

DCU Brexit Institute

7th Brexit Report

June 2024

8 years since the Brexit referendum, 28 months since Russia's war in Ukraine



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This report was edited by the Founding Director and the Team of the DCU Brexit Institute – Professor Federico Fabbrini, Dr Ian Cooper, Charlie Halford – and graphically designed by Garvan Doherty.

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Preface

by Prof Daire Keogh, DCU President



Since its establishment in 2017, the DCU Brexit Institute has been one of the University's flagship initiatives, spearheading our research and policy work on Brexit and EU affairs. Our new University strategy seeks to position DCU as 'a leading innovative European university'. In doing so, it underlines our priorities and achievements as one of the most outward-looking and research-focused academic institutions on this shared island. The Brexit Institute has been at the forefront of this effort and plays a key role in achieving our goals in this sphere.

In the past year, the Brexit Institute has successfully secured funding from both the EU Horizon Europe programme and the Irish Communicating Europe Initiative – the 5th year in a row that it has succeeded in this call. The Brexit Institute also published, with Oxford University Press, volume 5 of "The Law & Politics of Brexit". In addition, it delivered reports

commissioned by the European Parliament and the Irish Embassy to France, as well as hosting several high-level events with current and former top EU decision-makers.

The Institute's success is due to the efforts of its team. Led by Prof Federico Fabbrini, this international and interdisciplinary



group now numbers almost 20 scholars, including Assistant Professors, Post-Docs, PhDs and project coordinators.

As the European Union enters a critical new phase – with European Parliament elections and the ongoing war in Ukraine – the DCU Brexit Institute remains an important forum through which DCU can provide thought leadership on

contemporary challenges. I know that Prof Fabbrini and his colleagues already have ambitious plans to expand their impact with new initiatives. I wish them well as they celebrate more than seven years of success and I look forward to the Institute's next steps.

Introduction

by Prof Federico Fabbrini

On 14 September 2023, the DCU Brexit Institute hosted an event titled “**What has the EU ever done for us?**” in partnership with the Friends of Europe European Young Leaders (EYL40) programme. Welcoming remarks were given by **Prof John Doyle** (Dublin City University). The panel featured **Prof Federico Fabbrini** (Dublin City University), **Oleksandra Matviichuk** (Nobel Peace Prize Laureate and Head of the Centre for Civil Liberties in Kiev, Ukraine), **Kensika Monshengwo** (Immigrant Council of Ireland) and **Shona Murray** (Euronews).

It is now 8 years since the Brexit referendum of 23 June 2016, and over 7 years since DCU established the Brexit Institute – formally on 23 June 2017 – and for yet another year the Brexit Institute has provided thought leadership and timely analysis on the topics at the core of its mission. As Europe’s first and Ireland’s only centre specifically created to analyze Brexit from a research and policy perspective, the Brexit Institute has continued to shed light on the follow up to the United Kingdom’s (UK) withdrawal from the European Union (EU). At the

same time, as DCU’s hub for the study of EU law and policy, the Institute has also spearheaded debates on critical questions affecting the future of Europe as a whole.

Much has occurred on both fronts in the past 12 months. To begin with, in Northern Ireland, a new Executive – led for the first time in history by a leader of the nationalist Sinn Fein party, Michelle O’Neill – took office in February 2024, after two years of stalemate in Stormont. This was facilitated by political reassurances which the UK government gave in January



2024 to the Democratic Unionist Party regarding the implementation of the Protocol on Ireland/Northern Ireland, now renamed the Windsor Framework.

In the UK itself, instead, political debates have centred around the Conservative government migration policies. In November 2023 the UK Supreme Court declared unlawful the government policy of transferring asylum seekers to Rwanda. Yet Prime Minister Rishi Sunak dug in his heels and the House of Commons passed legislation in April 2024, over the objections of the House of Lords, that declares Rwanda a safe country for refugee purposes – opening a future showdown with the UK courts.

In its relationship with the EU, however, the position of the UK government has been more accommodating. In December 2023 the two parties jointly agreed to delay by three years the application of the rules of origin provisions of the Trade & Cooperation Agreement related to electric vehicles and batteries, which were due to kick in in 2024. And some progress has been made in negotiating UK re-accession to some flagship EU programs, including those related to education and mobility of students.

In the past year, in fact, EU attention has been increasingly absorbed by other matters – notably the war in Ukraine. While in 2024 the EU has overhauled its migration laws, defense has become the primary focus of new EU policy efforts: important initiatives have been recently adopted to increase military industrial production, while a new Ukraine Fund has been approved in February 2024 to support Kyiv until 2027. Furthermore, in December 2023 the European Council greenlighted accession negotiations with Ukraine, re-energizing the enlargement process towards up to 9 new countries in Eastern Europe and the Balkans.

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At the same time, the EU has also carried forward the implementation of its flagship economic recovery program Next Generation EU (NGEU) – which was subjected in February 2024 to a positive mid-term review by the European Commission. Moreover, the EU has slowly but steadily advanced in its plans to complete its capital markets union, approved its new fiscal rules, and accelerated the green transition, while also significantly strengthening its economic security strategy, with new tools designed to enhance EU strategic autonomy, reduce foreign dependencies and invest in critical raw materials, chips, and net zero industry.

Finally, the last year has witnessed the adoption by the EU of the Artificial Intelligence (AI) Act, a groundbreaking piece of legislation which constitutes the first global attempt at regulating the use of AI. This has put the EU at the vanguard in the field, including in the protection of fundamental rights in the digital sphere. Yet important challenges remain – not least in connection with the problem of rule of law backsliding in several member states: while elections in Poland in Fall 2023 returned a liberal government to power, Slovakia and Holland have now veered towards right-wing executives.



Given this range of developments the Brexit Institute has been extremely active since summer 2023. First, we hosted a significant number of 10 events – 1 per month, either in Dublin, or Brussels or online. Secondly, we produced a major amount of research: this includes 3 books, among which in particular the latest volume in my book series “The Law & Politics of Brexit. Volume V: The Trade & Cooperation Agreement”; 2 high level reports, written at the request of the European Parliament Constitutional Affairs Committee and the Irish Embassy to France; 32 working papers, and over 140 blogs.

Furthermore, the Brexit Institute continued its string of fund-raising successes. On the one hand, the Institute is part of yet another successful Horizon Europe project, called Express2, which started in March 2024: this initiative, which is led by the Universitat Autònoma de Barcelona, focused on EU challenges and the social contract, with DCU leading the work-package on the impact of the pandemic. On the other hand, the Institute received in April 2024 yet again funding from the Irish Department of Foreign Affairs (DFA) Communicating Europe Initiative (CEI) – the fifth year in a row we have succeeded in this call.

To pursue all of its projects, the Brexit Institute – as more than a think-tank, due to its academic grounding, and yet more than a standard university department, given its policy focus – has expanded its team, which is today ca. 20 people strong. This now includes three international Deputy Directors: Christy Petit (Assistant Professor of EU Banking and Finance Law, who is French); Niall Moran (Assistant

Professor of EU Economic and Trade Law, who is Irish); and Niels Kirst (Assistant Professor of EU Law, who is German); 2 project coordinators, a Research Fellow, half a dozen PhD students and a sizable group of other colleagues from the School of Law & Government who are heavily involved in our work.

None of this would be possible of course if it wasn't for our sponsors – both private and public. A significant thank you is due to AIB and GSK Stockmann, who have been supporting the work of the Brexit Institute over the years. At the same time, we are grateful to the EU, especially the European Commission, which is funding our Jean Monnet Centre of Excellence REBUILD, two Jean Monnet modules, and 2 Horizon Europe projects. The European Parliament liaison office in Ireland has also been generously hosting us this year. Lastly, we gladly acknowledge support from the Irish DFA under the CEI.

As in the past 6 years, this annual report is designed to provide a summary of all the achievements of the Brexit Institute in the last 12 months, while showcasing also original contributors from some of the key experts in the Institute's team. As such, following the Preface by DCU President, Prof Daire Keogh, the report is structured in 10 chapters, including this Introduction: each of these corresponds to one of the key events, or initiatives, hosted by the Brexit Institute – or in, one case, by the DCU Law Research Centre I direct.

