



# Maastricht Centre for European Law

REPORT 2016

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## Foreword

In 2016, as in previous years, the Maastricht Centre for European Law hosted the research activities of the large group of scholars based at Maastricht University who engage with European Union law. MCEL organised once again a series of workshops and research seminars, both in Maastricht and in Campus Brussels of Maastricht University, and the publications produced by its members continue to cover a broad range of questions of EU law.

MCEL members have been actively engaging with society on a number of topics. Elise Muir and Vigjilence Abazi appeared before the European Parliament in hearings. Marcus Meyer was interviewed on his empirical work on Dutch central works councils by 'Praktijkblad Ondernemingsraad'. Francesca Galli commented on the terrorist attacks in Brussels before Italian television. Sarah Schoenmaekers spoke before the American Bar Association about fraud and corruption in European public procurement and the ways to tackle anti-competitive behaviour. Ellen Vos wrote a blog on EU agencies and started, together with colleagues from legal, political and social disciplines, a dialogue with various practitioners on the challenges posed by the ongoing agencification. Lisa Waddington actively contributed to the debate on the consequences of the British referendum in June.

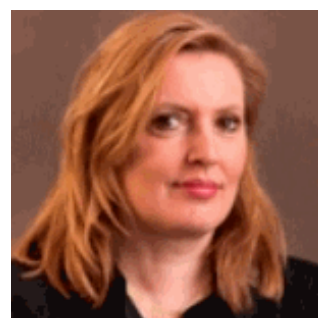
Faced with the results of the UK referendum and the US presidential elections, as well as in the framework of the commemorations of the 25<sup>th</sup> Anniversary of the Maastricht Treaty, MCEL members have reflected on the past and future of the European Union. MCEL feels evermore committed to its in-depth academic research on issues of European integration and its mission to actively contribute to the debate on the future of Europe. MCEL will continue to study the challenges the EU currently faces and identify the legal issues at stake in its future academic research.

### *MCEL Directors*

Bruno de Witte



Ellen Vos



## New People



**Sergio Carrera**, Senior Research Fellow and Coordinator of the Justice and Home Affairs Research Programme at the Centre for European Policy Studies, joined as new MCEL scholar. He is also Senior Researcher at the Department of European Law at Maastricht University and Honorary Professor at the School of Law in Queen Mary University of London (UK).



**Florin Coman-Kund** is Assistant Professor in European Union Law at Erasmus School of Law and Erasmus University Rotterdam. In February 2016 he successfully defended his PhD thesis at Maastricht University entitled “European Union Agencies as Global Actors – A Legal Study of the European Aviation Safety Agency, Frontex and Europol” and joined MCEL as Associate Scholar.



**Baskaran Balasingham** is a lecturer in European Law. His main research focus is on competition and antitrust law. He holds an LLB and LLM from Maastricht University and an LLM from King’s College London, where he also wrote his PhD thesis entitled ‘The Effectiveness and Fairness of the EU Leniency Policy’. He completed a traineeship at DG Competition of the European Commission as a Blue Book trainee.



**Miriam Kullmann** joined us as a new MCEL scholar. Miriam is Assistant Professor in Labour Law at Maastricht University and researcher at the Labour Law Department at Leiden University. She has vast experience in research on cross-border labour mobility and the enforcement of posted workers’ and Union workers’ rights.



**Diane Fromage** joined us as a new MCEL scholar. Diane is Assistant Professor of European Law and her research focuses on democracy in the EU, in particular European, national and regional parliaments' participation. She is also interested in analysing the impact of the creation of independent fiscal institutions.

## Visiting Researchers



**Annalisa Volpato** is a PhD candidate at Padua University in European law. After graduating at Padua University cum laude, she obtained an LL.M. at the College of Europe (Bruges) and she was a Blue Book trainee at the European Commission (Legal Service). Her research focuses on the delegation of powers in European law, with particular regard to delegated acts and European agencies.



**David Gutiérrez** is a PhD Candidate from the Autonomous University of Barcelona that started his PhD in 2014, with a grant (programme: training of university professors – FPU-) of the Ministry of Education of Spain, that allows him to teach Employment Law at Autonomous University of Barcelona. The main theme of his PhD research is the study of the duty to provide reasonable accommodation to the workplace in Spain.



**Sara Fattorini** is a PhD candidate in European and International Law at “Sapienza” University of Rome. The subject of her research is “The pursuit of non-market values through EU’s competence on harmonization of national legislations for the internal market”. Her visiting research stay at Maastricht University was supervised by MCEL Director Prof. B. de Witte.



