

List of journals with electronic table of contents in European Communities and European Union section between January and August 2012:

- 1) Columbia Journal of European Law
- 2) Common Market Law Review
- 3) Comparative European Politics
- 4) EC TAX Review
- 5) Environmental Policy and Governance
- 6) Euredia
- 7) Europarecht
- 8) Europe en formation
- 9) European Business Law Review
- 10) European Competition Journal
- 11) European Competition Law Review
- 12) European Constitutional Law Review
- 13) European Energy and Environmental Law Review
- 14) European Foreign Affairs Review
- 15) European Journal of International Relations
- 16) European Journal of Law Reform
- 17) European Journal of Migration and Law
- 18) European Journal of Political Research
- 19) European Journal of Social Security
- 20) European Law Journal
- 21) European Law Review
- 22) European Public Law

- 23) European Review of Contract Law
- 24) European Review of Private Law
- 25) European State Aid Law Quarterly
- 26) European Union Politics
- 27) European Urban and Regional Studies
- 28) European View
- 29) Journal for European Environmental & Planning Law
- 30) Journal of Common Market Studies
- 31) Journal of European Integration
- 32) Journal of European Integration History
- 33) Journal of European Public Policy
- 34) Journal of European Social Policy
- 35) Legal Issues of Economic Integration
- 36) Maastricht Journal of European and Comparative Law
- 37) Revue de l'Union Européenne
- 38) Transfer

The Columbia Journal of European Law

VOL. 18 Fall 2011 NO. 1



ARTICLES

The European Court of Human Rights, The EU Charter of Fundamental Rights, and the Right to Abortion:

***Roe v. Wade* on the Other Side of the Atlantic?**

Federico Fabbrini

1

A Real European Citizenship: A New Jurisdiction Test:

A Novel Chapter in the Development of the Union in Europe

Dimitry Kochenov

55

Goodbye Euro:

Legal Aspects of Withdrawal from the Eurozone

Hannes Hofmeister

111

Judging the European Court of Justice:

The Jurisprudence of Aharon Barak Through a European Lens

Niels Baeton

135

The Columbia Journal of European Law

VOL. 18 Spring 2012 NO. 2



ARTICLES

Out of Sight, Out of Mind: Towards a New EU Tobacco Products Directive

Alberto Alemanno

197

Approach of the European Court of Justice on the Accommodation of the European Language Diversity in the Internal Market: Overcoming Language Barriers or Fostering Linguistic Diversity?

Iñigo Urrutia

243

"Global Europe":

The EU's New Trade Policy in its Legal Context

Boris Rigod

277

British Pubs, Decoder Cards, and the Future of Intellectual Property Licensing After *Murphy*

Anastasios Kaburakis, Johan Lindhohn, Ryan Rodenberg

307

STUDENT NOTE

The Unclear Role of Participating Financial Instruments in the Corporate Governance of Italian Joint Stock Companies

Marco Saggiocca

323

CASE LAW

Case C- 236/09, Association Beige des Consommateurs Test-Achats ASBL v. Conseil des Ministres

Geert De Baere, Eveline Goessens

339

Common Market Law Review

CONTENTS Vol. 48 No. 6 December 2011



Editorial comments, *The Greek sovereign debt tragedy: Approaching the final act?*

776

Articles

- M. Ruffert*, **The European debt crisis and European Union law** 1777-1805
M. Dougan, **What are we to make of the citizens' initiative?** 1807-1848
S. Mendes, **Participation and the role of law after Lisbon: A legal view on Article 11 TEU** 1849-1877
P. Schammo, **The European Securities and Markets Authority: Lifting the veil on the allocation of powers** 1879-1913
P. Craig, **The European Union Act 2011 : Locks, limits and legality** 1915-1944
M. Varju and F. Fazekas, **The reception of European Union law in Hungary: The Constitutional Court and the Hungarian judiciary** 1945-1984

Case law

A. Court of Justice

- Case C-409/06, Winner Wetten GmbH v. Bürgermeisterin der Stadt Bergheim**, with annotation by *T. Beukers* 1985-2004
Joined Cases C-92 & 93/09, Volker und Markus Schecke GbR and Hartmut Eifert, with annotation by *M. Bobek* 2005-2022
Case C-279/09, DEB v. Germany, with annotation by *P. Oliver* 2023-2040
Case C-236/09, Association belge des Consommateurs Test-Achats ASBL, Yann van Vugt, Charles Basselier v. Conseil des ministres, with annotation by *C. Tobler* 2041-2060
Case C-97/09, Ingrid Schmelz v. Finanzamt Waldviertel; Case C-72/09, Établissements Rimbaud SA v. Directeur general des impôts, Directeur des services fiscaux d' Aix-en-Provence, with annotation by *S. Kingston* 2061-2081
Case C-521/06 P, Aihinaiki Techniki v. Commission; Case C-322/09 P, NDSHT v. Commission; Case C-362/09 P, Aihinaiki Technild v. Commission, with annotation by *E. Gambaro and F. Mazzocchi* 2083-2105

Common Market Law Review

Vol. 49 No. 1 February 2012

Editorial comments, *Some thoughts concerning the Draft Treaty on a Reinforced Economic Union*

Articles

S. de La Rosa,

The Directive on cross-border healthcare or the art of codifying complex case law 15-46

N. Hachez and I. Wouters,

A responsible lender? The European Investment Bank's environmental, social and human rights accountability 47-95

C. Gerner-Beuerle,

Shareholders between the market and the State. The VW law and other interventions in the market economy 97-143

P. Wenneras,

Sanctions against Member States under Article 260 TFEU: Alive, but not kicking? 145-175

C. Krenn,

A missing piece in the horizontal effect "jigsaw": Horizontal direct effect and the free movement of goods 177-215

A. Witt,

From *Airtours* to *Ryanair*: Is the more economic approach to EU merger law really about more economics? 217-246

