University of Copenhagen

CESEL Centre for European Studies in Economic Law – PhD School of the Faculty of Law

**PhD Course on European Union Law**

Date: 28 May 2014 from 8:45-17:30

Venue: [Staff canteen 02-3-44, Studiegaarden, Studiestraede 6, 3rd floor, DK-1455 Copenhagen K](https://maps.google.com/maps?q=Studiestr%C3%A6de+6,+K%C3%B8benhavn,+Danmark&hl=en-GB&ie=UTF8&sll=37.0625,-95.677068&sspn=51.177128,79.013672&oq=Studiestr%C3%A6de+6,+K%C3%B8benhavn&hnear=Studiestr%C3%A6de+6,+1455+K%C3%B8benhavn,+Denmark&t=m&z=16)

**Programme (subject to changes)**

*Morning panel 1: Eurozone crisis*

*Morning panel 2: Public procurement law*

*Afternoon panel 1: EU citizenship*

*Afternoon panel 2: Legal pluralism*

*Acknowledgements*

We would like to thank the discussants, Associate Professor Sune Troels Poulsen, Professor Jan Smits and Professor Sybe de Vries, for their contributions. We would like to express our gratitude to Professor Ulla Neergaard for invaluable support of various aspects of the PhD course, Ann Rosenkilde Mølgaard from the PhD School for administrative support and Tina Futtrup Borg for assistance concerning the lay-out.

**DETAILED PROGRAMME**

**8:45 – 9:00**: Welcome (Constanze Semmelmann, CESEL, KU Law)

**9:00 – 12:00:** **Morning panel 1: Eurozone crisis**

**9:00-9:30: Paper 1 Eurozone crisis**

* Marijn van der Sluis, EUI Florence
* Title: Thou shalt not bail out: The history of the interpretation of article 125 TFEU
* Focus: historical perspectives on Article 125 TFEU (‘no-bailout clause’) – Pringle on Article 125 TFEU – transformation of interpretation of Article 125 TFEU pre-/ post-Eurozone crisis
* Discussant: Constanze Semmelmann, University of Copenhagen

**9:30-10:00: Paper 2 Eurozone crisis**

* Anna Sting, University of Rotterdam
* Title: The new system of economic governance of the European Union: The institutional consequences for big vs. small Member States
* Focus: intergovernmentalism and the new ‘Union method’ vs EU legislation – political and economic pressure – voting rights under ESM Treaty – equality of Member States
* Discussant: Constanze Semmelmann, University of Copenhagen

**10:00-10:30: Paper 3 Eurozone crisis**

* Clelia Lacchi, University of Luxembourg
* Title: The ECJ facing the new forms of differentiated integration in the Eurozone: the case studies of the European Stability Mechanism (ESM) and of the Financial Transaction Tax (FTT)
* Focus: Differentiated integration – competence and institutional balance – judicial review – ex. FTT and ESM – enhanced cooperation procedure
* Discussant: Constanze Semmelmann, University of Copenhagen

**10.30-11:00: Break**

**11:00-11:30: Paper 4 Eurozone crisis**

* Marie-Therese Gold, University of Maastricht
* Title: Parliamentary Involvement in the European Banking Union
* Focus: Banking union – Single Supervisory Mechanism SSM – Single Resolution Mechanism SRM – democratic legitimacy – accountability – involvement of EP and national parliaments in banking union
* Discussant: Constanze Semmelmann, University of Copenhagen

**11:30-12:00: Paper 5 Eurozone crisis**

* Stella Kaltsouni, University of Leiden
* Title: Legal and Institutional Foundations of the Single Resolution Mechanism (SRM)
* Focus: Banking union – Single Resolution Mechanism SRM – Short-selling case C-270/12 – legal basis – scope of Article 114 TFEU – Meroni – EU legislation vs intergovernmentalism in banking union
* Discussant: Constanze Semmelmann, University of Copenhagen

**12:00-12:15: Break**

**12.15-12:45: General discussion**

**12:45 - 13:15: Morning panel 2: Public procurement law**

**12:45-13:15: Paper Public procurement law**

* Annalisa Aschieri, University of Turin
* Title: Non-financial benefits: another reason for the promotion of PPPs as viable alternatives for public service delivery
* Focus: Public-private partnerships PPPs – non-economic benefits of PPPs – notion of costs
* Discussant: Sune Troels Poulsen, University of Copenhagen

**13:15-14:00: Lunch break**

**14:00-14:30: Afternoon panel 1: EU Citizenship**

**14:00-14:30: Paper EU Citizenship**

* Alexander Hoogenboom, University of Maastricht
* Title: The Court’s case law on portable study grants: a mixed picture with implications for student mobility and the concept of EU citizenship.
* Focus: equal treatment rights of students – export of study grants from home state – membership links and their multiplication and coordination
* Discussant: Sybe de Vries, University of Utrecht

**14:30 - 17:00: Afternoon panel 2: Legal pluralism**

**14:30-15:00: Paper 1 Legal pluralism**

* Clara Rauchegger, University of Cambridge
* Title: The interaction between EU and domestic fundamental rights after *Åkerberg Fransson* and *Melloni*: Has the CJEU embraced constitutional pluralism?
* Focus: Interplay between national and EU fundamental rights protection – Melloni – Akerberg Fransson – EU FR Charter – legal pluralism – role of individual in EU law
* Discussant: Sybe de Vries, University of Utrecht

**15:00-15:30: Paper 2 Legal pluralism**

* Ana Júlia Mauricio, University of Cambridge
* Title: Constitutional Pluralism: Double Role of Member States’ Administrations in the Process of Applying EU Law and National Law
* Focus: Decentralised application of EU (administrative) law – dual vs double role of national enforcement bodies – link between double role of enforcement bodies and pluralistic, dialogical approaches to multi-level system of governance
* Discussant: Sybe de Vries, University of Utrecht

**15:30-16:00: Break**

**16:00-16:30: Paper 3 Legal pluralism**

* Artem Anyshchenko, University of Copenhagen
* Title: The Challenges to EU Regulation of GMOs beyond the European Context
* Focus: Regulation of genetically modified organisms (GMOs) – risk regulation –relationship EU-WTO – differences EU-US concerning risk-regulation – non-discriminatory restrictions on trade – direct effect of WTO law in EU legal system
* Discussant: Jan Smits, University of Maastricht

**16:30-17:00: Paper 4 Legal pluralism**

* Thomas Streinz, University of Munich
* Title: Legal Pluralism at the European Court of Justice: The Legal Discourse between Advocates General, Judges, and Academia
* Focus: Legal method in EU law – role of Advocate General (AG) – influence of AG on outcome of case, legal discourse and methodological coherence within CJEU
* Discussant: Jan Smits, University of Maastricht

**17:00 – 17:30 General discussion (in case of interest) and farewell**