**Laszlo Szegedi** is a lecturer and researcher at the National University of Public Administration (Hungary, Budapest). He obtained a Ph.D. with main focus on individual legal (judicial) protection of EU law in administrative judicial review cases. His research interests include EU administrative law, EU staff regulation, ‘agencification’ and legitimacy of EU Executive.

# Trainees

## Academic year 2015-2016

In the academic year 2015-2016, MCEL was supported by three trainees:



**Craig Egget** was studying in the LLM International Laws programme at Maastricht Faculty of Law during his MCEL traineeship. Since then he has commenced his PhD at Maastricht University on the topic: "A Conceptual Framework for the Application of General Principles of International Law" and is a lecturer and researcher in Public International Law at Maastricht University.



**Marie Gérardy** was completing the European Law School Bachelor's programme at Maastricht Faculty of Law in the English language track at the outset of her traineeship at MCEL. Marie has since commenced an LLM in Globalisation and Law with a specialisation in Corporate and Commercial Law.



**Aysegül Öztekin** was studying law at Maastricht Faculty of Law. She has since completed the Bachelor programme European Law School English Language Track. She has great interests in the fields of European Public Law, Anti-discrimination Law and Criminal Law.

## Academic year 2016-2017

In the academic year 2015-2016, MCEL was supported by three trainees:



**Kristi Georgieva** is studying law at Maastricht University. She is currently completing the third year of the Bachelor programme European Law School English language track. Her traineeship at MCEL commenced in September 2016. She will commence her LLM in European Law at College of Europe, Bruges campus in the upcoming academic year.



**Marie Gérardy** obtained an LLB in European Law at Maastricht University in 2016. Marie has since commenced an LLM in Globalisation and Law with a specialisation in Corporate and Commercial Law and is planning to continue her studies at Maastricht University in the upcoming academic year.



**Maia Ignatenko** is currently completing the third year of the Bachelor programme European Law School English language track. Her traineeship at MCEL commenced in September 2016. She will commence her LLM in European Law with specialization in Market Integration at Maastricht University in the upcoming academic year.



## PhD Defenses



**Alexander Hoogenboom**, 'Balancing Student Mobility Rights and National Higher Education Autonomy' under the supervision of Prof. Hildegard Schneider, Prof. Bruno de Witte and Dr. Anne Pieter van der Mei, 19 October 2016.

**Florin Coman Kund**, 'European Union Agencies as Global Actors. A Legal Study of the European Aviation Safety Agency, Frontex and Europol' under the supervision of Prof. Ellen Vos and Dr. Andrea Ott, 20 January 2016.

**Taotao Yue**, 'Different Paths Towards Sustainable Biofuels? A comparative study of the International, EU, and Chinese regulation of the sustainability of biofuels' under the supervision of Prof. Marjan Peeters and Prof. Ellen Vos, 30 June 2016.

## Grants and Awards

MCEL member **Mariolina Eliantonio** was awarded a Jean Monnet Network grant together with five other leading academics in the field of European law to set up the Soft Law Research Network (SoLaR), a research network on the use of EU soft law by national administrations and courts.

MCEL member **Alexander Hoogenboom** was awarded the *Ius Commune* Prize 2016 for his article 'In Search of a Rationale for the EU Citizenship Jurisprudence', published in *Oxford Journal of Legal Studies* (2015). This prize is awarded by the *Ius Commune* Research School for an article of outstanding quality by an early career researcher.

The Maastricht University team composed of **Katharina Wende, Eve Meurgey, Lucile Fleuret and Jolien Timmermans** was awarded the semi-finalist price at the All-European Finals of the European Law Moot Court held at the Court of Justice of the European Union.

The LLB thesis of **Charlotte Campo**, entitled 'The Social Rights Protecting Posted Workers and the Recently Adopted Enforcement Directive', was awarded by the Board of the Stichting Wetenschapsbeoefening UM as the best bachelor thesis of the European Law School of the year 2015. It was supervised by MCEL members **Elise Muir** and **Anne Pieter van der Mei**.

## Events

### Events organised by MCEL members

Information session, '**Part-time PhD Programmes at Maastricht University**', 11 April, Maastricht University Campus Brussels.

