

## FOREWORD

The Europa Institute of Leiden University is sixty years old. It was established in 1957, the year in which the Treaty establishing the European Economic Community was signed in Rome. To mark this 60th anniversary, a two-day lustrum conference was held in the Academic Building of the University of Leiden on 30 November and 1 December 2017, on *Brexit and the Future of the European Union*. Admittedly, at first sight the impending Brexit may not appear to be the most obvious topic for a conference celebrating the anniversary of a Europa Institute; but, the choice of topic was rather straightforward and never really in doubt. According to its statutes, the primary purpose of Leiden's Europa Institute is to facilitate, stimulate and contribute to academic research on issues of European cooperation and integration. The UK's imminent departure from the Union, triggered by the victory of the "Leave" camp in the referendum of 23 June 2016 and formally set in motion – in accordance with the provisions of the by now famous Article 50 TEU – on 29 March 2017 by Prime Minister May's notification to the European Council of the UK's intention to withdraw from the Union, constitutes the most prominent and intensely debated contemporary issue of European integration. It raises an avalanche of complex political, legal and economic questions, dealing, in one way or another, with the exit negotiations, the withdrawal agreement, the future relationship between the UK as a third country and the EU-27, and now also the interim agreement to cover the transitional period between the UK's formal exit scheduled for 30 March 2019 and the projected entry into force of a new – still to be negotiated and agreed! – bespoke EU-UK deal as of 1 January 2021. What are the effects with regard to the rest of the UK's international obligations? How is the financial sector affected? What would a WTO alternative entail? At the same time, the Brexit referendum and the UK's decision to withdraw prompted a reflection on the future of the Union, within and by the Union Institutions and in the remaining twenty-seven EU Member States. Such a challenge could strengthen forces of disintegration, but could also lead to renewed determination within the rest of the Union. The whole process is moreover a test of the provisions formally enabling a Member State's exit, introduced with the Treaty of Lisbon.

Several of these issues – and many more – have been addressed by the speakers at the conference and were intensely discussed afterwards. I am grateful to all speakers that they agreed to re-work their conference papers into fully-fledged articles within such a short period of time, and thank David Edward for his personal closing remarks. I would also like to thank Kluwer

Law International, our long-standing partner, for publishing these articles in a separate issue of *Common Market Law Review*, especially dedicated to the occasion: the *Common Market Law Review* has been embedded in the Leiden Europa Institute ever since it was founded, and was thus the obvious first choice for publishing these proceedings. Many thanks also to my fellow Editorial Board members, for agreeing to this Special Issue, and for the extra review work they took on, and especially to Alison McDonnell, for supervising the whole process.

The Special Issue constitutes a unique contemporary document providing valuable insights into the legal and political thinking around Brexit, one year into the withdrawal negotiations. This is of course a moving target; it is therefore useful to know that all articles were finalized in the first quarter of 2018, and the article by Michael Dougan on questions concerning a transitional agreement was completed even before the draft interim agreement of 28 February 2018 was produced. I hope these articles will be a source of reflection, discussion and inspiration for students, academics, lawyers and policy makers.

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