C. Bovis,

Public procurement in the EU: Jurisprudence and conceptual directions 247-289

J. Hojnik,

Free movement of goods in a labyrinth: Can *Buy Irish* survive the crises? 291-326

Case law

A. Court of Justice

Case C-69/10, *Brahim Samba Dioufv. Ministre du Travail, de l'Emploi et de l'Immigration*, with annotation by P. Van Cleynenbreugel 327-347

Case C-434/09, *Shirley McCarthy v. Secretary of State for the Home Department*, Case C-256/11, *Dereci and others v. Bundesministerium für Inneres*, with annotation by N. Nic Shuibhne 349-379

Case C-398/09, *Lady & Kid A/S and others v. Skatteministeriet*, with annotation by M. Strand 381-399

Case C-81/09, *Idrima Tipou AE v. Ipourgos Tipou kai Meson Mazikis Enimerosis*, with annotation by T. Papadopoulos 401-416



Common Market Law Review

CONTENTS Vol. 49 No. 3 June 2012

Editorial comments:

Hungary's new constitutional order and "European unity"



Articles

J. Bast

New categories of acts after the Lisbon reform: Dynamics of parliamentarization in EU law 885-928

F. Wagner-von Papp

Best and even better practices in commitment procedures after *Alrosa*: The dangers of abandoning the "struggle for competition law" 929-970

R. Nazzini

Administrative enforcement, judicial review and fundamental rights in EU competition law: A comparative contextual-functionalist perspective 971-1006

M. Varju and J. Sándor

Patenting stem cells in Europe: The challenge of multiplicity in European Union law 1007-1038

H. de Waele and H. Broeksteeg

The semi-permanent European Council Presidency: Some reflections on the law and early practice 1039-1074

B. Hess

The Brussels I Regulation: Recent case law of the Court of Justice and the Commission's proposed recast 1075-1112

Case law

A. Court of Justice

Case C-366/10, *Air Transport Association of America and Others v. Secretary of State for Energy and Climate*

Change, with annotation by *B. Mayer* 1113-1140

Case C-3 89/08, *Base NV and Others v. Ministerraad* with annotation

by *M. Szydło* 1141-1162

Case C-375/09, *Prezes Urzędu Ochrony Konkurencji i Konsumentów v. Tele2 Polska sp. z o. o. (now: Netia SA)*,

with annotation by *S. Brammer* 1163-1178

Case C-264/09, *Commission v. Slovakia*, with annotation

by *A. Boute* 1179-1196

Case C-34/10, *Oliver Brüstle v. Greenpeace e.V.*, with annotation

by *T. Spranger* 1197-1210

Joined Cases C-509/09 & 161/10, *eDate Advertising v. and Olivier Martinez and Robert Martinez v. MGN Limited*,

CONTENTS Vol. 49 No. 4 August 2012

A Common European Sales Law (CESL) ahead?

S. Weatherill

D. Adamski

F. Calderoni

R. Mehta

Case law

1423-1442

1457-1474

1475-1492

Comparative European Politics

Volume 10

Number 1

February 2012

Contents



ORIGINAL ARTICLES

Party competition and positions on immigration: Strategic advantages and spatial locations 1

Pontus Odmark

National and transnational strategies of LGBT civil society organizations in different political environments: Modes of interaction in Western and Eastern Europe for equality 23

Ronald Holzacker

Family meetings: Ideological convergence within party families across Europe, 1945-2009 48

Valeria Camia and Daniele Caramani

European administrative centre formation. Lessons from international bureaucracies 86

Jarle Trondal, Martin Marcussen, Torbjörn Larsson and Frode Veggeland

Negotiation effectiveness: Why some states are better than others in making their voices count in EU negotiations 111

Diana Panke

Comparative European Politics

Volume 10

Number 2

April 2012



Contents

Special Issue Turkish Membership in the European Union -The role of religion

Guest Editors Michael Minkenberg and Hajo G. Boomgaarden with Claes H. de Vreese and André Freire

INTRODUCTION

Turkish membership in the European Union - The role of religion 133

Michael Minkenberg and Hajo G. Boomgaarden with Claes H. de Vreese and André Freire

ORIGINAL ARTICLES

Christian identity? European churches and the issue of Turkey's EU membership 149

Michael Minkenberg

Religion and party positions towards Turkish EU accession 180

Hajo G. Boomgaarden and Andreas M. Wüst

Religion, the media and EU membership of Turkey 198

Malte Carlos Hinrichsen

Turkey in the EU?: How cultural and economic frames affect support for Turkish accession 218

Claes H. de Vreese, Wouter van der Brug and Sara Hobolt

Comparative European Politics

Volume 10 Number 3 July 2012



Special Issue: The Problems with National Models of Integration: A Franco-Dutch Comparison Guest Editors: *Christophe Bertossi, Jan Willem Duyvendak and Martin A. Schain*

Introduction

National models of immigrant integration: The costs for comparative research..... 237

Christophe Bertossi and Jan Willem Duyvendak

Original Articles

French republicanism and the problem of normative density 248

Christophe Bertossi

Deconstructing the Dutch multicultural model: A frame perspective on Dutch immigrant integration policymaking 266

Jan Willem Duyvendak and Peter Scholten

A French dilemma: Anti-discrimination policies and minority claims in contemporary France..... 283

Jocelyne Streiff-Fénart

Pitfalls of top-down identity designation: Ethno-statistics in the Netherlands..... 301

Frank De Zwart

The political debates on the veil in France and the Netherlands: Reflecting national integration models? 319

Doutje Lettinga and Sawitri Saharso

Pillarization and Islam: Church-state traditions and Muslim claims for recognition in the Netherlands 337

Marcel Maussen

Working schemas and normative models in French governance of Islam... 354

John R. Bowen

On models and politics 369

Martin A. Schain

EC TAX Review

Volume 20 Issue 6

EDITORIAL

Some Remarks on the Future of VAT

Han Kogels



260

ARTICLES

Cross-Border Loss Relief in the EU: Implications of Recent Developments in Germany Regarding Outbound Permanent Establishments

263

Ronald Gebhardt & Carsten Quilitzsch

The Negative Harmonization Process of Losses in Foreign EU Subsidiaries: The Swedish Case

273

Anna Gerson

Energy Taxation at European Level: What does it do for the Environment and Sustainability?

