

INTERNATIONAL CONFERENCE AEPDIRI JEAN MONNET

THE EUROPEAN UNION AND MATERIAL AND IMMATERIAL WALLS: CHALLENGES FOR SECURITY, SUSTAINABILITY AND THE RULE OF LAW

Cuenca, 29th - 30th May 2019

Facultad de Ciencias Sociales, Salón Luis de Molina

Jean Monnet Project

*Globalizing the Union's Debate: Internal and
External Leadership in an Era of Challenges - EUGLOBAL*
(Reference: 599757-EPP-1-2018-1-ES-EPPJMO-PROJECT)

Call for papers

I. SCOPE OF THE SEMINAR

♦ General overview:

It seems to be a common place to underline that the European Union is at a crossroads; in any case the process of integration has always been full of tensions. However, integration based on the convergence of the political, economic, social and cultural elements must be built on a strong foundation of democracy, human rights and the rule of law.

The rise of populisms all around Europe has called into question some of the core principles of the rule of law governing the whole EU project. The serious consequences both within the EU (in particular due to the construction of fences between Member States) and outside the EU (affecting its foreign policy as a global actor) require an in-depth reflection.

Attention should also be drawn to other similar situations: the division of the two Koreas, the new USA administration's position concerning immigrants and the reinforcement of the wall with Mexico, the cutting of some commercial transactions and agreements with third countries including the EU, as well as the transfer of the US embassy to Jerusalem, disregarding UN resolutions and aggravating the serious problem posed by the wall built by Israel on Palestinian land contrary to the road map to which the EU is a party. Also the core values of the EU integration project and its international presence have been undermined in recent years, an issue to be approached by International Relations specialists. We can add certain differences between EU member States arising from such fences or the potential wound stemming from a division line within some EU member State.

In this regard, both exogenous and endogenous factors should be considered. Among the former stand out the changing global geopolitical context (the aforementioned tensions fuelled by the new US administration, the growing involvement of Russia in other countries' domestic matters, and the evolution of China, BRICs' role as emerging powers...) and universal scale challenges (climate change, combating poverty, international security...).

Among the endogenous factors, we should highlight the fact that some governments have suspended the implementation of the Schengen agreements due to the refugee crises in the Mediterranean; the reluctance of some Member States to adapt their domestic division of powers to the rule of law principles, which has given rise to some problems concerning Article 7(2) TUE for the first time in the EU; the case-law produced by the ECtHR concerning potential human rights violations arising from restrictions adopted by EU Member States following the said crises, and even calling into question the compatibility with the ECHR of EU asylum legislation and the treatment suffered by some asylum seekers at some fences or material walls within the EU or at its external border; the tensions created with the Brexit concerning the common frontier between the UK and Ireland; the affection of core rights and values of the EU integration process, or the attempt to set up a new border inside the Union based on the principle of self-determination invoked by one region belonging to a EU member State. All these are crucial legal conundrums that must be deeply analyzed and discussed by international legal researchers and international practitioners.

The White Paper on the Future of Europe: Reflections and scenarios for the EU27 by 2025 (COM(2017)2025 of 1 March 2017) present five scenarios to rethink the EU, from maintaining the status quo to other options that prioritize certain goals where States want to do more in common (the so-called "coalitions of the willing"). After this paper, the Commission proposes to prepare a further working document and to launch a reflection on the social dimension of Europe centered around the free movement of persons within the EU.

Under those different scenarios, obstacles to the mobility of persons and the relevant personal rights must be analyzed from a Private International Law perspective, i.e., obstacles to the free movements of goods, to investments or in fact the introduction of cultural barriers. Some sectors are not fully harmonized, which hinders mutual recognition and thus the mobility of persons. Those sectors are related to: a) personal status (identity, civil registry); b) family status (the diverse social and legal conceptions on marriage and filiation); c) economic and property rights (judicial protection of creditors, real estate rights); and d) social protection (access to public assistance in the host State).

◇ **Thematic areas for the submission of papers:**

- 1) Internal challenges in a EU global perspective: Migration crisis, new restrictive migration laws and case law on migrants' and asylum seekers' rights vis-à-vis national security and economic crisis; Brexit and border problems, as well as immaterial obstacles;
- 2) External challenges in a EU global perspective: security and the fight against terrorism, FTF and returnees; re-definition of world powers; economy, politics and security seen from a frontier/border perspective; civil and human rights violations and back to unilateralism; sustainability in a "fenced" world or setting borders to Nature;
- 3) Populism and the rule of law: EU intra and external mechanisms; possible contradictions in regulations and/or enforcement mechanisms; from populist to nationalist pressures on States.

- 4) Private rights and public affairs: New rights, new problems: data protection; cultural barriers; shutting down investments as a result of material or immaterial barriers; public security vs. property right?; crisis of the mutual recognition principle; the limited competence of the EU on civil and procedural law; a global approach to codification of Private International Law: is there a EU exception?

II. SUBMISSION AND ACCEPTANCE OF PROPOSALS

◇ Formal requirements:

The following documents should be submitted in Word format:

- 1. **A document with the following information only:** title of the proposal; name of the candidate; home university; academic position; indication of whether the candidate is member of AEPDIRI.
- 2. **Summary of the proposal** (without indication of the candidate's name, but only the title, contents and 3-5 keywords), of 1,000-1,500 words.
- 3. **Brief CV** (up to 5 pages).

◇ Content and selection:

The Scientific Committee will select the papers to be presented on the Seminar according to the following criteria:

- 1. **Relevance of the topic.**
- 2. **Quality of the proposal.**
- 3. **Originality.**

III Plazo, dirección para el envío y confirmación de aceptación

The deadline for the submission of paper proposals is April 1st, 2019. Proposals should be sent to muros@aeptdiri.org. Confirmation of receipt will be sent to all candidates.

Before April 12th, 2019, all candidates will receive an e-mail notifying:

- 1. Acceptance of the proposal for its presentation at the Seminar and invitation to submit the full manuscript for potential publication;

2. Invitation to submit the full manuscript for consideration for publication, without oral presentation at the Seminar;
3. Rejection of the proposal.

III. GRANTS PROVIDED BY AEPDIRI

The Organization will not cover travel and accommodation expenses for speakers. However, AEPDIRI will grant up to €150 for European speakers coming from outside of Cuenca if their paper proposals are selected by the Scientific Committee and actually presented at the Seminar

IV. PUBLICATION

The collective work, directed and edited by AEPDIRI, will be published in a national publishing house.

Full manuscripts should follow REDI's style guidelines (<http://www.revista-redi.es/es/normas-de-estilo/>). Submissions should be sent to muros@aepdiri.org before October 11th 2019

V. SCIENTIFIC COMMITTEE

The Scientific Committee in charge of the selection process and the quality assessment for publication is composed of the following members:

- Dr. Juan Miguel Ortega Terol, Professor of Public International Law (UCLM)
- Dr. José Antonio Sanahuja, Professor of International Relations (UCM)
- Dr. Enrique Fernández Masiá, Professor of Private International Law (UCLM)