee: Brexiteers argued that leaving the EU would result in an immediate cost saving, as the country would no longer contribute to the EU budget. In 2016, Britain paid in £13.1bn, but it also received £4.5bn worth of spending, said Full Fact, “so the UK’s net contribution was £8.5bn”.

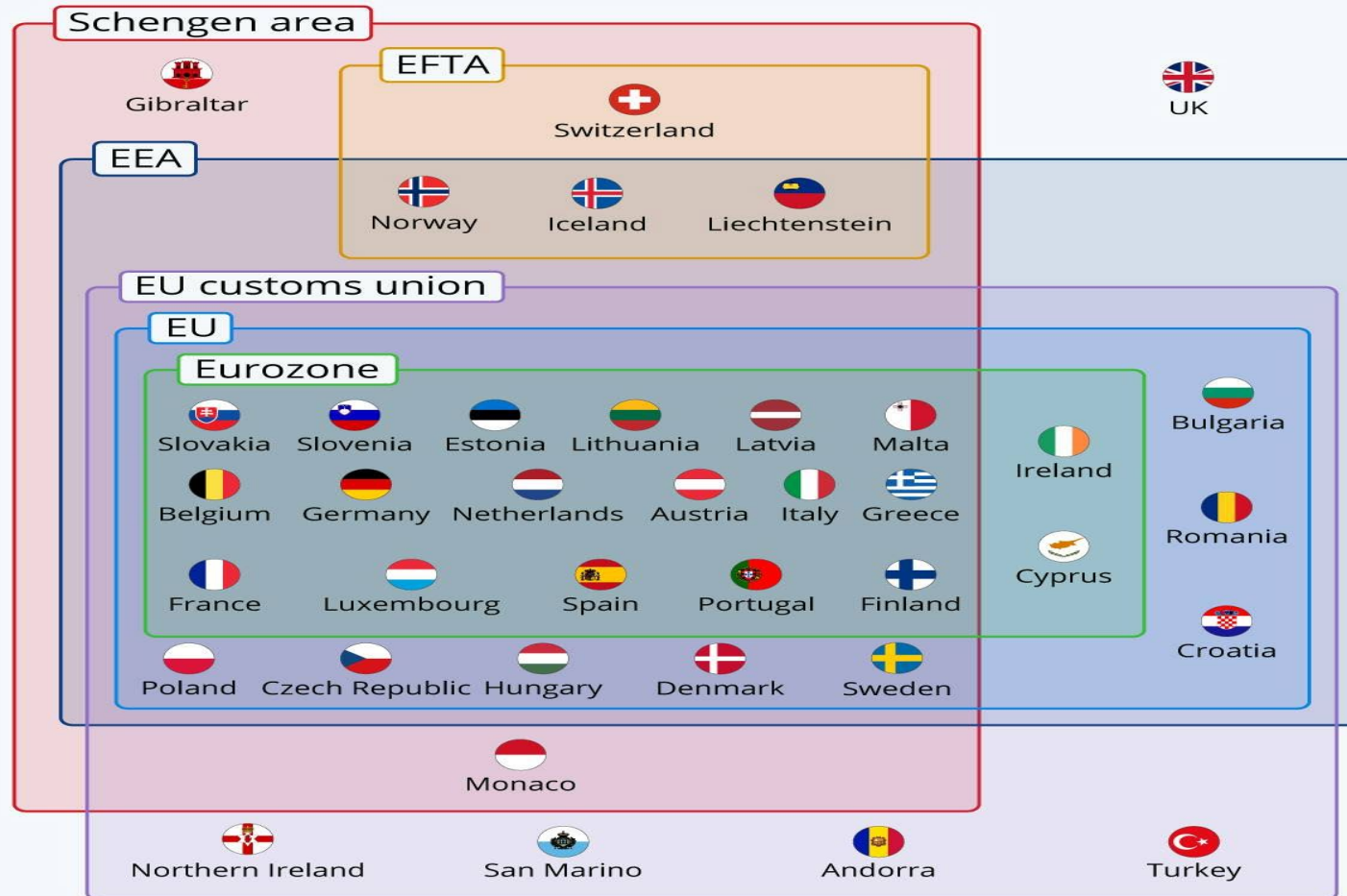
The consequences of Brexit for businesses that took advantage of these freedoms was always a matter of debate and conjecture.