283

Jolanda van Eijndthoven

The Ins and Outs of Classifying Turnover for VAT

291

Yves Bernaerts & Sandhya Nathoeni

FORUM

305

Liechtenstein Tax Treaties: Ramifications on EEA-WHT Reclaims?

Alexander Lindemann, Christian Glewwe & Georg Wohlgemuth

EC Tax Review

Contents

EDITORIAL

Why a Financial Transaction Tax?

Lieven Denys

ARTICLES

5

The Commission's Proposal for a Common System of Financial Transaction Tax: A Legal Appraisal

Oskar Henkow

The Cross-border Taxation of Dividends in the Case of Individual Portfolio Investors: Issues and Possible Solutions

17

Christoph Spengel & Lisa Evers

VAT Pitfalls in Intra-EU Commodity Trade

33

Redmar Wolf

Halting the Horses: EU Policy on the VAT Carousel Fraud in the EU Emissions Trading System

39

Pourzitakis Efstratios



EC TAX Review

Volume 21 no 2

Contents



EDITORIAL

Tackling Cross-Border Inheritance Tax Obstacles within the EU

Bruno Peeters

ARTICLES

57

Story and Fundamentals of Direct Taxation at Work in the EU

Luc Hinnekens

Non-discriminatory Tax Obstacles

Sjoerd Douma

84

The Influence of EU Law on Inheritance Taxation: Is the Intensification of Negative Integration Enough to Eliminate Obstacles Preventing EU Citizens from Crossing Borders within the Single Market?

Edouard-Jean Navez

The Renewed EU Social Security Coordination in Regulation No. 883/2004 and Its Link with Bilateral Tax Agreements

Herwig Verschueren

98

EC Tax Review

Contents



Editorial

Relief of Double Taxation of Cross-border Dividends within the Union and the Principle of Loyal Cooperation

Luc De Broe

Peer Reviewed Articles

183

Dual Resident Companies and the Implementation of the Parent-Subsidiary Directive by Germany in Light of European Union Secondary Legislation and Primary Law: An Analysis and Review

Thomas Kollruss

Articles

200

Exit Taxes for Companies in the European Union after National Grid Indus

Reinout Kok

207

National Approaches towards a Financial Transaction Tax and Their Compatibility with European Law

George Dietlein

212

The Dutch VAT Compensation Fund: a Critical Assessment

Mattheus Wassenaar

Forum

225

Current Highlights Concerning CCCTB: A Report about the Fifth Frans Vanistendael Lecture Held in Leuven on 2 March 2012

Steven Peeters

Environmental Policy and Governance

Volume 21 Number 6

Special Issue: Participatory Modelling in Natural Resource Governance; Conceptual Reflections and Empirical Insights for Contributing to the Development of an Emerging Research Field

Guest Editors; Marion Dreyer, DIALOGIK, Stuttgart, Germany and Ortwin Renn, DIALOGIK and Department of Social Sciences V, University of Stuttgart, Germany



Editorial

Participatory Approaches to Modelling for Improved Learning and Decision-Making in Natural Resource Governance:

An Editorial

M. Dreyer and O. Renn 379

Research Articles

Forms of Participatory Modelling and its Potential for Widespread Adoption in the Water Sector

M. Hare..... 386

Can Participatory Modelling Support Social Learning in Marine Fisheries? Reflections from the Invest in Fish

South West Project

H. Squires and O. Renn 403

Lessons from the Application of Decision-Support Tools in Participatory Management of the New Forest National Park, UK

V. M. Edwards and S. Smith 417

Learning from Experiences in Adaptive Action Research: A Critical Comparison of Two Case Studies Applying Participatory Scenario Development and Modelling Approaches

F. Ravera, K. Hubacek, M. Reed and D. Tarrasón..... 433

A Gaming Exercise to Explore Problem-Solving versus Relational Activities for River Floodplain Management

J. Stefanska, P. Magnuszewski, J. Sendzimir, P. Romaniuk, T. Taillieu, A. Dubel, Z. Flachner and P. Balogh..... 454

Modellers' and Outreach Professionals' Views on the Role of Models in Watershed Management

T. Webler, S. Tuler and T. Dietz 472

Environmental Policy and Governance

Volume 22 Number 1 January-February 2012

Research Articles

The Utilization of Performance Information: the Dutch Network Ecological Monitoring

D. de Kool

1

The Use of Environmental Policy Instruments for Urban Wastewater Control: Evidences from an International Survey

S. Xenarios and K. Bithas

24

Examining the Lack of Legal Remedies for Environmental Damage in the 2006 Lebanon-Israel War

A. A. Takshe, I. Van der Molen and J. C. Lovett

..... 27

Involving the Public in Catchment Management: An Analysis of the Scope for Learning Lessons from Abroad

D. Benson, A. Jordan and D. Huitema.

42

Soil Conservation in Transition Countries: the Role of Institutions

K. Prager, J. Prazan and I. Penov

55

Call for Paper

News from the European Society for Ecological Economics (ESEE)

C. Da Cunha and I. Omann

74



Environmental Policy and Governance

Contents

Volume 22 Number 3 May-June 2012

Research Articles

Towards a Conceptual Framework for the Study of Shifts in Modes of Environmental Governance - Experiences From The Netherlands

