

# HOMER

Jean Monnet Centre of Excellence



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## WELCOME

Dear readers,

the HOMER project is about analyzing and remembering stepping stones of European integration. Starting with the Rome treaties, but certainly taking the stages of the three summits at The Hague, Maastricht and Lisbon with the respective results in treaties and policies, the history of the EU used to be one of ever advancing integration. Admittedly, there were periods of stalemated and little progress. Yet, current

developments seem to be of a somewhat more severe quality: Growing nationalist and separatist movements, anti-EU attitudes, and for the first time a member country leaving the union.

This newsletter gives some insights into the ongoing negotiations over Brexit and connects them to the history of the UK in the context of the three summits and it briefly touches upon recent events in Catalonia and European reactions to these.

The sections on events past and upcoming in Cologne and Maastricht hopefully find your interest. We cordially invite all persons interested in the project to have a closer look – the website offers further information at [www.eu-homer.eu](http://www.eu-homer.eu)

On behalf of the HOMER team  
Till Müller-Schoell

## The European Council on Brexit

On 29 March 2017, the United Kingdom notified the European Council of its intention to leave the European Union, in accordance with Article 50 of the Treaty on European Union. On 29 April 2017, the European Council – made up of the heads of state or government of the 28 EU countries – adopted a set of political guidelines, which define the framework for the negotiations and set out the EU's overall positions and principles. The EU is represented by Michel Barnier, as Chief Negotiator for the 27 EU countries. His taskforce at the European Commission coordinates the work on all strategic, operational, legal and financial issues related to the negotiations.

### Negotiation mandate

Article 50 of the Treaty on European Union sets out the procedure for a Member State to withdraw from the European Union. Following the UK's notification of its intention to leave the EU, negotiations began on 19 June 2017. The EU and UK negotiators agreed on the „Terms of Reference for the Article 50 TEU negotiations“ which stipulates the structure of the negotiations, dates and priorities for future negotiating rounds.

### Terms of Reference

The United Kingdom and the European Commission, representing the EU, share the understanding that the following elements will guide the negotiations under Article 50 of the Treaty on the European Union (TEU): The negotiating rounds will consist of



plenary sessions (co-chaired by the Principals and/or Coordinators) and negotiating group meetings.

Initial negotiating groups for Citizens' rights, Financial Settlement and other issues have been established. The Principals may decide to establish additional working groups etc.

A dialogue on Ireland / Northern Ireland has been launched under the authority of the Coordinators.

Each round of negotiations should comprise public officials of both sides only.

A time-frame has been set-up.

For both parties the default is transparency. It is for the Party providing the information to state what, if any, restrictions should apply to their further distribution, disclosure of documents originating from the other Party will be subject to prior consultation of the originating party. Where possible, both Parties will seek to agree public statements relating to

negotiating rounds.

In the meantime, the UK remains a full member of the EU. This means that all existing EU rights and obligations continue to apply to the UK.

### The Commission and transparency

During these negotiations, the European Commission's aim will be to ensure a maximum level of transparency. The Article 50 negotiations with the United Kingdom are unique and differ from any other negotiation conducted by the European Union to date. Given their unprecedented nature, the European Commission has decided to adopt a tailor-made approach to transparency.

### European Council statement in October 2017

In the light of the first five rounds of negotiations, the European Council welcomes the progress made regarding citizens' rights and hopes to

For further information see:

build on the convergence achieved. Thereby the necessary legal certainty and guarantees to all concerned citizens and smooth and simple administrative procedures shall be provided. The Council acknowledges that, as regards Ireland, there has been some progress on convergence on principles and objectives regarding protec-

tion of the Good Friday Agreement and maintenance of the Common Travel Area. The aim is a further refinement of these principles, including the avoidance of a hard border.

It is called for a firm and concrete commitment from the UK to settle all financial obligations.

Building on this progress, the Euro-

pean Council hopes to further consolidate the convergence achieved and pursues negotiations in order to be able to move to the second phase of the negotiations as soon as possible.

## Brexit-Negotiations Time-Line

20 October 2017

European Council (Article 50), in an EU 27 format, agreed to start internal preparations for the 2nd phase of the Brexit talks. 27 EU leaders called for more progress in three areas: citizens' rights, Ireland, financial obligations. They also said that at their summit in December they would reassess the state of progress to determine whether "sufficient progress" has been achieved on each of the three above issues.

12 October 2017

The fifth round of Brexit negotiations. The EU Chief Negotiator noted that although the round took place in a constructive atmosphere, no great steps forward were reached. On citizen's rights, the EU and the UK share common objectives: the withdrawal agreement has direct effect; the interpretation of citizen rights is fully consistent in the European Union and in the United Kingdom. Concerning Ireland, steps were made in the continuation of the Common Travel Area. Agreement was reached on six principles to protect the Good Friday Agreement in all its dimensions. On the financial settlement the UK confirmed that it was not in a

position this week to clarify which commitments.

28 September 2017

In the fourth round of Brexit negotiations agreement was reached to give direct effect to the withdrawal agreement on citizen's rights. On the financial settlement, the UK explained that it was not in a position yet to identify its commitments taken during its membership. There was a constructive discussion on Ireland.