In chapter 2, Ian Cooper summarizes the key developments in Brexit. In chapter 3 Janine Silga sheds light on the topic of migration, which was at the core of

both the UK Supreme Court ruling on the Rwanda plan, and the new EU asylum and migration pact. In chapter 4, Beatrice Monciunskaitė addresses the problem of rule of law backsliding in the EU. In chapter 5, Christy Petit takes stock of the implementation of NGEU, and the future of EU financial union. In chapter 6, Ken McDonagh analyzes the impact of the war in Ukraine on the EU's foreign and security policy. In chapter 7, Goran Dominion considers the implementation of the EU Green Deal, and its political challenges. In chapter 8, Edoardo Celeste reviews the EU AI Act. In chapter 9, Niels Kirst considers electoral developments in the EU. In chapter 10, Niall Moran addresses the issue of EU strategic autonomy.

As ever the Annual report is completed by a final facts & figure section – with key data on our performance during the past 12 months, as well as by 2 in-text boxes, reporting about a study trip to the EU institutions in Brussels, organized by Christy Petit in the framework of her Jean Monnet Module NGEU Law, and about a PhD student exchange by Elettra Bargellini at Princeton University, which I facilitated after my sabbatical there last year.

All in all, the report demonstrates the major contribution that the Brexit Institute provides as a high-level forum for

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analyses and debates on Brexit and the future of the EU. As both the EU and the UK enter an elections year – with voting for the European Parliament scheduled for 6-9 June, a general election due in the UK before end of 2024, and also a general election expected in Ireland before February 2025 – the Brexit Institute remains perfectly well positioned to continue its critical work on these matters. As we look to a new academic year, universities worldwide, public institutions, private corporations and civil society at large can be sure to count on the work of the Brexit Institute as a trusted and reputed interlocutor. And stay tuned for new initiatives – as a big development is in the pipeline and the best is yet to come! For now, I commend to you this report, and I hope you will enjoy reading!



Brexit

by Dr Ian Cooper

On 28 and 29 September 2023, the DCU Brexit Institute hosted an event constituting the book launch to the publication of Prof Federico Fabbrini (ed), **“The Law & Politics of Brexit. Volume 5. The Trade and Cooperation Agreement”** published by Oxford University Press. The first panel, Context and Challenges was chaired by **Prof Derek Hand** (Dublin City University). Presentations were delivered by **Harold James** (Princeton University), **Billy Melo Araujo** (Queen’s University Belfast) and **Andrea Biondi** (King’s College). The second panel focused on the Free Trade Agreement and was chaired by **Prof Sharon O’Brien** (Dublin City University). The panel featured **Pinar Artiran** (Istanbul Bilgi University), **Mariela de Amstalden** (University of Exeter), **Niall Moran** (Dublin City University) and **Elaine Fahey** (City, University of London). On Friday 29th September, the third panel on Other Economic Cooperation Provisions was chaired by **Christy Ann Petit** (Dublin City University) and featured **Graham Butler** (University of Southern Denmark) and **Adam Lazowski** (University of Westminster). The fourth and final panel, Process and Prospects, chaired by **Niall Moran** (Dublin City University) saw **Christy Ann Petit** (Dublin City University) and **Federico Fabbrini** (Dublin City University) give their presentations.

This past year (mid-2023 to mid-2024) has been the quietest year in Brexitland since the whole saga began nearly a decade ago. While the long process of the UK leaving the EU has been a tale of upheaval, post-Brexit relations have only now finally settled into a kind of normalcy.

The UK formally exited the EU in 2020. This came after a tumultuous period (2016-2019), mostly under the premiership of Theresa May, when the UK first voted for Brexit and then had to come to terms with the consequences of that vote before finally coming to the table and negotiating the terms of withdrawal with the EU. Yet

even after Brexit became a reality there followed a period of several years (2020-2022) when the UK government, under the leadership of Boris Johnson and (briefly) Liz Truss, continued to provoke conflict with the EU in an attempt to change the terms of the Brexit deal, in particular as they concerned Northern Ireland.

When Rishi Sunak became prime minister, he took a more pragmatic approach to EU-UK relations, which resulted in the Windsor Framework agreement of February 2023 that purported to resolve many of the outstanding issues regarding Northern Ireland and Brexit. Since then we

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have seen, for the first time, an extended period of relative calm in post-Brexit relations.

Yet this period has been characterized more by an atmosphere of persistent irritation rather than a sudden outbreak of good neighbourliness. The fact is, once the headline-grabbing disputes have been cleared away, the real post-Brexit landscape has been revealed, which is a permanent state of constant, low-level friction.

It has still been possible for the two sides to forge cooperation in new areas, but on an ad hoc basis. For example, last September the UK rejoined cooperation in science and research under the Horizon Europe programme – which was agreed in principle at the time of the Windsor Framework. On the other hand, an EU proposal in April 2024 to create a new youth mobility scheme was rejected out of hand by the UK government.

Any major progress in post-Brexit cooperation is now likely to be forestalled for several months due to forthcoming elections on both sides. In the UK, elections must be called by the end of 2024, and the

Sunak government is likely to cling on until the very last moment. In the meantime, the government is obsessed with a scheme to deport asylum seekers to Rwanda. To enable this, an increasing number of Conservatives advocate withdrawing from the European Convention on Human Rights – which would be a new and even more extreme version of Brexit.

Meanwhile in the EU, several months will pass between the European Parliament elections in June and a new Commission taking office towards the end of 2024. It is remarkable to reflect that when the current EP mandate began in 2019 it included 73 UK MEPs, whose seats were eliminated when Brexit was finally done. This was followed almost immediately by the Covid-19 pandemic, and following that the full-scale Russian invasion of Ukraine.

It appears that only in 2025, when there is a new government in the UK – almost certainly a Labour majority under a prime minister Keir Starmer – and a new Commission in place in the EU, will there be any hope of substantive improvement in EU-UK relations.



Migration

by Dr Janine Silga

On Thursday 9 November 2023, the DCU Brexit Institute hosted the event “**The Future of UK and EU Migration Law after Brexit**”. Introductory remarks were given by **Niall Moran** (Dublin City University) followed by a keynote speech by **Sir Simon Hughes** (Former Minister of Justice of the United Kingdom). The panel was chaired by **David Davin-Power** (formerly of RTÉ) and featured speakers **Matilde Ventrella** (Liverpool John Moores University), **Hilkka Becker** (International Protection Appeals Tribunal) and **Janine Silga** (Dublin City University).

The political agreement between the European Parliament and the Council reached in December last year on five major instruments of the Pact on Migration and Asylum has been described as ‘historic’. Considering the protracted negotiations of the reform to the Common European Asylum System and especially the so-called ‘Dublin system’, the achievement of this far-reaching agreement was likely to trigger a sense of (political) triumph.

However, after the initial exaltation, a closer look at the measures concerned should quickly give rise to perplexity, if not concern. This is true not least because of the ever-clearer alignment of the asylum regime with migration management objectives, which further waters down the rights of asylum-seekers. This is also true when looking at the rather discreet mentions of cooperation with third countries in the centrepiece of the Pact, the future Asylum and Migration Management Regulation (AMMR).

The external dimension of migration has been a permanent feature of the EU migration policy since the 1990s. It is therefore not surprising that the association of Third Countries to the realisation of this policy through the establishment of ‘mutually beneficial partnerships’ was identified as one of the central elements of the Pact. What is more surprising, however, is the little space dedicated to these ‘mutually beneficial partnerships’ in the AMMR.

The much-celebrated political agreement on this text, followed by its recent adoption by the European Parliament, could have led one to hope that the presence of mutually

more prominently in this text. However, the outcome remains disappointing in this respect, despite the visible effort of the European Parliament to improve the 'mutually beneficial' aspect of these partnerships beyond their control-oriented nature. This may explain the disappearance of initially proposed Article 7 on 'Cooperation with Third Countries to Facilitate Return and Readmission' and with it, its very explicit conditionality.