Conference, '**The Cultural Open Method of Coordination: A New Boost for European Cultural Policies?**', organised by Evangelina Psychogiopoulou and Bruno de Witte, 20 June, Maastricht University Campus Brussels.

MCEL Academic Opening Event, '**The Role of EU Agencies in the Management of the Current Migration Crisis**', organised by Maja Brkan, Ellen Vos and Bruno de Witte, 13 September 2016, Maastricht. The invited speakers were Georgia Papagianni (European External Action Service), François Bienfait (European Asylum Support Office) and Sergio Carrera (Centre for European Policy Studies, and MCEL member).

Workshop, '**Taking Stock of the Open Method of Coordination**', organised by Evangelina Psychogiopoulou and Bruno de Witte at the Ius Commune Conference, 24 - 25 November, Maastricht.

### Events organised in collaboration with others centres and institutions

Workshop, '**The Law and Politics of EU Confidential Negotiations**', organised by **Vigilencia Abazi** with the support of the Centre for European Research in Maastricht – Jean Monnet Centre of Excellence and the SWOL foundation, 12 February, Maastricht University Campus Brussels, Brussels.

Master class, '**Young Researchers Master Class on Agencification of EU Executive Governance**', organized by Ellen Vos (MCEL and TARN, The Academic Research Network on Agencification of EU Executive Governance) in cooperation with Deidre Curtin (European University Institute), 9 November, European University Institute, Florence.

Conference, '**TARN conference on Constitutionality, Powers and Legitimacy of EU agencies**', organised by Ellen Vos (MCEL and TARN), 10 – 11 November, European University Institute, Florence.

Workshop, '**Germs, Bioterrorism and Chemical Attacks: Internal and External EU Security Perspectives**', organised by CERIM in cooperation with MCEL members Francesca Galli and Anniek de Ruijter, 21 – 22 November, Maastricht University Campus Brussels.

Workshop, '**The Employment Equality Directive and Supporting People with Psychosocial Disabilities in the Workplace**', organised by MCEL member Lisa Waddington at the Annual Seminar of the European Equality Law Network, 25 November, Trinity College Dublin.

Summer school, 'CLEER Summer School 2016 on the Law of EU External Relations', organized by MCEL member Andrea Ott in cooperation with the TMC Asser Insituut and CLEER (Centre for the Law of EU External Relations), 27 June – 1 July, Maastricht University Campus Brussels.



## Research Seminars

On 19 January, professor of public law at Tilburg University, **Anne Meuwese** gave a presentation entitled 'Impact assessment as an (inter-) institutional magic wand?' in which she explored impact assessment as an instrument used in various settings in which different institutional actors cooperate on the production of laws and rules.

On 23 February, the Head of Data Protection at Eurojust, **Diana Blas**, presented on the topic 'Processing and Protection of Personal Data at Eurojust after Lisbon: Is the New Legal Framework for Better or for Worse?', followed by comments **Francesca Galli**.

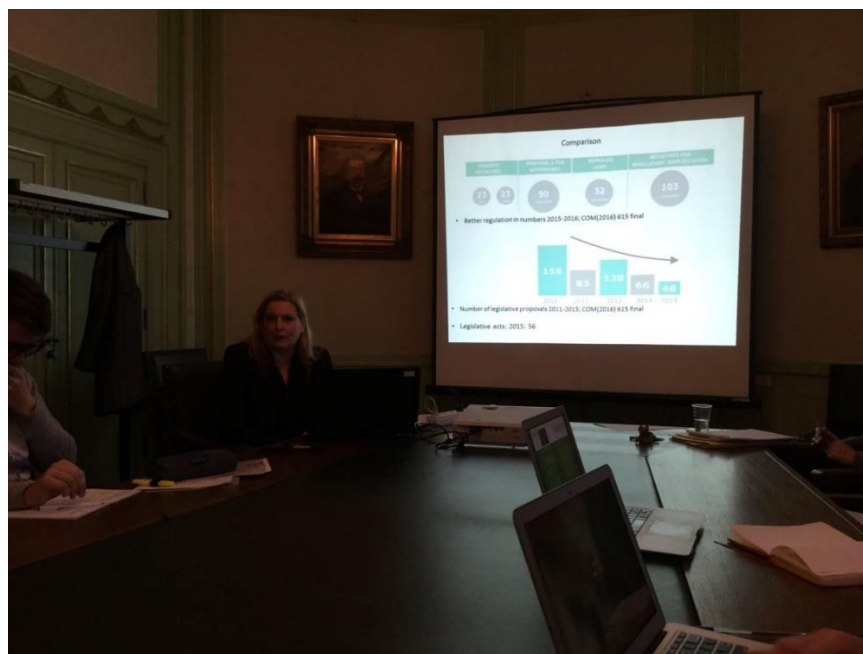
On 19 April, **Nicola Gundt** and **Anne Pieter van der Mei** presented some of the most interesting rulings of the CJEU on the topics of social tourism, delegation of rule-making powers to the Commission and the tension between mutual recognition and fundamental rights within the framework of the European Arrest Warrant regime.