26 September 2017

President Donald Tusk expressed cautious optimism about the constructive and more realistic tone of the Prime Minister Theresa May's speech in Florence the previous week and of their discussion in London.

31 August 2017

The third round of Brexit negotiations covered professional qualifications and economic rights, respective legal analyses of the UK obligations towards the EU, the issues of Ireland and the overall governance of the withdrawal agreement. Negotiators also discussed other separation issues (Euratom, goods placed on the

market, on-going Union procedures, judicial cooperation in civil and criminal matters)

20 July 2017

The Second round of negotiations lead to a note identifying the points of agreement and disagreement concerning the issue of citizens' rights.

22 June 2017

The European Council endorsed the procedure for the relocation of the EU agencies currently located in the UK.

19 June 2017

Start of negotiations between the EU and the UK in Brussels.

22 May 2017

The Council adopted a decision authorising the opening of Brexit negotiations with the UK. The decision also nominated the European Commission as the EU negotiator.

For further information see:

## European Institutions on Catalonia

On 1 October 2017, a majority of Catalans voted for independence from Spain. This is a significant event for the whole of Europe as it has meaning for unity and collaboration. So far, the reactions of European officials have been rare and not very strong. The Council has not published an opinion.

### European Commission

The Commission related that under the Spanish Constitution, the vote in Catalonia was not legal.

As President Juncker has reiterated repeatedly, Catalan secession is an internal matter for Spain that has to be dealt with in line with the constitutional order of Spain. The legal position held by this Commission as well as by its predecessors is, that any referendum were to be organised in line with the Spanish Constitution and it would mean that the territory leaving would find itself outside of the European Union. Beyond the purely legal aspects of this matter, the Commission believes that these are times for unity and stability, not divisiveness and frag-



mentation.

The Commission calls on all relevant players to move very swiftly from confrontation to dialogue. Violence can never be an instrument in politics. They express trust in the leadership of Prime Minister Mariano Rajoy to manage this difficult process in full respect of the Spanish Constitu-

tion and of the fundamental rights of citizens enshrined therein.

### Council of Europe

In the Council of Europe, who had issued a warning in regard to Catalonia going ahead with the referendum vote, discussions focused on violence during the referendum. Politicians from a wide spectrum of groups ad-

mitted their shock after seeing the scenes of brutality of the Guardia Civil and national police as they tried to prevent the referendum on independence for Catalonia.

The country's security forces attempted to stop the vote taking place after the central government in Madrid said such a vote was against the constitution and declared it illegal.

### Press

„The obvious candidate to cool tempers and mediate a negotiated way out is the European Union, the de facto guarantor of Spanish democracy since Spain became a member in 1986.“ (Guardian)

„The truth is, there is plenty of blame to go around for the Catalonia crisis, and

the European Union certainly shares some of it. European Union officials did hold closed-door meetings to try to calm tensions, but they could have done much more earlier to encourage dialogue between Barcelona and Madrid before it was too late.“ (New York Times)

This Newsletter is published and produced by the Institute of European Sport Development and Leisure Studies. If you have ideas for ways to improve it, suggestions for articles or if you want to subscribe, please contact Till Müller-Schoell (t.mueller-schoell@dshs-koeln.de)

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For further information see:

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[jeanmonnetchair.uni-koeln.de](http://jeanmonnetchair.uni-koeln.de)

[mceg-maastricht.eu](http://mceg-maastricht.eu)

## The UK and European Summits of the Hague, Maastricht and Lisbon

### The Hague Summit

On 10 July 1969, having recently taken over after the resignation of General de Gaulle in late April, the French President, Georges Pompidou, suggested that a Summit Conference of the Six be held in order to discuss negotiations for the enlargement of the European Community and other issues. Unlike his predecessor, Pompidou was not in principle against Great Britain's joining the EEC.

The Netherlands, which held the EEC



Presidency at the time, made the most of the occasion and called a meeting of Heads of State or Government in The Hague on 1 and 2 December 1969. France, however, in the person of its Foreign Minister, Maurice Schumann, insisted that the Hague Summit should examine the threefold policy based on completion, deepening and enlargement. At the end of the meeting, the European leaders agreed on the opening of negotiations between the Community and the four applicant countries, notably the United Kingdom.

### Maastricht Summit

The summit became renowned not only for the long and fractious negotiations and baffling terminology involved in drafting the treaty, but

also for the difficulties many member states had in ratifying it. By adding two new areas - justice and home affairs and a common foreign and security policy - to the existing European Community, the so-called three pillars of the Union were established. The treaty also introduced integration in employment and social issues - at least for some members. The UK negotiated an opt-out of the so-called social chapter - a part of the treaty which was eventually adopted as a protocol and which covered issues such as workers' pay and health and safety.

Although, after a change of government, the UK did finally sign up to the social chapter, another aspect of Maastricht - subsidiarity - has remained a troublesome issue for Europe. Subsidiarity is the principle whereby the Union does not take action (except in the areas

which fall within its exclusive competence) unless it is more effective than action taken at national, regional or local level.