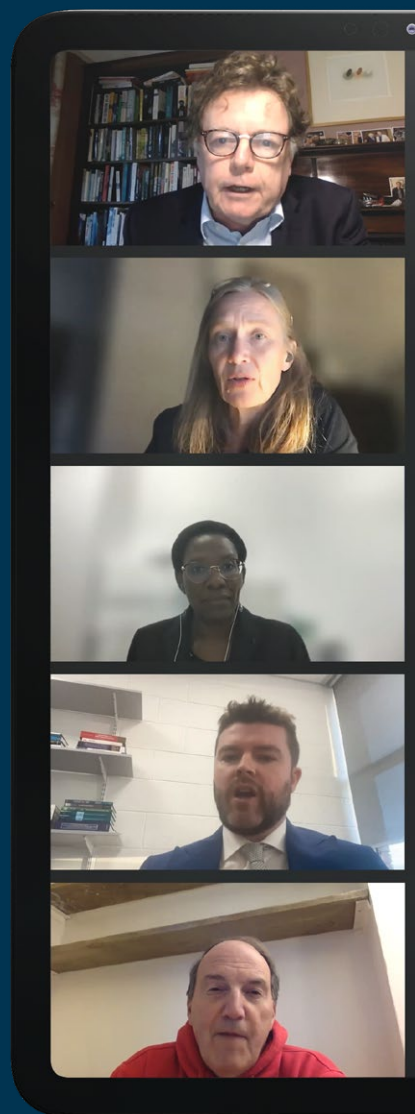
But do these formal amendments herald a change in the ever more worrying direction taken by the EU asylum policy in the aftermath of the so-called 2015/2016 'crisis'? Nothing is less certain. The reason being that the external dimension of the EU asylum policy or rather its 'externalisation' has deeper roots than the AMMR, with wider ramifications for the whole field of migration.

Although it is no longer an EU Member State, the most topical example of this move towards heightened externalisation is the much-decried 2022 UK-Rwanda Memorandum of Understanding. This case is not unique, however, as we can also mention an earlier initiative of Denmark in 2021 to externalise the processing of asylum claims outside its territory. More recently, Italy and Albania have signed a Memorandum of Understanding, which should allow for some migrants who have been rescued at sea on their way to Italy to be transferred directly to Albania for their detention – and potentially for their asylum claims to be processed there. At the EU level, taking inspiration from the EU-Turkey Statement and the reshuffled 'Comprehensive Approach', the EU has struck similar 'deals' with Tunisia and Egypt, respectively in July 2023 and March 2024.

For experts in the field, the existence of an external dimension to asylum or the pairing of asylum with either cooperation with third countries on readmission and/or the 'bargaining' of asylum seekers in exchange for funding and other advantages constitutes a paradox. The question is, how has this rather odd feature of EU asylum policy come into existence?

The 2015/2016 'crisis' is commonly regarded as the turning point leading to a dramatic shift in thinking about an external dimension to asylum but one can safely hypothesise that the externalisation of asylum – and especially the rise of the extraterritorial processing of asylum claims – has

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been long in the making. In this sense, the decoupling between access to the territory and ensuring protection has been at the origin of some initiatives, such as Regional Protection Programmes or the exploration of processing asylum claims outside the territory, already in the early 2000s. Moreover, the concern over ‘mixed flows’ of migrants – that would include ‘genuine refugees’ and ‘economic migrants’ – has directly influenced this development through the emergence of the safe country concept.

More deeply, the roots of this current movement towards the externalisation of asylum can be explained by three factors, which constitute the ‘dark triad’ of the EU migration policy. The first consists in placing readmission and return at the heart of the EU migration policy. The second relates to the increasing informalization of the cooperation with third countries in the field of migration. The final element consists in the subjection of external funding to fulfil migration management objectives, which has led to its conditional attribution upon the willingness of Third Countries to support EU migration management, and especially readmission.

While this ‘dark triad’ is not clearly visible in the AMMR and even less in the other recently agreed instruments of the Pact, it permeates the whole migration policy with its even more regrettable impact on asylum. From this perspective, there is not much to celebrate.

Rule of Law

by Dr Beatrice Monciunskaitė

On Thursday 7 December 2023, the DCU Brexit Institute hosted an event of the Jean Monnet Centre of Excellence REBUILD and DCU's Jean Monnet Module PostBrexitLaw, focused on "NGEU Values and Rule of Law Conditionality". Chaired by **Niels Kirst** (Dublin City University), it featured speakers, **Daniel Kelemen** (Georgetown University) **Beatrice Monciunskaitė** (Dublin City University) **John Morijn** (Princeton University) and **Daniel Hegedüs** (German Marshall Fund of the US).

In the year that Freedom House reported the 18th consecutive year of democratic decline globally, the rule of law crisis in the European Union entered a new phase. While Poland has begun to rebuild its liberal democratic status after eight years of PiS autocracy, Hungary continues to intimidate EU institutions by employing political extortion tactics to obtain EU funds.

In Poland, in the October 2023 general election, voter turnout was the highest it had been since the fall of communism at just over 74%. This election signalled an important shift in the political landscape of this member state as, for the first time since 2015, PiS lost its top position in government, with its share of seats in the Sejm slumping to 35%. They lost to Donald Tusk's Civic Coalition, which, with the support of the Third Way and New Left parties, took 54% of the vote, allowing them to form the government.

Despite campaigning on the promise to oust the previous 'evil' that was the PiS regime and a vow to restore Polish democracy, LGBT rights and the independence of the national broadcaster, the new government faces significant challenges in its political future. An apparent example of the difficulties that lie ahead is the issue of restoring judicial independence in Poland. The Minister

of Justice, Adam Bodnar, must achieve a balance between retaliating against the autocratic legacy of the PiS regime within the judiciary and ousting the judges who are currently sitting on Polish court benches but who were nominated and appointed in blatant violation of national and international law on judicial independence.

Striking the right balance will be exceptionally difficult given the vast structural reforms that Polish judiciaries have undergone in the last eight years. The irregularly appointed 'neo-judges' are in their thousands at this stage and have infiltrated Polish courts at every level of the system. They cannot simply be removed in one fell swoop as this would constitute clear rule of law violations and would no doubt attract the unflattering accusation of hypocrisy. Then again, a system to legitimise the existing neo-judges still needs to be implemented to remedy the deficiencies in judicial independence that this new government inherited. Another layer of difficulty is apparent as the new government will be stifled in their attempts at re-democratisation by the Polish President, Andrzej Duda, who remains in power.

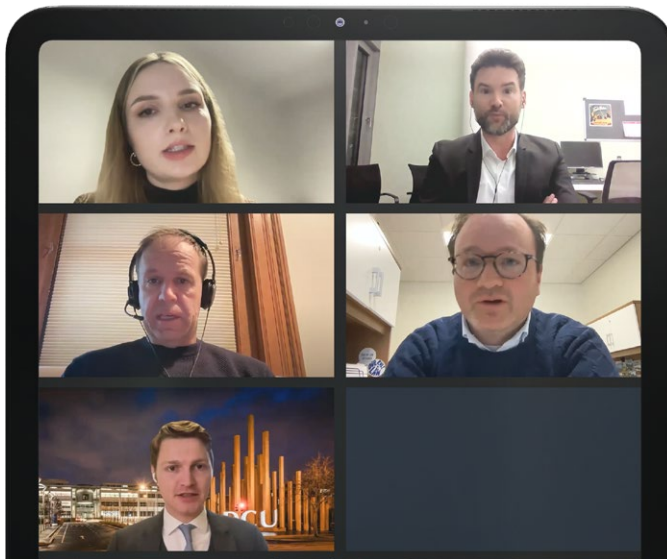
Meanwhile in Hungary, the Fidesz government stands firm in power and continues to wreak havoc on the country's

“Despite campaigning on the promise to oust the previous ‘evil’ that was the PiS regime and a vow to restore Polish democracy, the new government faces significant challenges.”

constitutional democracy and the wider EU. Despite numerous infringement procedures, rule of law reports and the triggering of the Conditionality Regulation against Hungary over persistent rule of law violations, the ruling party has failed to improve Hungary’s democratic status substantively. Moreover, the Hungarian Prime Minister, Viktor Orbán, has been prominently featured in the headlines over the last few months due to his extortion tactics to force the European Commission to un-freeze EU funding.