P.P.J. Driessen, C. Dieperink, F. van Laerhoven, H.A.C. Runhaar and W.J.V. Vermeulen
..... 143

Climate Change? No, Wise Resource Use is the Issue: Social Representations of Energy, Climate Change and the Future

A. Fischer, V. Peters, M. Neebe, J. Vávra, A. Kriel, M. Lapka and B. Megyesi... 161

The Mechanics of Virtue: Lessons on Public Participation from Implementing the Water Framework Directive in the Netherlands

J. van der Heijden and E. ten Heuvelhof. 177

Wolves are Mobile, While Fruit Trees are not! How Characteristics of Resources and Supranational Regulatory Frameworks

Shape the Provision of Biodiversity and Ecosystem Services in Germany
A. Thiel, C. Schleyer and T. Plieninger.... 189

Policy Review

Climate Change Policy and Subjective Well-Being

F. FitzRoy, J. Franz-Vasdeki and E. Papyrakis .. 205



Euredia

Numéro 4 2011

Sommaire/Contents



Banque-Notes

Blanche Sousi 409

Tribune

Living in Euroland

Luc Frieden 413

What's what in Europe

The European Financial Stability Facility (EFSF) and the European Stability Mechanism (ESM) - A Legal Overview

Ralf Jansen 417

Point de vue

«On ne peut qu'être pour»

Proposals of Consumers International to the G20, for reform of consumer protection in financial services

Robin Simpson..... 425

Articles

The European Commission's proposal for a directive on residential mortgages A knee-jerk reaction to the financial crisis or a genuine attempt to enhance the single market?

Sarah Lynch..... 435

Les banques et la Responsabilité Sociétale des Entreprises (RSE)

Arnaud Berger et Fabienne Quéran..... 441

Taxe sur les transactions financières dans l'Union européenne La proposition de directive du 28 septembre 2011

Karim Berthet , 451

European Retail banking services: 2011 was a year of consultation, 2012 will be a year of negotiation

Alexandre Giraud 457

Chronique de législation et jurisprudence nationales / National Legislation and Case Law

France:

Christophe Arnaud..... 465

Laurence Thébault..... 467

Italy:

Giorgio Afferni..... 470

Luxembourg:

Myriam Olivie 478

Spain:

Vésela Andreeva Andreeva 483

Chronique de législation de l'Union européenne / EU Législation

Le règlement du Parlement européen et du Conseil sur les agences de notation de crédit

De nouvelles compétences - de pleine juridiction en matière d'amendes - pour le Tribunal et la Cour de justice de l'Union européenne qui suscitent quelques interrogations

Michel Van Huffel..... 487

Europarecht

Volume 46 number 6

Aufsätze

Prof. Dr. Martin Nettesheim, Tübingen

**„Euro-Rettung" und Grundgesetz Verfassungsgerichtliche
Vorgaben für den Umbau der Währungsunion**

765

Dr. Marcus Schladebach, LL.M., Berlin und Nikolaos Simantiras, ILM., München
Grundstrukturen des unionalen Rundfunkrechts..

784

Dr. Meinhard Schröder, München

Die Vorlagepflicht zum EuGH aus europarechtlicher und nationaler Perspektive

.....

808

Rechtsprechung

**Verfassungsbeschwerden gegen Maßnahmen zur Griechenland-Hilfe und
zum Euro-Rettungsschirm ohne Erfolg Urteil des
Bundesverfassungsgerichts vom 07. September 2011, 2 BvR 987/10,2
BVR1485/10, 2 BvR 1099/10**

828

**Die europäische Schuldenkrise vor dem Bundesverfassungsgericht -
Anmerkung zum Urteil vom 7. September 2011 -**

Prof. Dr. Matthias Ruffert, Jena.

842

Kein Staatsangehörigkeitserfordernis für den Zugang zum Beruf des Notars

Urteil des Gerichtshofes vom 24. Mai 2001, Rs. C-54/08 .

856

**Keine Ausübung „öffentlicher Gewalt" durch Notare-Anmerkung zum Urteil
des EuGH v. 24. Mai 2011, Rs. C-54/08**

Prof. Dr. Hans-Georg Dederer, Passau .

865

Kleinere Beiträge, Berichte und Dokumente

Ulrich Reith mann, LL.M.Eur., München

**Die Rechtsprechung des Gerichts für den öffentlichen Dienst der Europäischen
Union 2009/2010**

871



L'Europe en formation

Hiver 2011-Winter 2011 n°362

Dossier

L'évolution de l'Union européenne après le traité de Lisbonne Development* of the European Union after the Lisbon Treaty

Editors - Coordinateurs : Jean-Pierre Gouzy, Hartmut Marhold



Analyses

Dusan Sidjanski p. 5

Le traité de Lisbonne sur la voie fédéraliste?

Jean-Louis Quermonne p. 31

Les institutions de l'Union européenne après le traité de Lisbonne

Finn Laursen p. 45

The Lisbon Treaty: A first Assessment

Vlad Constantinesco p. 71

De la pluralité des présidences dans l'Union européenne

Oliver Höing & Wolfgang Wessels p. 81

New institutional opportunities or old hegemony? The Franco-German tandem in the European Council after Lisbon

Lenka Rovná p.101

Constitutionalizing the European Union: The Lisbon Treaty and the Czech Republic. A complicated story with an open ending...

Réflexions

Christian Lequesne p. 127

Pour une Union européenne qui ne renonce pas

Robert Toulemon p. 131

Deux ans après Lisbonne, l'Europe dans la crise

Joost P. Van Iersel p. 147

Europe 2020 and the future of the European Union

Bernard Barthalay p. 163

L'Europe malmenée

Chronique

Jean-Pierre Gouzy p. 191

La vie politique en Europe et dans le monde

L'Europe en formation

Printemps 2012 - Spring 2012 n°363



Dossier

A New Era of federalism - Une nouvelle ère de fédéralisme

Editors - Coordinateurs : *Francesco Palermo & Elisabeth Alber (Eurac)*

Introduction

p. 7

Conceptual Framework - Cadre Conceptuel

Simona Piattoni

p.11

Federalism and Its Competitors: Which Template for Contemporary Europe?

