Final programme

ACELG Workshop

TRANSATLANTIC RELATIONS: THE NATURE OF RULE-MAKING PERSPECTIVES ON LAW AND POLICY

The Royal Netherlands Academy of Arts and Sciences, Old Meeting Room
Kloveniersburgwal 29, 1011 JW Amsterdam

Monday, 21 January, 2013

Organized by ACELG, the Amsterdam Centre for European Law and Governance

---

Transatlantic cooperation in law extends now across a broad range of subject areas. The extent to which the US places clear boundaries on the legal character of EU-US relations indicates a particular view of international cooperation and rule-making. The strategies adopted by the EU in producing Transatlantic policy and rules may also be relevant to how these rules are characterised in law. The evolution of the New Transatlantic Agenda (NTA) since 1995 has not witnessed much institutionalisation of EU-US relations. However, there are many interactions between the legal orders deploying law. A Transatlantic Legislators Dialogue has been on-going since the 1970s and regular EU-US Summits take place with ever-widening agendas. The contact between the US Supreme Court and Court of Justice has been increasing since 2000 in the form of judicial visits. How do these formal and informal institutional relationships impact on the character of EU-US relations?

Transatlantic Security is the one of the most ongoing and prolific fields of transatlantic cooperation to date. The legal character of EU-US measures remains controversial in both legal orders. EU Internal Security strategy has adopted and developed many policies similar to EU-US policies, on account of their perceived effectiveness. How should we assess Transatlantic Security?

Against the backdrop of these questions, the workshop specifically considers Transatlantic Relations from the perspectives of law, policy and politics - across subject areas, disciplines and fields of cooperation. Three sessions address the linked questions of (1) the institutional character of Transatlantic Relations, (2) Transatlantic policy and rule-making and thirdly, the specific policy area of (3) Transatlantic Security.

09.45 – 10.00: Welcome and objectives of workshop: Deirdre Curtin, Elaine Fahey

10.00 – 10.20: Opening Address: Sophie in't Veld, Member European Parliament/D66

Transatlantic Relations - reflections from a politician, practitioner and litigator

10.20 – 10.45: Discussion

10.45 – 12.30 Session 1: The Institutional Character of Transatlantic Relations
Chair: Prof. Mark Pollack (Temple University)
Discussant: Dr. Elaine Fahey (University of Amsterdam)

- **Positive Integration: The Commerce Clause and Article 114 TFEU**
  Dr José Antonio Gutierrez-Fons, Court of Justice of the European Union
- **The US Supreme Court and Highest Courts in Europe: The Nature and Impact of a Transatlantic Judicial Dialogue**
  Dr Elaine Mak, Erasmus University Rotterdam
- **The European Parliament and EU-US Relations: Revamping Institutional Cooperation?**
  Dr Davor Jancic, London School of Economics and Political Science

12.30 – 13.30 Lunch

13.30 – 15.00 Session 2: Perspectives on Transatlantic Rule-making
Chair: Prof. Jonathan Zeitlin (University of Amsterdam)
Discussant: José Antonio Gutierrez-Fons (Court of Justice); Prof. Mark Pollack (Temple University)

- **The United States, the European Union, and the International Legal Order: A Framework for Analysis**
  Prof. Mark Pollack, Temple University
- **The Use of Law in Bilateral and Non-Bilateral Transatlantic Relations: Questions of Form and Characterisation**
  Dr Elaine Fahey, University of Amsterdam
- **Transatlantic Regulatory Cooperation in Trade: Objectives, Challenges and Instruments for Economic Governance**
  Dr Tamara Takács, T.M.C. Asser Institute / CLEER, The Hague

15.00 – 15.30 Break

15.30 – 17.00 Session 3: Transatlantic Security
Chair: Prof. Deirdre Curtin (University of Amsterdam)
Discussant: Prof. Steven Blockmans (University of Amsterdam/ CEPS Brussels)

- **Obstacles to Transatlantic Cooperation in the "War on Terror"**
  Prof. Wyn Rees, Nottingham University
- **Euro-American Assemblages and Preventive Security**
  Prof. Marieke de Goede, University of Amsterdam
- **The External Dimension of EU Internal Security: Values, Principles and the Quest for Coherence**
  Prof. Valsamis Mitsilegas, Queen Mary, University of London

17.00 – 17.30 Concluding Remarks, Deirdre Curtin. Reception to follow.