At the end of 2023, the European Commission released €10.2 bn in cohesion funds to Hungary just days before the European Council Summit. Expert observers and the European Parliament rightly criticised this decision as it is evident that the reason this funding was being withheld, namely systemic judicial independence issues, had not been substantively rectified to warrant the release of these funds. It is clear from the context of the agreement that Prime Minister Orbán received the funds so that Hungary would not use its veto power in the European Council to block vital aid and accession negotiations for Ukraine. This high-level political blackmail has recently reached the Court of Justice as the European Parliament has filed a lawsuit against the European Commission for releasing the funding under such circumstances.

In the background of these ever-prominent rule of law concerns in Poland and Hungary, we have also witnessed the continued erosion of the principle of the rule of law in other European countries. Spain has succumbed to severe political polarisation and numerous reports of attacks on the separation of powers. Furthermore, at the end of 2023, the EU began official accession negotiations with Ukraine. The road to EU accession for Ukraine is likely to be long and winding, but the gravity of the accession negotiations cannot be overemphasised. Aside from the apparent turmoil that comes with large parts of the country being an active warzone, Ukraine must address inter alia systemic corruption, human rights, and governance issues before it can join the EU. The support the EU offers during this transition for Ukraine in the coming years will indicate whether the EU has learned from its past mistake of superficial accession conditionality and the inherent defects in the Copenhagen Criteria.



NGEU

by Dr Christy Ann Petit

On Thursday 11 and Friday 12 January 2024, the Brexit Institute hosted the Annual Conference of the Jean Monnet Centre of Excellence REBUILD on **Post-Pandemic Economic Governance and NGEU Law**. The keynote speech was delivered by **Philip Lane** (Chief Economist & Member of the Executive Board, European Central Bank). The first panel, EU Economic Law beyond NGEU, chaired by **Fionnuala Croker** (European Parliament Liaison Office) consisted of **Federico Fabbrini** (Dublin City University) **Lucio R. Pench** (Bruegel) and discussants, **Niels Kirst** and **Jasmine Faudone**, (Dublin City University). The second panel, Implementation of NGEU and Conditionality was chaired by **Prof Derek Hand** (Dublin City University) and featured **Niels Kirst**, (Dublin City University), **Jonathan Zeitlin**, (University of Amsterdam) and discussants, **Beatrice Monciunskaitė** and **Ian Cooper** (Dublin City University). **Jack Flynn** (Dublin City University) presented his piece on the Irish National Recovery and Resilience Plan. The third panel, NGEU: Funding and Financial Union was chaired by **Kenneth McDonagh** (Dublin City University) and presentations were delivered by **Carlo Garbarino**, (Università Bocconi), **Maria Kendrick**, (City University of London) and **Christy Ann Petit**, (Dublin City University), discussants were **Michał Przychodzki**, (University of Torun), **Niall Moran** and **Goran Dominioni** (Dublin City University). The fourth and final panel, Additional Safety Nets: Pandemic-Related Developments was chaired by **Niels Kirst** (Dublin City University) and saw **Ian Cooper** (Dublin City University), **Juan Jorge Piernas López**, (University of Murcia) and **Tomi Tuominen** (University of Lapland) presenting along with discussants, **Michał Przychodzki** (University of Torun), **Havva Yeşil**, and **Elettra Bargellini**, (Dublin City University).



NextGenerationEU (NGEU) and its attached legal and policy frameworks represent a groundbreaking and unprecedented move towards further EU economic and fiscal integration. Not only has it helped raise EU funding via common borrowing to face the economic and social consequences of the COVID-19 pandemic, but it has also made this funding programme geared towards the future and the 'next generations'. Yet we are still awaiting to see if policymakers will build on this precedent with ambition and vision. In the post-pandemic era and in a tense geopolitical situation, NGEU could serve as a model for future EU policies and legislative initiatives by the

“In the post-pandemic era and in a tense geopolitical situation, NGEU could serve as a model for future EU policies and legislative initiatives for the next European Commission.”

2024-2029 European Commission. Among others, the search for more financing sources for an EU defense policy with the issuance of bonds and another program of EU common borrowing, is intensively discussed, and remains, at the time of writing, highly uncertain.

NGEU and related developments – which are at the core of the activities of the REBUILD Jean Monnet Centre of Excellence this academic year – showed a profound change to the EU economic governance architecture. A major innovation is the size of EU common borrowing, which in early 2024, amounted to €408.8 billion in long-term bonds and €123.9 billion in EU bills (European Central

Bank (ECB) data, January 2024). This is the debut of an EU fiscal capacity, despite its temporary nature. Furthermore, the National Recovery and Resilience Plans (NRRPs) interact closely with economic governance insofar as the RRF has been an incentive to implement the country-specific recommendations (CSR) within the European semester, which is accelerating national structural reforms. All 27 Member States’ NRRPs were revised by the end of 2023 to take into account the energy crisis, high inflation and the global situation, following Russia’s war in Ukraine (with 23 so-called RePowerEU chapters and further changes due to natural disasters in Greece, Slovenia and Croatia).

In early 2024, we are half-way through the implementation of the Recovery and Resilience Facility (RRF) – at the core of the NGEU plan – with data showing that Member States are undertaking reforms falling under the green and digital transitions as well as other structural and investment reforms. Overall, Member States have targeted investments in, inter alia, energy efficiency, renewable energy, and digitalization. Reportedly, all Member States’ NRRPs exceeded the 37% climate target. In line with the performance-based approach, they met more than

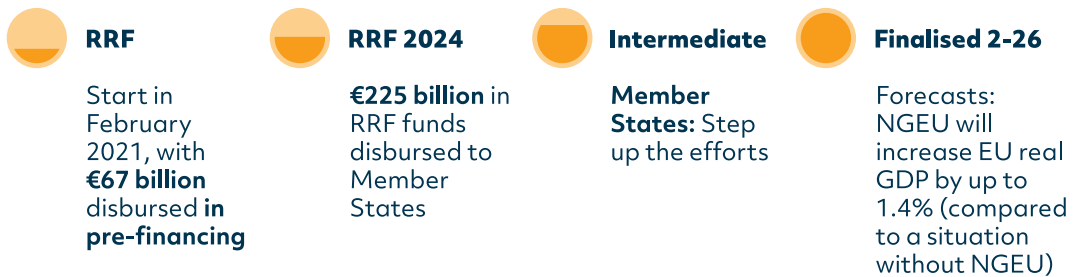


1,150 milestones and targets that were considered 'satisfactorily fulfilled' by the Commission in February 2024.

Remarkably, the European Commission's estimates showed that between 2019 and 2025, nearly half of the expected increase in public investment can be associated to the investment financed by the EU budget, in particular the RRF. This led EU institutions to highlight, in Spring 2024, that the figure of public investment could reach 3,4% of GDP in the EU in 2024 (from 3% in 2019).

In Ireland, €914 million will be disbursed in grants. The Irish NRRP allocates 42% to the climate target to contribute to its fight against climate change, 34% to the digital target to support Ireland 'fit for the digital age', and 33% on social spending. The latter covers a range of areas, including tackling tax planning (with a reform of corporate tax rules), strengthening the anti-money laundering framework, and the quality and inclusiveness of education (with upskilling and reskilling).

Figure 1. Timeline of the Recovery and Resilience Facility (RRF)

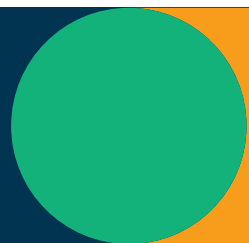


This figure is based on the mid-way assessment of the RRF, with data communicated by the European Commission (February 2024).