Frédéric Lépine

p. 21

A journey through the History of federalism Is Multilevel Governance a Form of Federalism?

Pathé Diop

p. 63

La souveraineté, pierre d'achoppement pour une fédération politique européenne

James R. Rogers

p. 73

Democracy and Necessity. Rightly Dividing Political Power

Sean Mueller

p. 95

Federalism and the Concept of Political Territoriality

Jorge Cagiao y Conde

p. 121

Autorité et conflit d'autorités en droit fédératif

Geographic Context - Contexte géographique

Nicolas Schmitt

p.145

Le fédéralisme : *plus fragile* et plus nécessaire que jamais Quelques réflexions illustrées par la Suisse et les pays d'Afrique

Francesco Palermo

p. 169

The "F" Factor in Central, Eastern and South-Eastern Europe Why is the international community afraid of federalism and why it should not be

Xabier Arzoz

p. 173

New Developments in Spanish federalism

Jens Woelk

p. 189

Identity-Diversity and the Territorial Dimension in the Western Balkans

Soeren Keil

p. 205

Federalism as a Tool of Conflict-Resolution: The Case of Bosnia and Herzegovina

Senka Neuman Stanivukovic

p. 219

Territoriality is in the Eyes of the Beholder Untangling The Nation-State from Below with a Little Help from Above



- Elvira Nurieva* p.235
Effective or Appropriated federalism? The Case Study of the Republic of Mari El in the Russian Federation
- Arshi Khan* p. 251
Contesting Democratic *Polities* in the Interest of federalism
- Yonatan Tesfaye Fessha* p. 265
Federalism, Territorial Autonomy and the Management of Ethnic Diversity in Africa: Reading the Balance Sheet
- Specific Policies - Politiques spécifiques**
- Mariachiara Alberton* p. 289
Environmental Protection in the EU Member States: Changing Institutional Scenarios and Trends
- Giorgio Grimaldi* p.301
Prospects for Ecological federalism
- Elisabeth Alber & Alice Valdescalici* p. 325
Reforming fiscal federalism in Europe: Where Does the Pendulum Swing?
- Karl Kössler* p. 367
Immigration and Migrant Integration in Multicultural Societies. New Playgrounds for Subnational Governments?
- Giovanni Poggeschi* p.
391 **L'évolution des droits *linguistiques* en Europe: Structures territoriales décentralisées et impact de l'immigration en Italie**
- Elisabeth Alber* p. 399
South *Tyrol*'s Education System: Plurilingual Answers for Monolingualistic Spheres?
- Christian Leuprecht* p. 417
Public Safety in Federal Systems: A Primer

European Business Law Review

Volume 22 Issue 6 2011



Contents

- Does a Loan to a Bank Qualify as a 'Deposit'? On the Definition of 'Deposit' in Directive 94/19/EC, as Amended by Directive 2009/14/EC** 709

Erik Werlauff

- Revisiting the Fundamentals of Internal Market Law: Civil Society as a Third Sector between the State and the Market** 725

Gautier Busschaert

- Personal Data Breach Notification System in the European Union: Interpretation of "Without Undue Delay"** 741

Faye Fangfei Wang

- Non-executive Directors and Auditors in the Context of the UK Corporate Governance: Two (or Too Many?) "Pirandellian" Characters still in the Search of an Author?** 759

Pierdomenico de Gioia-Carabellese

- European Enterprise Models - New Chances and Challenges** 791

Yen-Lin Agnes Chiu

- Consulting the European Central Bank in the Regulatory Field of the National Central Bank of the Member State of the European Union** 815

Gintautas Pošiūnas

- Corporate Mobility under Article 49 TFEU: A Question of Means, not Ends** 847

Aaron Khan

European Business Law Review

Volume 23

Issue 4 2012

Contents



A Tribute to John Anthony Jolowicz (1926-2012)	455
<i>Neil H Andrews</i>	
Ideal Type Organisations and Company Law in Europe	461
<i>Janice Dean</i>	
A European Private Company and Share Transfer Restrictions	483
<i>Lars-Göran Sund, Jan Andersson and Edward Humphreys</i>	
Unfair Commercial Practices: Regulation at Risk	497
<i>Peter Shears</i>	
The Magnitude of EU Fundamental Freedoms: Application of the Freedom of Establishment to the Cross-Border Mergers Directive	517
<i>Thomas Papadopoulos</i>	
Extraterritorial Application of U.S. Securities Law	547
<i>Milosz Morgut</i>	
Comparing Legal Professional Privilege in EU and Lithuanian Law	565
<i>Tomas Kamblevičius and Edvinas Beikauskas</i>	

European Competition Journal

Volume 7 Number 3



Evaluating the Relative Performance of Upward Pricing Pressure

Screens with Share-based Diversion Ratios

407

Paul R Zimmerman

Defining Product Markets for Retail Rental Space: Thoughts on Methodological Choices

421

Jakub Kałużny, Rainer Nitsche and Lars-Hendrik Röller

Buying Exclusion in EU Competition Rules - Assessing Reasons and Consequences

433

Rainer Lindberg

Sham Litigation in the Pharmaceutical Sector

455

Valéria Guimarães de Lima e Silva

Astrazeneca v the Walker Process - A Real EU-US Divergence or Just an Attempt to Compare Apples to Oranges?