On 24 May, **Sacha Garben**, Professor of EU law at the Legal Studies Department at the College of Europe, gave a presentation entitled "Balancing 'The market' and 'The Social' in the European Union: Critical Reflections and Proposals for Change".



On 1 November, **Andrea Ott** presented the cases C-660/13 MOU Switzerland and C-73/14 ITCLOS addressing external representation of the Union (outside treaty-making) and how the institutional balance between the European Commission and the Council is determined. **Ana Ramalho** talked about the Opinion procedure 3/15 Marrakesh Treaty.

On 13 December, **Gillian More** gave a presentation about the increasing role of regulatory fitness in the European Commission's work and the Better Regulation Guidelines. **Ellen Vos** talked about the 2016 Inter-institutional Agreement on Better Lawmaking.





## Meetings of the PhD Forum

The PhD forum brings together MCEL members engaged in doctoral research. It provides a platform for them to present work in progress and exchange ideas on a monthly basis:

On 17 February, **Matteo Bonelli** gave a presentation entitled 'A Rule of Law crisis in Poland? Developments and EU's reaction' at Maastricht University.

On 16 March, **Andrea Broderick** presented the findings of her recently defended PhD entitled 'The long and winding road to equality and inclusion for persons with disabilities: the United Nations convention on the rights of persons with disabilities' and shared her research experience together with **Elise Muir** at Maastricht University.

On 13 April, **Jens Hillebrand-Pohl** delivered a presentation on the EU law aspects of this PhD on 'Financial transaction taxes and the right of free transfer and convertibility under international investment law' at Maastricht University.

On 11 May, PhD researcher **Sandra Nobrega** delivered a presentation entitled "Access to Information and Public Participation at the EU level: the biofuels case". She examined access to information and public participation within this process in view of the Aarhus Convention requirements.

On 8 June, a session on the recent case law of the CJEU and the ECtHR was held at Maastricht University with **Matteo Bonelli**, **Sandra Nobrega**, **Marcus Meyer** and **Elise Muir**.



On 19 October, **Paul Dermine** gave a presentation on Cases C-8/15 to C-10/15 (Ledra Advertising et al. v European Commission and European Central Bank). **Matteo Bonelli** discussed developments concerning the on-going constitutional crisis in Poland, focusing in particular on the measures taken by EU institutions.

On 16 November, **Sara Fattorini** gave a presentation on “Harmonization of laws as a legislative technique - the EU experience”. **David Gutierrez Colominas** talked about "The Duty to Provide Reasonable Accommodation: Some reflections in the light of Directive 2000/78”.

On 14 December, **Sandra Nobrega** and **Laszlo Szegedi** presented Case C-243/15 Lesoochránárske zoskupenie VLK. **Paul Dermine** talked about the AG Wahl’s opinion in Case C-201/15 AGET Iraklis. **Annalisa Volpato** presented Case C-286/14 Parliament v Commission and **Matteo Bonelli** discussed the Case C-182/15 Petruhhin.



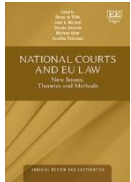
# Publications by MCEL Members

## Books



Nicolaidis, P. (2016). *State Aid Uncovered: Critical Analysis of Developments in State Aid*. Berlin (ISBN 978-3-86965-301-3). (296 p.)

## Edited Books



Witte, B. de et al (Eds.).(2016). *National Courts and EU Law – New Issues, Theories and Methods*. Cheltenham: Edward Elgar (ISBN 978-1-78347-989-4). (288 p.)

## Edited Special Issues of Peer Reviewed Journals



Vidmar, J. & Bonnevalle-Kok, R. (Eds.). (2016) *The Hague Yearbook of International Law*, 27.

## Articles in Peer Review Journals

Abazi, V. (2016). European Parliamentary Oversight Behind Closed Doors. *Cambridge Journal of International and Comparative Law*, 5 (1), 31.