The full assessment is scheduled for 2028, when an ex post evaluation of the RRF will take place. This is counting on the fact that, by then, the Member States

will have fully implemented the measures included in their NRRPs, which require in the meantime that 'governments step up efforts,' in the words of ECB Executive Board Member and Chief Economist Philip Lane, who delivered the final keynote at the 2024 Annual Conference of the Jean Monnet Centre of Excellence REBUILD.

“NGEU – which is the focus of the REBUILD Jean Monnet Centre of Excellence – represented a profound change to the EU economic governance architecture.”



Jean Monnet Module Study Trip

by Charlie Halford and Dr Christy Ann Petit

On 3-5 March 2024, the postgraduate students of the Jean Monnet Module, “EU Banking and Finance law & Policy after NGEU” (NGEU Law), taught by Dr Christy Ann Petit, travelled to Brussels to visit EU institutions and organisations. This Jean Monnet Module is funded by the European Commission within the framework of the Erasmus+ program and held the second edition of the field trip with a new cohort of students.

Students met and engaged in dynamic discussions with representatives from several major European institutions. They met with European Commission officials from DC RECOVER, DG REFORM and DG FISMA to discuss, inter alia, NGEU and the green and digital transitions, as well as the Capital Markets Union (CMU) project and macro-prudential policies. Later there was an invaluable discussion on the evolving regulatory landscape of the Banking Union at the Single Resolution Board. This was followed by a stimulating dialogue with attaches, counsellors, and representatives at the Permanent Representation of Ireland to the EU.

On the final day, the students engaged in a vibrant session on the Digital Euro with representatives from Positive Money Europe and BEUC, The European Consumer Organisation, that was hosted by the European Consortium of Innovative Universities (ECIU) in which Dublin City University is one of the partners. Finally, the students visited the European Parliament and attended the event, ‘Financing the Green Transition’ organised with the DCU Brexit Institute, which included remarks from MEP Barry Andrews. The trip concluded with a memorable visit to the Hemicycle of the European Parliament, guided by an MEP policy advisor, ending three days filled with profound insights.



War in Ukraine

by Dr Ken McDonagh

On 25 January 2024, the DCU Brexit Institute event 'EU Foreign & Security Policy: Two Years after Russia's Invasion of Ukraine' took place - featuring a keynote speech by **Federica Mogherini** (Former High Representative of the EU for Foreign Affairs and Security Policy; Rector of the College of Europe). A welcome was delivered by **Prof Daire Keogh** (President, Dublin City University) and saw an expert academic panel with **Prof Federico Fabbrini** (Dublin City University), **Tanya Lokot** (Dublin City University) and **Kenneth McDonagh** (Dublin City University). The panel was moderated by **Christy Ann Petit** (Dublin City University).



As Russia's invasion of Ukraine rumbles into its third year, there are a number of worrying gaps emerging in the European response. Military aid, while still flowing, remains below the level required to ensure victory and, recently, even the stalemate has become precarious.

Although the recent US approval of funding is welcome, the fragility of the coalition that delivered it is clear. Europe needs to plan for a less reliable transatlantic partner; starting yesterday.

The EU has staked its strategic credibility on a European future for Ukraine, but is yet to show it is truly willing to pay the costs that are required to deliver that. An occupied Ukraine cannot be an EU member state and a Russian consolidation of territory acquired by force would be a death knell for EU and NATO credibility.

In response Europe needs to move at several speeds all at once. First it needs to address the immediate requirements of Ukraine's defence. This is not a time for squeamishness about the use of weapon systems or of the sensitivities of national defence manufacturers. Czechia has led the way in meeting some of **these gaps at pace** and European funding needs to follow suit. The desire by the EU to channel funding to build EU defence capacity is well intended and necessary, but in reality that should be the secondary goal. The moment demands speed not perfection.

The EU also needs to rationalise its approach to security and defence. Are we maximising the significant overlap between NATO and EU membership? European Strategic Autonomy is a laudable goal but there is no realistic prospect of achieving it without the United

“The EU has staked its strategic credibility on a European future for Ukraine, but is yet to show it is truly willing to pay the costs that are required to deliver that.”

Kingdom and Central European states have made clear that NATO remains the cornerstone of their security architecture. In light of that, NATO may be the best means of realigning the UK with EU security objectives. In something of a paradox, a less reliable US partner could incentivise the creation of a stronger, if more European, NATO.

This leaves the awkward question of the remaining non-NATO EU members - Cyprus, Malta, Austria and Ireland. Cyprus' non-alignment is unlikely to change, given the historical division of the island and the fraught relationship between Nicosia and Turkey. Malta's neutrality, while likely to remain in place, allows for it to call on external actors to support its self-defence. However it remains outside of PESCO. Austria's neutrality has not precluded its

involvement in EU CSDP initiatives but it remains unlikely to review its stance on NATO membership.

For Ireland, the war coincided with a period of reflection and debate on security and defence. Though the government has committed to a modest increase in defence spending and to examine the removal of the UNSC component of the 'triple-lock' on Irish troop deployments, it has to date ruled out greater defence integration with existing Euro-Atlantic structures. More recently, it has chafed against the issuing of EU defence bonds.

However, the geopolitical currents set in motion by Russia's escalation of its war in Ukraine have changed the calculus of security in Europe. Ireland's meagre defence capabilities no longer go unnoticed. In a year of elections and change, Ireland may no longer find a welcome in Brussels if it continues to be seen as a laggard in security affairs.

Ireland needs to start to take security and defence seriously. We have major gaps in our capabilities in the air and at sea. Just as important, we lack a primary intelligence gathering capability, a robust national security clearance system and, even, a national security strategy.



The EU provides one potential framework for addressing these gaps. NATO offers another. Between the two, a more precarious but perhaps more politically acceptable combination of bilateral and/or mini-lateral partnerships might allow Ireland to address some of these gaps – though our lack of credibility in security and defence may make such partnerships difficult to find.

As Europe continues to evolve in the new threat environment, free-riding may no longer be an option. Ireland needs to be aware of the old European truism: “If you’re not at the table, you’re on the menu”. The EU security table’s entry price is rising and will continue to do so. Ireland and other small states need to take note and respond accordingly.



Green Transition

by Dr Goran Dominioni

On 5 March 2024, the DCU Brexit Institute hosted an event of the Jean Monnet Centre of Excellence REBUILD focused on 'Financing the Green Transition' at the European Parliament in Brussels. The keynote speech was delivered by **Marco Buti** (Former Director General of the European Commission DG ECFIN, Tommaso Padoa Schioppa Chair, European University Institute). Opening remarks were delivered by **Barry Andrews MEP** (European Parliament) and the panel featured **Hawa Mahamoud** (GSK Stockmann) **Florian Abadie** (The Greens/EFA, European Parliament) and **Christy Ann Petit** (Dublin City University) and was chaired by **Niall Moran** (Dublin City University).



The European Union (EU) Emission Trading Scheme (ETS), is considered by many the flagship EU climate policy. The EU ETS has undergone many reforms in almost 20 years of its existence. In the latest round of reforms adopted in 2023, one of the main novelties is the gradual phase-out of free allocation of EU ETS allowances. This change is significant because it ends a climate-harmful practice that has resulted in windfall profits for regulated entities in the past. This move also comes at a potential risk.

While detrimental in many ways, free allocation helped to address risks of policy-induced carbon leakage, that is, the displacement of greenhouse gas (GHG) emissions to third countries due to an increase in the cost of emitting GHGs in the EU. Carbon leakage risks are problematic because they can hamper the climate ambition of the EU — a jurisdiction that many expect to take the lead in addressing climate change in line with the Paris Agreement.

The EU has adopted the Carbon Border Adjustment Mechanism (CBAM) to address potential risks of carbon leakage. CBAM imposes a price on GHG emissions embedded in products imported into the EU in sectors deemed at risk of carbon leakage and having a significant climate impact. By imposing this price, the EU aims to level the playing field between domestic producers and exporters to the EU. Furthermore, the instrument can potentially increase climate action in trading partner countries.