505

Sven Gallasch

Debit Card Interchange Fees Generally Lead to Cash-promoting Cross-subsidisation

527

Harry Leinonen

Rewriting European Competition Law from an Economic Perspective

559

Barbara E Baarsma

Credit Rating Agencies, the Sovereign Debt Crisis and Competition Law

587

Nicolas Petit

European Competition Journal

VOLUME 8 NUMBER 1 APRIL 2012



Contents

Thinking Outside the Object Box: An EU and UK Perspective 1 *M*

unesh Ram Mahtani

Why Can't We All Just Get Along? Structural Modelling and Natural Experiments in Merger Analysis

41

Malcolm B Coate and Jeffrey H Fischer

The Cartel Offence: Defining an Appropriate "Moral Space" 73

Angus MacCulloch

The Impact of Voidness for Infringement of Article 101 TFEU on Related Contracts

95

C Cauffman

The Disclosure of Files and Documents in EU Cartel Cases: Fairytale or Reality?

123

AE Beumer and A Karpetas

A Note on State Aid and Concentration: The Case of Belgium 153

Caroline Buts and Marc Jegers

Exclusivity in High-Tech Industries: Evidence from the French Case 163

Patrice Bougette, Frédéric Marty, Julien Billot and Patrice Reis

The Short-Run Competitive Effects of Merger Enforcement 183

Panagiotis N Fotis and Michael L Polemis

Private Enforcement in Bid-Rigging Cases in The European Union 211

Marsela Maci

Current Developments in Member States 229

Edited By Mark Clough and Donald Slater

European Competition Journal

VOLUME 8 NUMBER 2

AUGUST 2012



Contents

- Fair and Effective Competition Policy in the EU: Which Role for Authorities and Which Role for the Courts After *Menarini*?** 283
Marco Bronckers and Anne Vallery
- The Boundaries of an Undertaking in EU Competition Law** 301
Alison Jones
- Joint Ventures and other Competitor Collaborations as Single Entity "Undertakings" under US Law** 333
Ernest N Reddick
- The Jurisdictional Reach of EU Anti-Cartel Rules: Unmuddling the Limits** 365
Toes Botteman and Agapi Patsa
- The Law and Economics of Margin Squeezes in the US versus the EU** 383
John B Meisel
- Cross-Border Service Payments under EU Fair Competition and SEPA Rules** 403
Anca D Chiriță
- A Comment on Choosing among Tools for Assessing Unilateral Effects Analysis** 429
Joseph J Simons and Malcolm B Coate

European Competition Law Review

2012 Volume 33 Issue 1 ISSN: 0144-3054

Table of Contents

Articles

Stuart Richaeds and Sharmela Thevarajaha

Liability of Directors under Competition Law

1

Michael Pickford

Fair-trading Breaches and their Welfare Effects: The New Zealand Experience

5

M. B. Cox

Apple's Exclusive Distribution Agreements: A Refusal to Supply?

11

Gordon Downie

A Matter of Choice or Quality? Independence Requirements in EU Professional Services

23

Niamh Dunne

Margin squeeze: Theory, Practice, Policy - Part I

29

Juraj Gyarfas

Looking for the Beneficiary: State-aid Recovery after a Share Deal

40

Sangwook Daniel Han and Hyeong Jun Hwang

The Intel case in Korea and EU Jurisprudence

47



European Competition Law Review

2012 Volume 33 Issue 2 ISSN: 0144-3054

European Competition Law Review

Table of Contents

Articles

Georgios Kamaris

The Reform of EU State-aid Rules for Services of General Economic Interest

in Times of Austerity

55

Niamh Dunne

Margin Squeeze: Theory, Practice, Policy - Part II

61

Anna Emanuelson

Standardisation Agreements in the Context of the New Horizontal Guidelines

69

José Carlos Laguna De Paz

Regulation and Competition Law

77

Nikolaos E. Zevgolis

Anti-competitive Conduct from Public or Privileged Enterprises: Towards a Per Se Abuse of Dominant Position? Applicability of the Provision of TFEU art. 106(2) by National Competition Authorities

84

Iliana Núñez Osorio

'A Test to Ban Rebates': Which Test is Applicable to Rebates under TFEU art 102?

91

Tapas Kumar Bandyopadhyay and Saurabh Bindal

Managing Competitions Scrutinising the Indian Patent Act 1970



European Competition Law Review

2012 Volume 33 Issue 3 ISSN: 0144-3054

[Table of Contents](#)

Articles

Péter Lánchidi

The CISAC Case under the Wouters Exception

109

Carole Maczkovics

Remedies in Rail-related Services

116

Matthias Nnadi and Ovunda V.C. Okene

Merger Regulations and Ethics in the European Union: the Legal and Political

Dimensions

124

Viktoria H. S. E. Robertson

Online Sales under the European Commission's Block Exemption Regulation on Vertical Agreements - Part 1

132

René Smits

Tax Deductibility of Fines Imposed for Competition Law Infringements

138

Anne Krenzer and Pauline Le More

The Bundeskartellamt's Fuel-sector Inquiry: A French Perspective

146

Arttu Mentula and Satu-Anneli Kauranen

A New Competition Act Entered into Force in Finland

153



European Competition Law Review

2012 Volume 33 Issue 6 ISSN: 0144-3054



Table of Contents

Articles

Alexandr Svetlicinii

Competition Law Enforcement in Serbia: Problems and Prospects 273

Emmanuela N. Truli

New Greek Law on the Protection of Free Competition: Key Changes and First Impressions 280

Pieter Van Cleynenbreugel

The Hearing Officer's Extended Mandate: Whose Special Friend in the Conduct of EU Competition Proceedings? 286

Alan Overd

Sponsored Entry 294

Victoria Balaguer

Beef Industry Development Society: A Warning on Industry Restructuring 296

Mark Friend

Regulating Minority Shareholdings and Unintended Consequences 303

European Competition Law Review

2012 Volume 33 Issue 7 ISSN: 0144-3054



Table of Contents

Articles

Wolf Sauter

- The Altmark Package Mark II: New Rules for State Aid and the Compensation of Services of General Economic Interest** 307