Abazi, V. (2016). How Confidential Negotiations of the TTIP Affect Public Trust. *European Journal of Risk Regulation* 7 (2), 247.

Abazi, V. (2016). Trade Secrets and Whistleblower Protection in the European Union. *European Papers - A Journal on Law and Integration* 1 (8).

Brkan, M. (2016). Data Protection and Conflict-of-laws: A Challenging Relationship. *European Data Protection Law Review* 2 (3), 324-341.

Brkan, M. (2016). Introduction: On Courts, Elections and Case Notes. *European Data Protection Law Review* 2 (4), 582-584.



Brkan, M. (2016). The Unstoppable Expansion of EU Fundamental Right to Data Protection: Little Shop of Horrors?. *Maastricht Journal of European and Comparative Law* 23 (5), 812-841.

Claes, M. (2016). The validity and primacy of EU law and the 'cooperative relationship' between national constitutional courts and the European Court of Justice. *MJ*, 151-170.

Hoogenboom, A. (2016). Unieburgers en de OV-Jaarkaart: voortslepende problematiek. *Over De Grens* 6 (2), 19-21.

Hoogenboom, A. (2016). Review of Amann, C. (20...). The EU Education Policy in the Post-Lisbon Era. *Common Market Law Review* 53 (5), 1475-1477.

Hoogenboom, A. (2016). Update EU-route: de zesmaandentermijn. *Over de Grens* 6 (10).

Mei, A.P. van der (2016)., De patiëntenrichtlijn en het Nederlandse zorgverzekeringsstelsel, 2016, *SEW: tijdschrift voor europees en economisch recht*, p.53-59.

Mei, A.P. van der (2016). De rol van het Europees parlement in de EU-procedure voor het sluiten van internationale overeenkomsten. *Nederlands Tijdschrift voor Europees recht*, 253-258.

Mei, A.P. van der (2016). Delegatie van regelgevingsbevoegdheid aan de Europese Commissie post-Lissabo. *Nederlands Tijdschrift voor Europees recht*, 180-185.

Mei, A.P. van der (2016). Delegation of Rulemaking Powers to the European Commission post-Lisbon. *European Constitutional Law Review*, 538-548.

Mei, A.P. van der (2016). EU external relations and inter-institutional conflicts: the battlefield of Article 218 TFEU *Maastricht Journal of European and Comparative Law*, p.1051-1076.

Mei, A.P. van der (2016). Kroniek: Europese coördinatie socialezekerheidstelsels 2013-2015. *Tijdschrift Recht en Arbeid*, 18-22.

Mei, A.P. van der (2016). Het materieel toepassingsgebied van verordening 883/2004: beoordeling van uitkeringstelsels van andere lidstaten. *Tijdschrift Recht en Arbeid*, 30-31.

Mei, A.P. van der (2016). Overview of recent cases before the Court of Justice of the European Union (January-June 2016). *European Journal of Social Security*, 399-409.

Mei, A.P. van der (2016). Overview of recent cases before the Court of Justice of the European Union (July 2015-december 2015). *European Journal of Social Security*, 74-84.

Nicolaidis, P. (2016). A Critical Review of the Commission Notice on the Notion of State Aid. *Maastricht Journal of European and Comparative Law*.

Nicolaides, P. (2016). All Bad Things Must Come to an End: The Application of State Aid Rules to the New EU Regime for Bank Resolution. *Maastricht Journal of European and Comparative Law*.

Nicolaides, P. (2016). Compensation for Public Service Obligations: How to Account for Efficiency Gains. *European Structural & Investment Funds Journal*.

Nicolaides, P. (2016). Grants v Financial Instruments: Which offer stronger incentives?. *European Structural & Investment Funds Journal*.

Nicolaides, P. (2016). Tax Avoidance, Transfer Pricing and State Aid Rules. *European State Aid Law Quarterly*.

Nicolaides, P. (2016). The Pricing of Access to Publicly-Funded Research Infrastructure and State Aid Rules. *European State Aid Law Quarterly*.

Nicolaides, P. (2016). What is the Relevant Price for Determining the Existence of State Aid to Operators and Users of Infrastructure? *European State Aid Law Quarterly*.

Reslow, N. (2016). Review of Müller, A. (2014). Governing Mobility Beyond the State. Centre, Periphery and the EU's External Borders. *Journal of Common Market Studies*, 54 (2), 481.