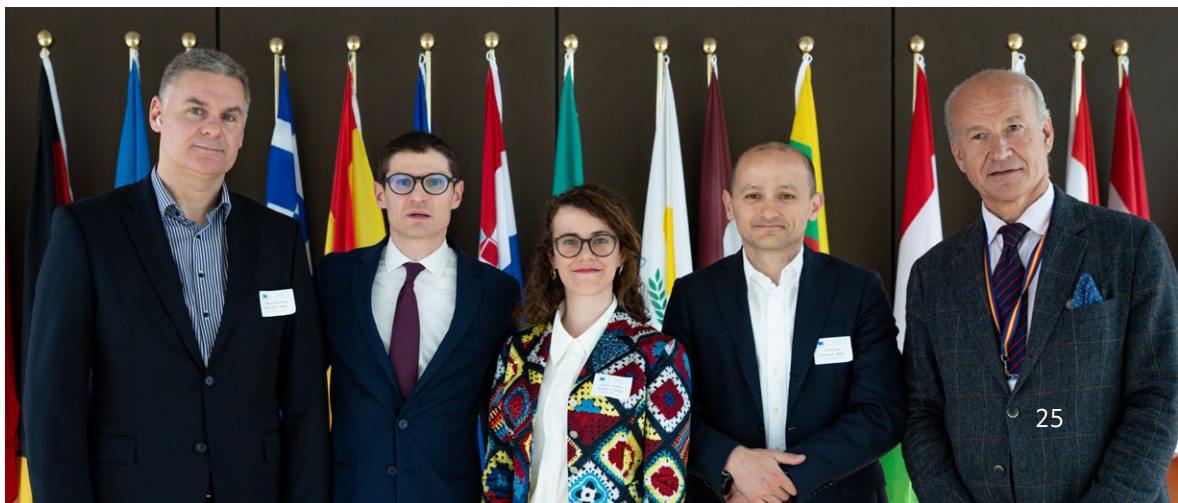
“The EU has adopted the Carbon Border Adjustment Mechanism (CBAM) to address potential risks of carbon leakage.”

In particular, CBAM can incentivize the governments of trading partner countries to support domestic producers that export to the EU to reduce GHG emissions (e.g., through subsidies). In addition, governments in third countries may be incentivized to implement carbon taxes or ETSs in their own jurisdictions, as these prices are credited for under CBAM,

and thereby collect revenues that would otherwise accrue to EU countries.

In a [recent article](#), Dan Esty and I have argued that this regulation could be improved by extending the comparison of the stringency of climate policies in the EU and trading partner countries to instruments that are not explicit carbon pricing mechanisms. This would be beneficial both from a climate and a political perspective. From a climate perspective, it would allow countries that do not have the political space or the technical capacity to implement a carbon tax or an emission trading scheme to implement additional climate policies and see them credited for in the border carbon adjustment mechanism. This can stimulate great climate action in trading partner countries, especially those struggling to implement explicit carbon pricing mechanisms, such as the US (at the federal level). From a political perspective, extending the comparison to other GHG policies can reduce opposition from trading partners.

Indeed, while less than 50 countries have an explicit carbon pricing instrument in place worldwide, virtually all countries have implemented policies that increase the marginal cost of emitting GHGs, such as gasoline and fuel taxes. Recognizing their policy efforts could smoothen opposition, potentially avoiding risks of trade disputes.



Artificial Intelligence

by Dr Edoardo Celeste

On 14 March 2024, the DCU Law Research Centre in partnership with the DCU Brexit Institute hosted the event “**Regulating AI: Ireland, UK and the EU**”. Introductions and institutional greetings were given by **Prof Federico Fabbrini** (Dublin City University). The panel consisted of **Colin Rooney**, (Arthur Cox Law), **Edina Harbinja**, (Aston University, Birmingham) and **Lilian Mitrou**, (University of the Aegean). The panel discussion led to the launch of the book ‘Data Protection and Digital Sovereignty Post-Brexit’ (Hart 2023) co-edited by **Edoardo Celeste** (Dublin City University).

In less than two years, we have witnessed the first mass commercialization of artificial intelligence (AI) systems. Generative AI has reached our societies thanks to the offer of multiple companies that have made their AI interfaces freely available online. AI, despite not being a ‘new’ technology, has made the headlines with the media simultaneously celebrating its positive potential – it could have easily written this entire report in an eyeblink – and warning against its threats for our democracies and societies – with an enhanced risk of fake news, disinformation and mass loss of intellectual jobs being only a few examples.

The social impact of AI has led to an intensification of policy and regulatory activities related to these types of technologies. On 13 March 2024, the EU completed the legislative process leading to adoption of the Artificial Intelligence

(AI) Act. A much-awaited regulation, originally proposed by the EU Commission in 2021 and strategically enacted before the end of the current European legislature.

Despite its denomination, the AI Act is a regulation, thus representing a legislative instrument which is directly applicable at the level of EU member states. It does not enshrine specific rights for users but rather includes a series of obligations for AI developers and providers. The Act adopts a risk-based approach, distinguishing between AI systems that are prohibited ipso facto as they generate ‘unacceptable’ risks and those that produce ‘high’, ‘limited’ or ‘minimal’ risks that are permitted upon the adoption of an increasing level of guarantees.

The EU has been the first organisation in the world to adopt a comprehensive piece of legislation on AI. This move can be considered as strategic from a standard-setting perspective. The EU does not represent a leading developer of AI systems. However, the economic weight of its market positions the EU in a strong position from a regulatory perspective.

In the digital field, the strategy of the EU has been to make sure to be the first to regulate and apply its rules extraterritorially

“On 13 March 2024, the EU completed the legislative process leading to adoption of the Artificial Intelligence (AI) Act.”

to all providers of digital products and services operating in the EU market, regardless of their country of establishment. This approach has not only allowed the EU to prevent forms of circumvention from companies incorporated in non-EU countries and trading in the EU but has also progressively consolidated the EU regulatory influence at global level, what the doctrine has defined the 'Brussels effect'.

Despite the leading role exercised by the EU in this field, member states too have actively worked to develop and implement their national AI strategies. This phenomenon can be explained by looking at the critical role that AI technologies play at national level. AI systems are key to the future growth of national industries, have the potential to boost the efficiency of public administrations, and can represent a key driver of climate change mitigation strategies, but their misuse can potentially affect core aspects of democratic life, such as elections. Acquiring a sufficient level of digital sovereignty emerges as a priority in this context. The economic prosperity, smooth functioning, environmental preservation and democratic functioning of a country depends on the level of security and trustworthiness of AI technologies often developed by non-EU companies.

The US and China represent the two global technopoles in this sector, and both have adopted an approach to innovation which is radically different to the one promoted at EU level. The US has focused on fostering national economy and innovation; China has privileged national security aspects. Conversely, in the EU, both the Union and its member states are trying to promote a human-centric approach that considers the protection of fundamental rights as its priority while at the same time promoting responsible innovation and economic growth.

“The US and China represent the two global technopoles in this sector, with an approach to innovation which is radically different to the one promoted at EU level.”



Democracy

by Dr Niels Kirst

On 18 April 2024, the DCU Brexit Institute hosted the event **'Ireland and Europe at a Time of Transformations'** in partnership with the European Parliament Liaison Office in Ireland and The Journal. The panel featured **Barry Andrews MEP** (European Parliament), **Cathal Berry TD** (Oireachtas), **Eoin O' Malley** (Dublin City University) and **Niels Kirst** (Dublin City University). The debate was moderated by Susan Daly (Journal Media).



As we approach the European Parliament (EP) elections in 2024, it is essential to anticipate and address the significant challenges that lie ahead for the EP in its upcoming term. Three main challenges stand out, each posing unique tests for the EU's political and economic future.

