

*Programme*

The workshop is built around one central research question, viz.

*‘How should the phenomenon of facultative mixity be legally conceptualized?’*

Bringing together academics and practitioners from around the EU, this question will be addressed both in deductive and inductive fashion. From a top down perspective the question is what framework for facultative mixity may be deduced from the general principles and rules of public international law and EU and national constitutional law. Conversely, from a bottom up perspective, the question is which legal reality can be induced from the practice of facultative mixity ‘on the ground’.

Working languages are English and French. Chatham House Rules apply.

09h30 *Registration*

09h50 *Welcome*

**General introduction**

*Chair: Marc Maresceau*

10h00 Allan Rosas – Facultative mixity as a logical corollary to the EU’s shared competences under the principle of conferred powers

10h20 Inge Govaere – Functional and Facultative Mixity in the light of the Principle of Partial and Imperfect conferral

10h40 Merijn Chamon – Facultative mixity as a constitutional mechanism and communicating vessel with supervening exclusivity

11h00 *Coffee break*

**I. Morning session: Facultative mixity and key principles of EU law**

*Chair: Merijn Chamon*

11h15 Facultative mixity as a necessary corollary to the principle of subsidiarity?  
Perspective 1: Isabelle Bosse-Platière  
Perspective 2: Marise Cremona

11h45 Facultative mixity as a tolerated mechanism under the duty of cooperation?  
Perspective 1: Eleftheria Neframi  
Perspective 2: Christophe Hillion

12h15 Panel discussion: practitioners from the EU institutions:

Luca Prete (Référéndaire, Chambers of Advocate General Wahl, Court of Justice)  
Fernando Castillo de la Torre (European Commission)  
Anders Neergaard (European Parliament)  
Sonja Boelaert (Council of the European Union)

13h05 *Lunch*

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**II. Afternoon session: Facultative mixity, the national and international context**

*Chair: Jacques Bourgeois*

13h45 The reception of EU facultatively mixed agreements in Member States' national legal orders  
Italy – Carlo Tovo  
Germany – Wolfgang Weiß  
Netherlands – Andrea Ott & Ramses Wessel

14h30 Panel discussion: practitioners from the Member States:

Diégo Colas (agent of France before the CJEU)  
Matthew Holt (former UK agent before the CJEU)  
Marketa Hedvabna (agent of Czechia before the CJEU)  
Joni Heliskoski (agent of Finland before the CJEU)

15h20 Facultative mixity in the international legal order – tolerating European exceptionalism?  
A Swiss perspective: Michael Hahn  
An international perspective: Jed Odermatt

15h50 Panel discussion: practitioners from the Member States & EU institutions

Sonja Boelaert (Council of the European Union)  
Marketa Hedvabna (agent of Czechia before the CJEU)  
Joni Heliskoski (agent of Finland before the CJEU)  
Fernando Castillo de la Torre (European Commission)

16h40 *Coffee break*

**III. Evening session: Facultative mixity in the EU's policies**

*Chair: Merijn Chamon*

17h00 Facultative mixity in the EU's FTAs  
Perspective 1: Isabelle Van Damme  
Perspective 2: Gesa Kübek

17h30 Questions of facultative mixity in the CFSP?  
Peter Van Elsuwege

17h45 Facultative mixity in the AFSJ?  
Perspective 1: Mauro Gatti  
Perspective 2: Claudio Matera

18h15 Panel discussion: practitioners from the EU institutions

Roland Klages (Référéndaire, Chambers of Advocate General Szpunar, Court of Justice)  
Sonja Boelaert (Council of the European Union)  
Stephan Marquardt (European External Action Service)  
Fernando Castillo de la Torre (European Commission)

19h05 **Closing speech**

19h30 *Speakers' dinner at the workshop venue*

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