Schoenmaekers, S. (2016). Aanbesteding en Duurzaamheid: een natuurlijke Symbiose. *Tijdschrift voor Milieu en Recht*, 3-10.

Schoenmaekers, S. (2016). Review of Schebesta, H. (2016). Damages in EU Public Procurement Law. *Common Market Law Review* 53 (4), 1164-1167.

Schoenmaekers, S. (2016). State aid rules in the financial sector during the economic crisis: A disguised but yet necessary retreat or an honest compromise? The case of Greece. *European Public Law Journal*.

Schoenmaekers, S. (2016). The new EU-debarment rules: legal and economic rationale. *European Public Procurement Law Review* 16 (3), 91-104.

Schoenmaekers, S. (2016). The Notice on the notion of an Aid and Public Procurement Law. *European State Aid Law Quarterly*.

Vidmar, J. (2016). The International Lawyer is Open-Minded, but Nevertheless a bit Old-Fashioned. *The Hague Yearbook of International Law* 27, vii-xvi.

Vidmar, J. (2016). Some Observations on Wrongfulness, Responsibility and Defences in International Law. *Netherlands International Law Review* 64.

Waddington, L. & McSherry, B. (2016). Exceptions and Exclusions: The Right to Informed Consent for Medical Treatment of People with Psychosocial Disabilities in Europe. *European Journal of Health Law* 23, 1-26.

Waddington, L. et al (2016). Get a Job! Active Labour Market Policies and Persons with Disabilities in Danish and European Union Policy. *Dublin University Law Journal* 39 (1), 1-26.

Waddington, L. et al (2016). The political participation of disabled people in Europe: rights, accessibility and representation. *Electoral Studies* 42, 1-9.

Witte, B. de (2016). The United Kingdom: Towards exit from the EU or towards a different kind of membership?. *Quaderni costituzionali* 36, 581-583.

### Newspaper articles

Hoogenboom, A. (2016). Migratiebeleid staat kansen in de weg in de grensregio's. *Financieele Dagblad* of 1 December 2016.

### Book Chapters

Claes, M. & Bonelli M. (2016). The Rule of Law and the Constitutionalisation of the European Union. In W. Schroeder (Ed.), *Strengthening the Rule of Law in Europe - From a Common Concept to Mechanisms of Implementation*. Oxford: Hart Publishing (ISBN: 978-1-84946-950-0).

Claes, M. et al (2016). Grondwettelijke hoven, het Hof van Justitie en het Europese Hof voor de Rechten van de Mens: bondgenoten of rivalen?. In A. Alen et al (Eds.), *Grondwettelijk Hof 1985-2015 / Cour constitutionnelle 1985-2015. Verslag van het colloquium van 1 april 2015 ter gelegenheid van de dertigste verjaardag van het eerste arrest van het Hof / Actes du colloque du 1er avril 2015 à l'occasion du trentième anniversaire du premier arrêt de la Cour*. Bruges: Die Keure (ISBN 978-9-04862-416-4).

Claes, M. et al (2016). Operationalizing the European Mandate of National Courts: Insights from the Netherlands. In B. de Witte et al. (Eds.), *National Courts and EU Law: New Issues, Theories and Methods* (pp. 105-126). Cheltenham: Edward Elgar (ISBN 978-1-78347-989-4).

Groot, R. de & Claessens, S. (2016). Legal Education and the Legal Profession. In J. Chorus, E. Hondius & W. Voermans (Eds.), *Introduction to Dutch Law* (5<sup>th</sup> edition, pp. 49-55). Alphen aan de Rijn: Kluwer (ISBN 978-9-04116-663-0).

Hoogenboom, A. (2016). I study here, and thus I belong? Mobile Students in the European Union. In H. Verschueren (Ed.), *Residence, employment and social rights of mobile persons. On how EU law defines where they belong*. Antwerpen: Intersentia (ISBN 978-1-78068-407-9).

Kortese, L. & Hoogenboom, A. (2016). Erkenning van beroepskwalificaties. In M. Unfried (Ed.), *ITEM Grenseffectenrapportage 2016*.

Mei, A.P. van der (2016). Het Toepassingsgebied van het EU Handvest van de Grondrechten van de Europese Unie: 'ERT-uitvoering'. In A. Pahladsingh & M. van Roosmalen (Eds.), *EU-Handvest Selecties*, (2e druk, pp.63-80). Den Haag: Sdu (ISBN 978-9-01239-723-0).