Firstly, the horrific ongoing Russian aggression against Ukraine continues to present a daunting challenge for European policymakers. Since February 2022, Europe has not been the same, and the EP must account for that. Its task will be to navigate this complex geopolitical situation while upholding EU values, principles, and objectives, including Ukraine's territorial integrity and sovereignty. Making Ukraine a candidate country was the first step of a long and winding road—the EP should continue to put its weight behind this initiative.

Secondly, a potential re-election of Donald J. Trump as President of the United States poses a terrible challenge for Europe. A second Trump presidency could further strain transatlantic relations and exacerbate existing tensions on issues such as trade and climate policies. The EP must quickly engage in strategic dialogue and collaboration with U.S. counterparts to safeguard common interests and values while effectively advocating for European priorities on the global stage.

Lastly, ensuring Europe's economic competitiveness remains a paramount challenge in the geopolitical 21st century. In an interconnected and competitive global economy that becomes increasingly divided into large economic blocs (with an ever-growing U.S.-China rivalry), the EP must enact policies that foster innovation, entrepreneurship, and economic growth

in Europe. This includes investing in digital infrastructure, promoting research and development, and advancing regulatory frameworks that support European businesses and industries and do not hinder them.

Addressing these challenges will require proactive and forward-thinking leadership from the EP, alongside close cooperation with EU institutions and Member States. By confronting these challenges, the EP should strive to put forward a positive agenda to address the challenges of the geopolitical 21st century and advance the interests and well-being of Europeans.

Besides the main issues the next EP needs to address in its next term, ignorance about the EP elections and its workings remains a serious deficit in Europe. For Europeans, it is crucial to understand that the elections are not solely “European” in nature; they are 27 national elections conducted simultaneously across different political cultures and languages. The combined results of these elections determine the composition of the EP, making it a unique electoral process unlike any other.


Moreover, Europeans need to grasp the specific role of the EP as an EU institution and its relationship with other

“These elections are not solely “European” in nature, but 27 national elections conducted simultaneously across different political cultures and languages.”

EU actors. To cast an informed vote, Europeans must understand how different European political parties (referred to as political families) operate and vote on various issues. Furthermore, Europeans must be aware that the influence of EP elections is limited to matters within the EP’s competence. The EP elections can influence only issues within the EU’s purview through policymaking in collaboration with the Council of the EU.

Additionally, the EP elections primarily focus on candidates from their own Member State. To bridge the gap between





EU citizens and substantive issues, it is essential to consider how national candidates have voted or promised to vote on these issues at the EU level. Cooperation between candidates from different Member States is crucial in addressing EU-level challenges.

Finally, EP elections only indirectly impact the selection of the next EU Commission President – goodbye Spitzenkandidaten system. While the European Council proposes the candidate for this position, the EP ultimately has the final say through a yes/no vote on the proposed candidate. This highlights the complicated interplay between EU institutions and the EU's democratic process.

“To cast an informed vote, Europeans need to grasp the specific role of the EP as an EU institution and its relationship with other EU actors.”

In conclusion, the 2024 EP elections are significant in shaping Europe's future direction. Understanding the nuances of the elections, including their national and European dimensions, is essential for informed European citizenship and effective participation in the democratic process at EU level. Therefore, EU and national institutions should do their best to enable citizens to cast their vote in an informed way.

Strategic Autonomy

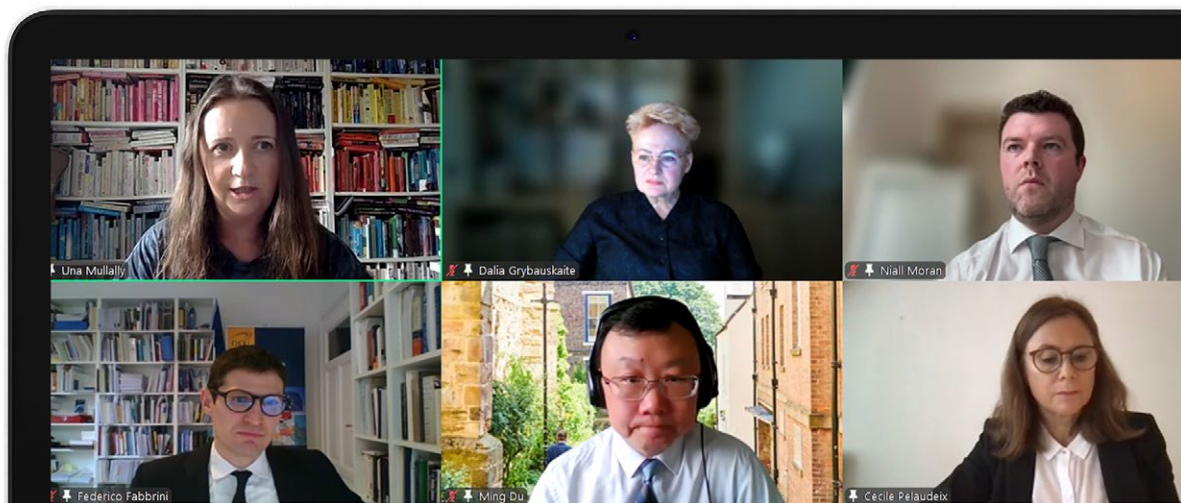
by Dr Niall Moran

On 14 May 2024, the DCU Brexit Institute hosted the event, “EU Strategic Autonomy Two Years into the War in Ukraine”. The keynote speech was delivered by **Dalia Grybauskaitė** (Former President of Lithuania) after an introduction by **Prof Daire Keogh**, President of DCU. This was followed by a panel featuring **Ming Du** (Durham University), **Niall Moran** (Dublin City University) and **Cécile Pelaudeix** (Senior Researcher, Sciences-Po Grenoble). The panel was chaired by **Una Mullally** (Irish Times).

The pursuit of ‘open strategic autonomy’ (OSA) has been the defining phrase of EU Commission President Von der Leyen’s tenure on trade. Of course this phrase also goes beyond trade, impacting **other themes** such as geopolitics, the economy, the environment, and values. We are now in our fifth year of OSA with the phrase having first been employed in 2020 around the time of the Commission’s Trade Policy Review consultation. This piece briefly evaluates the use of OSA as a guiding concept in EU trade policy over the lifetime of the Von der Leyen Commission and as the term of this Commission draws to a close.

The phrase ‘open strategic autonomy’ captures a certain duality in trade policy. As I stated in my 2023 Brexit Institute Annual Review **piece**, a review of EU trade policy over a specific period of time should

cover two main areas: EU measures that liberalise trade (broadly speaking) and measures that strengthen trade defence. The word ‘open’ in OSA refers to the former category, while ‘strategic autonomy’ largely refers to the latter. In terms of OSA, it is fair to say that the focus on strategic autonomy (over openness) has dominated the term of this Commission. Over the past year there have been few bright spots in the area of trade liberalisation, with the failure of the WTO’s 13th Ministerial Conference in March 2024, and a general sense of inertia around the negotiation of new free trade agreements. From the EU perspective, a trade agreement with Chile could be pointed to, but in reality this also falls more into the category of strategic autonomy, as the EU’s desire to secure access to raw materials was the driving force behind this deal.



“The phrase ‘open strategic autonomy’ (OSA) captures a certain duality in trade policy, encompassing measures that liberalise trade and those that strengthen trade defence.”

The first few years of this Commission focused on strengthening the EU's trade defence toolbox with the adoption of various instruments with a view to attaining OSA. These instruments have included the Foreign Subsidies Regulation, International Procurement Instrument, the Corporate Sustainability Due Diligence Directive, rules on co-ordinated FDI screening, an anti-coercion instrument (ACI), the EU's carbon-border adjustment mechanism (CBAM), and the expanded use of sanctions, inter alia.

After this initial focus on strengthening the EU's trade defence toolbox, the past twelve months have seen an acceleration in their usage. The Foreign Subsidies Regulation (FSR) came into force in 2023. This new tool complements EU state aid rules and effectively extends the rules to third country subsidies ensuring a level playing field within the Union. In the first four months of 2024, the EU has already made use of this instrument four times, each time against Chinese companies. The first investigation into foreign subsidies involved a Bulgarian tender for electric trains. This was ended after the Chinese train maker withdrew from the process. Investigations have also been launched in respect of two bids in a public tender for a solar power park in Romania.