Initially, some officials were angered at the British Government's success in eliminating the entire social chapter from the treaty, even though European leaders hailed the results of the Maastricht summit as a great leap forward in an irreversible process of integration and played down concessions granted to the UK.

### Lisbon Summit

The Heads of States adopted the Lisbon Treaty 13 December 2007 at Mosteiro dos Jeronimos in Lisbon. The Treaty became law on 1 December 2009, eight years after European leaders launched a process to make

the EU more democratic, more transparent and more efficient.

Like the proposed European constitution before it, the treaty is often described as an attempt to streamline EU institutions to make the enlarged bloc of 27 states function better. But its opponents see it as part of a federalist agenda that threatens national sovereignty.

In the run-up to the negotiations, the UK argued that the EU needed a new amending Treaty without constitutional characteristics. The Government also set out preconditions for agreement on a new Treaty: protection of the UK's existing labour and social legislation; protection of the UK's common law system, and police and judicial processes; maintenance of the UK's independent foreign and defence policy; and protection of the UK's tax and social security system. In addition, the UK government wanted to clearly establish that national security is a matter for Member States.

As a result, national vetoes were removed in a number of areas, including fighting climate change, energy security and emergency aid. Unanimity will still be required in the areas of tax, foreign policy, defence and social security. But the UK has secured a written guarantee that the Charter of fundamental rights is not part of the treaty and cannot be used by the European Court to alter British labour law, or other laws that deal with social rights. In addition to that, the UK has an opt-out from European policies concerning asylum, visas and immigration and has the right to opt in or out of any policies in the entire field of justice and home affairs.

For further information see:



## Europe Week in Cologne

### Europe Day at the German Sport University Cologne

On 10 May 2017, students, faculty and guests participated in a lively and timely debate about European democracy. Touching upon current as well as fundamental aspects of recent voting behaviour and attitudes towards European integration, present and future of democratic rule and its impact on the future of Europe came into focus.

Dr. Siebo Jansen, Dr. Johannes Wolters und Dr. Till Müller-Schoell built their respective arguments on recent results of general elections in the Netherlands and France and asked for their significance for future developments.

Party politics in Europe show divers

tendencies with populist and nationalist parties and movements gaining influence, while pro-European movements like „Pulse of Europe“ emerge as well. Does this lead to further integration in the EU or are current de-

velopments heralding re-nationalisation and disintegration? The debate also shed a light on potentials and limits for cooperation within European party-alliances and parties organised at the European level.



### Europe Day - Cologne Europe Talks Nationalism in Europe - Which Future for the EU?

On 9 May 2017, a competent panel of experts discussed the current identity crisis of the EU and European integration: growing discontent and the the first actual process of a country leaving the union. The Dom-Forum hosted a debate between MEP Jo Leinen, scientists Prof. Johannes Pollak (Vienna) and Prof. Wolfgang Wessels (Cologne) and Stephanie Hartung (initiative „pulse of europe“).

## Upcoming Events on Europe

### ***Europäische Außen- und Sicherheitspolitik – was ist nach dem Brexit machbar?***

***(European Foreign Affairs and Security Policy – What is possible after Brexit?)***

17 November 2017, 6pm

Paneldiscussion with Siebo Janssen (Expert on Europe), Isabelle Casel (Political Adviser, Die Linke), Dr. Henrike Viehrig (chair)

Europäisches Dokumentationszentrum (EDZ), Universitäts- und Stadtbibliothek Cologne

### ***Europäischer Jahresrückblick (European Review of 2017)***

08. December 2017, 6pm

Paneldiscussion with Siebo Janssen (Expert on Europe), Jochen Leyhe (chair)

Europäisches Dokumentationszentrum (EDZ), Universitäts- und Stadtbibliothek Cologne

### ***Re:Thinking Europe***

14 November 2017, 8pm

Lecture with Larry Sidentop and Mathieu Segers

According to Sidentop, European values can be found in our DNA. Western classical liberalism is insufficiently recognized and underappreciated. The bad news is that the same European values are being diluted. Europe is, therefore, facing unprecedented challenges. At the same time, there's good news as well – young people are curious and interested in new ideas. Our liberal, democratic ideal, is the result of two thousand years of development in Europe. The Middle Ages and the Enlightenment have shaped the basis of the ideas of our

ideas of freedom and equality of the individual. Sidentop states that our European leaders should focus more on the liberal values that shape our European identity. But what do these liberal values entail exactly? Will Europe be saved by 'liberal strongman' Emanuel Macron? And should politicians draw on the basics of classical liberalism in order to regain trust from its citizens and to take the wind out of the populists' sails?

Maastricht University, Aula TS53 (SBE).

### ***Jean Monnet Lecture by Alexander Stubb***

23 November 2017, 6.30pm

„Three dates have shifted the tectonic plates of international relations: 1945, 1989 and 2016. Will the European Union be able to fill the power vacuum after the demise of Anglo-Saxon world?“ In his lecture, Dr. Stubb will address the role of the EU in the



context Brexit and the Trump Presidency, two events that have put the capacity EU as a global leader under scrutiny now and for the future. Maastricht, Turnzaal, Faculty of Arts and Social Sciences, Grote Gracht 90-92



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