Mei, A.P. van der (2016). The Relocation of the Charles Taylor Trial from Freetown to the Hague. In A. Klip (Ed.), *Annotated Leading Cases of International Criminal Tribunals – The Special Court for Sierra Leone III* (pp.285-289). Antwerpen: Intersentia (ISBN 978-1-78068-239-6).

Mei, A.P. van der & Voogsgeerd, H. (2016). Herstructurering. In S. Peters & R. Beltzer (Eds.), *Inleiding Europees Arbeidsrecht* (Monografieën Sociaal recht, 4e druk, pp.303-332). Deventer: Wolters Kluwer (ISBN 978-9-01313-938-9).

Nicolaides, P. (2016). The Economics of State Aid. In T. Ottervanger, et al (Eds.), *EU State Aid*. London: Sweet & Maxwell (ISBN 978-0-41406-118-7).

Schoenmaekers, S. (2016). EU Public Procurement and Services of General Economic Interest. In: C. Bovis (Ed.). *Research Handbook on Public Procurement* (pp. 295-323). Cheltenham: Edward Elgar (ISBN 978-1-78195-325-9).

Schoenmaekers, S. (2016). Het wettelijk kader van de uitoefening van het beroep van architect. In: K. Uytterhoeven (Ed.), *De architect in de 21<sup>ste</sup> eeuw – Beschermd ondernemer of (vogel)vrij beroep – De wet van 20 februari 1939: 75 jaar* (pp. 87-123). Antwerpen: Intersentia (ISBN 978-94-0000-585-3).

Vidmar, J. (2016). Abusive Governments as a Threat. In M. Footer, J. Schmidt & N. White (Eds.), *Security and International Law*. Oxford: Hart Publishing (ISBN 978-1-84946-634-9).

Vidmar, J. (2016). Territorial Entitlement and Exit Scenarios. In M. Nicolini, F. Palermo & E. Milano, *Law, Territory and Conflict Resolution: Law as a Problem and Law as a Solution*. Leiden: Nijhoff (ISBN 978-9-00431-128-2).

Vos, E. (2016), EU agencies and Independence. In: D. Rittleng (Ed.), *Independence and legitimacy in the institutional system of the EU* (pp. 206-228). Oxford: Oxford University Press (ISBN 978-0-19876-979-8).

Vos, E. & Everson, E. (2016), European Agencies: What about the institutional balance?. In S. Blockmans & A. Lazowski (Eds.), *Research handbook on EU institutional law* (pp. 139). Cheltenham: Edward Elgar (ISBN 978-1-78254-473-9).

Waddington, L. & Lawson, A. (2016). The unfinished story of EU disability non-discrimination law. In A. Bogg, C. Costello & A. Davies (Eds.), *Research Handbook on EU Labour Law* (pp. 474-494). Cheltenham: Edward Elgar (ISBN 978-1-78347-111-9).

Waddington, L., Priestley, M. & Yalcin, B. (2016). Equality of opportunity in employment? Disability rights and active labour market policies. In P. Blanck and E. Flynn (Eds.), *Routledge Handbook of Disability Law and Human Rights* (pp. 72-87). London: Routledge (ISBN 978-1-47243-865-2).

Witte, B. de (2016). Cultural Policy Justifications. In P. Koutrakos, N. Shuibhne & P. Syrpis (Eds.), *Exceptions from EU Free Movement Law: Derogation, Justification and Proportionality* (pp. 131-142). Oxford: Hart Publishing (ISBN 978-1-84946-620-2).

Witte, B. de (2016). The Decision-Making Process. In D. Patterson & A. Södersten (Eds.), *A Companion to European Union Law and International Law* (pp. 95-108). Chichester: Wiley Blackwell (ISBN 978-0-470-67439-0).

Witte, B. de (2016). The Preliminary Ruling Dialogue: Three Types of Questions Posed by National Courts. In B. de Witte et al (Eds.), *National Courts and EU Law – New Issues, Theories and Methods* (pp. 15-25). Cheltenham: Edward Elgar (ISBN 978-1-78347-989-4).

Witte, B. de & Claes, M. (2016). Competences: Codification and Contestation. In A. Lazowski & S. Blockmans (Eds.), *Research Handbook on EU Institutional Law* (pp. 46-87). Cheltenham: Edward Elgar (ISBN 978-1-78254-473-9).

### Short Notes & Case Annotations

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