It is the fourth use of the FSR against security systems company Nuctech that has raised most eyebrows. In April 2024, the European Commission carried out a ‘dawn raid’ in furtherance of its investigation, seizing equipment, documents, and phones. Dawn raids tend to be used in the context of competition law enforcement (including state aid) or where a court order is granted to prevent the destruction of evidence. Where distorting subsidies are suspected, the FSR permits inspections “within and outside the Union”. Nonetheless, the use of dawn raids to gather evidence against foreign firms and in the enforcement of a trade law instrument is unprecedented in the EU. With the launch of an investigation into the Chinese medical devices sector under the International Procurement Instrument in April 2024, it appears the Commission may only be getting started.

While it might be surprising to see such activity getting underway on the eve of elections, it can be seen as a testing of muscles and the outcome of the EU elections may well prove favourable to such investigations. The pursuit of a level playing field and ‘fair trade’ may well take on an increased importance in the next EU institutional cycle. A harsh review of this Commission's use of open strategic autonomy would perhaps call to mind the advice of Justin Timberlake's character in the movie *The Social Network*; “drop the ‘open’, it's cleaner” (to paraphrase). While the current geopolitical context has warranted a shift in EU policy towards OSA, the ‘open’ in this formula must be reinvigorated.

Princeton Exchange

by Elettra Bargellini

I am a PhD candidate at Dublin City University, and since February 2024, I have been at Princeton University as a visiting student research collaborator (VSRC) under the supervision of Professor Sophie Meunier. My experience as a VSRC represents an evolution of a collaboration between Princeton University and the DCU Brexit Institute (of which I am a member), initiated after my supervisor, Prof Federico Fabbrini, spent the academic year 2022-2023 as a Fellow in Law, Ethics, and Public Policy at Princeton. This interaction is beneficial for students from both universities as it has allowed me to pursue this visiting period but also, thanks to the organization of seminars focused on recent normative and economic developments in the EU, it brought some Princeton students closer to these themes. In this respect, I had the benefit, as a legal scholar, of working with a fellow student supervised by Professor Meunier who is working on a thesis exploring the post-Brexit UK-EU relationship from a political point of view. It has been very interesting to offer my insights on the legal context of Brexit, while he shared his findings from a political science perspective. Thus, my period at Princeton represents not only a significant boost to my research but also the continuation of an interdisciplinary collaboration on the study of EU affairs initiated by the Prof Fabbrini and the DCU Brexit Institute and DCU with Princeton University.



Conclusion

by Prof Federico Fabbrini

On 27 June 2024, the DCU Brexit Institute will host an event on **“The EU after the European Elections, between Enlargement and Reform”**. The event is scheduled to feature a keynote speech by **Romano Prodi** (former President of the European Commission, and former Prime Minister of Italy), and will be a first opportunity to present the new Dublin European Law Institute (DELI) which will complement the work of the Brexit Institute in the new year.

As this annual report shows, the Brexit Institute has been as busy this year as in the prior 6 years. For the first time, however, this report is published earlier: rather than going live on 23 June – the anniversary of the Brexit referendum and of the establishment of the Brexit Institute – this year the report is published in early June 2024. The choice to anticipate the release of the report is due to the European Parliament elections, which are scheduled on 6-9 June 2024: these will bring to the polls – for the 10th time since the introduction of direct elections in 1979 – almost half a billion citizens across the European continent (but alas, no longer in the United Kingdom), in a vote with important implications for Europe’s future.

At the same time, however, the early release of the 7th Brexit Institute annual report also anticipates a major development, namely the launch of a new initiative – the Dublin European Law Institute (DELI) – which has been officially recognized by DCU in Spring 2024. DELI, of which I am the Founding Director, is designed to spearhead DCU research on EU affairs, and to bring together an ever growing number of EU law related projects steered by the Brexit Institute. As such, DELI will exist on the side of the Brexit Institute, but contribute to giving ever more visibility to the growing body of non-Brexit related work it has undertaken, for example in the fields of human rights and the rule of law, law & technology, as well as on economics & finance, and the future of European defense.

The establishment of DELI – which will be officially inaugurated in the near future, with a proper kickoff and launch – confirms DCU’s commitment to the study of EU law and policy. As such, I want to thank my colleagues Prof Daire Keogh, Prof John Doyle and Prof Derek Hand, for their continuing trust. At the same time, however, the setup of DELI is a testament to the extraordinary work of the Brexit Institute over the past several years, and a boost to continue this successful path in the years ahead. So stay tuned for more Brexit Institute work next year, as there will be several DELIcacies awaiting to be tasted!





Facts & Figures 2023-2024

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1 Director



Prof Federico Fabbrini

3 Deputy Directors



Dr Christy Ann Petit



Dr Niall Moran



Dr Niels Kirst

1 Research Fellow



Dr Ian Cooper

2 Project Coordinators



Lucrezia Rossi



Charlie Halford

5 PhD Students

(Havva Yesil, Elettra Bargellini, Jasmine Faudone, Federica Fazio, Davide Genini)

40 Other affiliated members of staff

Publications

3 Books



2 High-Level Reports



32 Working Papers

15

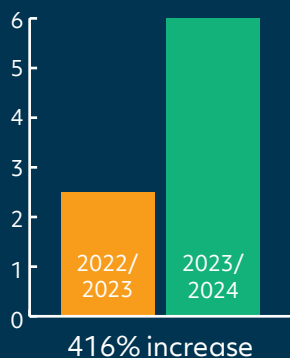
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Brexit Institute Working Paper Series

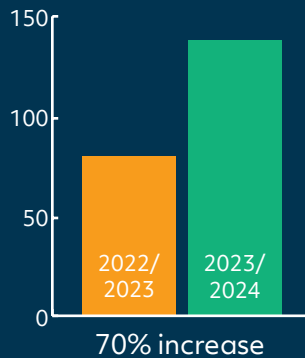
Jean Monnet Centre of Excellence REBUILD

140 Blog Posts (since July 2023)

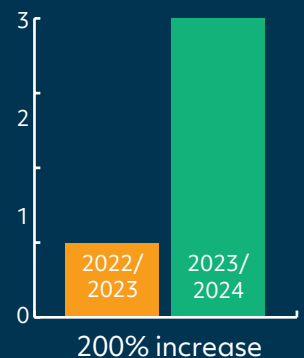
Working Papers



Blogs



Books



10 Events



Keynote Speakers from 2023/24

- Barry Andrews MEP (Member of the European Parliament, Member of the Committee on International Trade and the Delegation to the EU-UK Parliamentary Partnership Assembly)
- Cathal Barry TD (Member of the Committee on Foreign Affairs and Defence in the House of Oireachtas)
- Dalia Grybauskaitė (Former President of Lithuania)
- Federica Mogherini (Former High Representative of the EU for Foreign Affairs and Security Policy; Rector of the College of Europe)
- Marco Buti (Former Director General of the European Commission DG ECFIN; Tommaso Padoa Schioppa Chair, European University Institute)
- Oleksandra Matviichuk (Nobel Peace Prize Laureate and Head of the Centre for Civil Liberties in Kiev, Ukraine)
- Philip Lane (Chief Economist and Executive Board member, European Central Bank, Former Governor of the Central Bank of Ireland)
- Sir Simon Hughes, (Former Minister of Justice of the United Kingdom)

Projects

Jean Monnet Centre of Excellence



Jean Monnet Modules



Horizon Europe



Communicating Europe Initiative



The Schuman Network



The Brexit Institute is proud to announce that it has joined the Schuman Network, a new initiative launched by the French Fondation Robert Schuman to connect the European-focused think tanks and research centres across the EU. The Brexit Institute is the Irish partner of the Schuman Network, and will contribute to the initiative's effort to promote debate and reflection on European issues.

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