Chukwudiebube Bede Opata

- Collective Dominance Based on Tacit Collusion in Nigerian Telecommunications Markets** 314

Titos Markopoulos

- The Ambivalent Role of Punishment in Post-merger Co-ordination and the New Approach of the 2010 US Horizontal Merger Guidelines** 320

European Competition Law Review

2012 Volume 33 Issue 9 ISSN: 0144-3054

Table of Contents



Articles

Valerio Torti

IPRs, Competition and Standard Setting: In Search of a Model to Address

Hold-Up

387

Hanna Stakheyeva

Removing Obstacles to a More Effective Private Enforcement of Competition

Law

398

George P. Kyprianides

Critically Evaluate Treatment of Information Exchange in TFEU Article 101

Cases

406

Qiang Yu

Software Predatory Pricing and Competition Law - Assessing Below-Cost

Prices

413

Case Comment

Federica Togo

Please Do It Again!

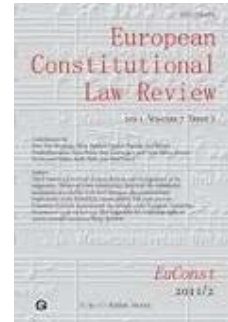
430

European Constitutional Law Review

2011 VOLUME 7 ISSUE 3

CONTENTS

The Euro Crisis: Storm, Meet Structure 349



Marc Bossuyt & Wiilem Verrijdt

The Full Effect of EU Law and of Constitutional Review in Belgium and France after the Melki Judgment 355

Federico Fabbrini

Voting Rights for Non-Citizens: The European Multilevel and the US Federal Constitutional Systems Compared 392

Gerhard van der Schyff & Adriaan Overbeeke

Exercising Religious Freedom in the Public Space: A Comparative and European Convention Analysis of General Burqa Bans 424

Daniel Thym

The Intergovernmental Constitution of the EU's Foreign, Security & Defence Executive 453

Armin Cuyvers

The Kadi II Judgment of the General Court: Tire ECJ's Predicament and the Consequences for Member States 481

European Constitutional Law Review

VOLUME 8 ISSUE 1

CONTENTS

Editorial

The Fiscal Compact and the European Constitutions: 'Europe Speaking German'

1

Articles

Kostas Chrysogonos & Costas Stratilatis

Limits of Electoral Equality and Political Representation

9

David Kosař

Policing Separation of Powers: A New Role for the European Court of Human Rights?

33

The State of the European Union's Monarchies (continued)

Hans Ulrich Jessurun d'Oliveira

The EU and Its Monarchies: Influences and Frictions

63

Case Notes

Steve Peers & Marios Costa

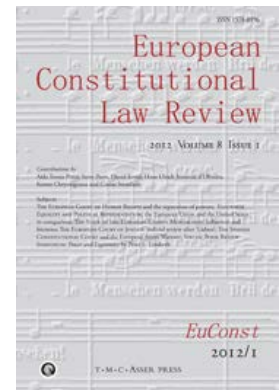
Judicial Review of EU Acts after the Treaty of Lisbon. Court of Justice of the European Union (General Chamber), Order of 6 September 2011, *Inuit Tapiriit Kanatami and Others v. Commission*, Case T-18/10 and Judgment of 25 October 2011, *Microban v. Commission*, Case T-262/10

82

Aida Torres Pérez

Constitutional Dialogue on the European Arrest Warrant: The Spanish Constitutional Court Knocking on Luxembourg's Door. Spanish Constitutional Court, Order of 9 June 2011, ATC 86/2011

105



European Energy and Environmental Law Review

Volume 20 No 6 December 2011



Contents

National Energy Policies and Energy Security in the Context of Climate Change and Global Environmental Risks: A Theoretical Framework for Reconciling Domestic and International Law through a Multiscalar and Multilevel Approach 232

Paolo Davide Farah, Piercarlo Rossi

The Emission Trading Scheme Directive: Analysis of Some Contentious Points 245

Charles Poncelet

Fraud on the European Union Emissions Trading Scheme: Effects, Vulnerabilities and Regulatory Reform 255

Katherine Nield and Dr Ricardo Pereira

European Energy and Environmental Law Review

Volume 21 No 1 February 2012



Contents

EU Enforcement of International Environmental Agreements: The Role of the European Commission 2

Martin Hedemann-Robinson

Ecosystem Services. What's in it for a Lawyer? 31

Kathleen Mertens, An Cliquet, Bernard Vanheusden

Regulating Nanomaterials. Bottlenecks and Perspectives in EU Legislation on Chemicals and Products 41

Elizabeth Vogelezang- Stoute

European Energy and Environmental Law Review

Volume 21 No 2 April 2012



Contents

- Rationale for an Holistic Approach to the Land and Adjacent Sea in Response to Challenges Arising from Technological Development and the Effects of Global Warming: Planning in the Aquitorium** 52
Teresa Parejo-Navajas
- Mind that Gap: International Climate Law, Health Protection and the United Kingdom's Climate Legislation** 79
William Onzivu
- Strategic Environmental Assessment - Experience, Status and Directions** 92
Mary Sabina Peters and Manu Kumar

European Energy and Environmental Law Review

Volume 21 No 3 June 2012

Contents



The EU Emission Trading Scheme in Phase III and the New Californian Cap-and-Trade System: A Comparative Assessment	106
<i>Gianni Lo Schiavo</i>	
Regulating Better Biofuels for the European Union	123
<i>Seita Romppanen</i>	
Smart Grids: Legal Growing Pains	142
<i>Ann-Sofie Vanwinsen</i>	

European Energy and Environmental Law Review

Volume 21 No 4 August 2012

Contents



Recent Developments Regarding the EU Environmental Liability for Enterprises: Lessons Learned from Italy's Implementation of the "Raffinerie Méditerranée" Cases 156