Outside the EU, said Remainers, the UK would lose the benefits of free trade with neighbours and reduce its negotiating power with the rest of the world.

Brexiteers, meanwhile, said the UK could compensate for those disadvantages by establishing its own trade agreements- and that most small and medium-sized firms, which have never traded overseas, would be freed of the regulatory burden that comes with EU membership.

The Consequences of The UK's Brexit Strategy

UK's status in European economic, trade and travel agreements



Source: Statista research



THE FUTURE OF THE EUROPEAN UNION?

- On March 29th Prime Minister of the United Kingdom (UK) Theresa May triggered article 50 of the Treaty on the European Union. (TEU) In order to withdraw the United Kingdom from the European Union (EU).
- The Five possible Post-Brexit Scenarios for the EU was proposed by President of the EU Jean-Claude Juncker in a white paper in 2017.
 - I. **‘Carrying on’** The European Union focuses on delivering its positive reform agenda.
 - II. **‘Nothing but the Single Market’** The European Union is gradually re-centered on the Single Market..
 - III. **‘Those who want more do more’** The European Union allows willing member states to do more together in specific areas.
 - IV. **‘Doing less more efficiently’** The European Union focuses on delivering more and faster in selected policy areas, while doing less elsewhere.
 - V. **‘Doing much more together’** The European Union decides to do much more together across all policy areas.



What are possible next scenarios?

- strengthen of enhanced cooperation - “club in the club”
- re-structuring of power impacts
- Polish & Hungarian cases – challenges! – Polesxit?

Is there an appropriate time for enlargement?

Relations with neighboring countries:

“Integration without membership” – no ‘carrots’, but a lot of homework!

Newest tendencies – just pragmatism!

- digitalization – evolution of the EU Digital market
- COVID challenges – fact reaction + state support +
- new technologies development : electricity + waste management




 Commission approves €2.9 billion support by twelve Member States for second important European project for **battery value chain**

| Raw and advanced materials | Battery cells | Battery systems | Recycling and sustainability |
|----------------------------|------------------------|-----------------------|------------------------------|
| ACIS | Alumina Systems | ACIS | Borealis |
| Arkema | BMW | Alumina Systems | Enel X |
| Borealis | Cellforce Group | AVL | Engitec |
| Ferroglobe | ElringKlinger | BMW | FIAMM |
| Fluorsid | FCA | Endurance | Fortum |
| Green Energy Storage | Green Energy Storage | Enel X | Hydrometal |
| Hydrometal | InoBat Auto | Energia Aqua | Italmatch Chemicals |
| Italmatch Chemicals | Manz | FCA | Keliber |
| Keliber | Midac | FIAMM | Liofit |
| Prayon | Northvolt | FPT Industrial | Little Electric Cars |
| SGL Carbon | SGL Carbon | Green Energy Storage | Midac |
| Solvay | Skeleton Technologies | InoBat Energy | SGL Carbon |
| Tokai Carbon Group | Sunlight Systems | Manz | Tesla |
| VARTA Micro Innovation | Tesla | Miba eMobility | Valmet Automotive |
| | VARTA Micro Innovation | Midac | ZTS VaV |
| | | Rimac Automobili | |
| | | Rosendahl Nextrom | |
| | | Skeleton Technologies | |
| | | Sunlight Systems | |
| | | Tesla | |
| | | Valmet Automotive | |
| | | Voltlabor | |

Competition

THANKS!

Q&A!



За підтримки програми Еразмус+ Європейського Союзу в межах проекту Центру досконалості Жана Моне №611625-EPP-1-2019-1-UA-EPPJMO-CoE «Поглиблений розвиток європейських студій в Україні: міждисциплінарний підхід».

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With the support of the Erasmus+ Programme of the European Union within the Jean Monnet Centre of Excellence Project № 611625-EPP-1-2019-1-UA-EPPJMO-CoE “Advancing European Studies in Ukraine: Interdisciplinary Approach”.

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