Sandra Cassotta and Christophe Verdure

Environmental Protection and Markets in Waste Management The Transposition of Directive 2008/98/EC into the Italian Legal System 165

Giovanna Mastrodonato

Protection of the Health of Workers and the General Public under the Euratom Treaty and the EU Environmental Policy - the Ratio between Human Health Protection and Environmental Protection 176

Ilina Cenevska

Case Note 188

On Inuit and Judicial Protection in a Shared Legal Order

Jan H. Jans

European Foreign Affairs Review

Volume 16

November 2011

Issue 4



CONTENTS

- Beyond A Trade Agenda: EU's Interregional Approach towards East Asia** 407
Weifeng Zhou
- The Impact of China's Rise on the EU's Geopolitical Reach and Interests in Africa** 427
Anna Katharina Stahl
- Building a European Diplomacy: Recruitment and Training to the EEAS** 447
Mai 'a K. Davis Cross
- Perverted Conditionality: The Stabilisation and Association Agreement between the European Union and Serbia** 465
Bernhard Stahl
- Integrating an Outsider: An EU Perspective on Relations with Norway** 489
Christophe Hillion
- Eyes Wide Shut: The European Union and the Arab Minority in Israel** 521
Nathalie Tocci and Benedetta Voltolini
- What Is the Direction for the EU's Development Cooperation after Lisbon? A Legal Examination** 539
Morten Broberg

European Foreign Affairs Review

Volume 16 December 2011 Special Issue



CONTENTS

Promoting Embedded Democracy? Researching the Substance of EU Democracy Promotion

Anne Wetzel & Jan Orbie

Democratic Conditionality in the Eastern Enlargement: Ambitious Window Dressing

589

Eline De Ridder & Dimitry Kochenov

EU Democracy Promotion in the Eastern Neighbourhood: One Template, Multiple Approaches

607

Susan Stewart

Preoccupied with the Market: The EU as a Promoter of 'Shallow' Democracy in the Mediterranean

623

Vicly Reynaert

Advancing Democracy on Difficult Terrain: EU Democracy Promotion in Central Asia

639

Fabienne Bossuyt & Paul Kubicek

Democracy Promotion Meets Development Cooperation: The EU as a Promoter of Democratic Governance in Sub-Saharan Africa

659

Karen Del Biondo

Trapped in Regionalism: The EU and Democracy Promotion in the South Pacific

673

Maurizio Carbone

EU Democracy Promotion in Latin America: More a Tradition than a Policy

689

Susanne Grätius

With Map and Compass on Narrow Paths and through Shallow Waters: Discovering the Substance of EU Democracy Promotion

705

Anne Wetzel & Jan Orbie

How Substantial Is Substance? Concluding Reflections on the Study of Substance in EU Democracy Promotion

727

Frank Schimmelfennig

European Foreign Affairs Review

Volume 17

February 2012

Issue 1



ACP-EU Development Cooperation at a Crossroads? One Year after the Second Revision of the Cotonou Agreement

Sandra Bartelt

1

EU-Brazil Relations: A Strategic Partnership?

Richard G. Whitman & Annemarie P. Rodt

27

The European External Action Service: Antidote against Incoherence?

Simon Duke

45

Image-ing the EU as an International Leader: A Survey of Asian Newsmakers' Perceptions from a Public Diplomacy Perspective

Natalia Chaban

69

A Force for Good Governance? The European Union's Normative Power and Standards of Appropriate Governing

Hendrik Huelss

93

EU Counter-Terrorist Sanctions against Individuals: Problems and Perils

Christina Eckes

113

Antiterrorism Cooperation between the EU and ASEAN

Constance Chevallier-Govers

133

European Foreign Affairs Review

Volume 17

May 2012

Issue 2



- Coherence in European Union External Policy before and after the Lisbon Treaty:
The Cases of Energy Security and Climate Change**
Sijbren de Jong & Simon Schunz 165
- Standing together or Doing the Splits? Evaluating European Union Performance in
the Nuclear Non-proliferation Treaty Review Negotiations**
Megan Dee 189
- Trade and Investment Relations between the European Union and Australia: For a
Bilateral Economic Integration Agreement**
Gonzalo Villalta Puig 213
- The ACP-EU Joint Parliamentary Assembly Seen by its Members: Empowering the
Voice of People's Representatives?**
Sarah Delputte 241
- The EU, the Somalia Challenge, and Counter- piracy: Towards a Comprehensive
Approach?**
Hans-Georg Ehrhart & Kerstin Petretto 261
- Why the EU is Failing in its Neighbourhood: The Case of Armenia**
Lieve Van Hoof 285
- The Making of the EU's External Action Service: A Neorealist Interpretation**
Michael Kluth & Jess Pilegaard 303

European Journal of International Relations

Volume 17 Number 4 December 2011

Contents



- International interdependence and regulatory power: Authority, mobility, and markets** 589
Abraham L. Newman and Elliot Posner
- The concept of practice in the English School** 611
Cornelia Navari
- The enforcement-exploitation trade-off in international cooperation between weak and powerful states** 631
Johannes Urpelainen
- Multilateralism: America's insurance policy against loss** 655
Dominic Tierney
- Towards a social-relational dialectic for world politics** 679
Shannon Brincat
- Rebels without a conscience: The evolution of the rogue states narrative in US security policy** 705
Alexandra Homolar
- Not just the Games? Power, protest and politics at the Olympics** 729
M. Patrick Cottrell and Travis Nelson
- Linkages, contests and overlaps in the global intellectual property rights regime** 755
Valbona Muzaka

European Journal of Law Reform

2011 (13) 3-4



Table of Contents

Editorial

African Conference on International Commercial Law 341

Ingeborg Schwenzer

International Sales Law La vente commerciale en droit OHADA: apports et emprunts 344

Joseph Issa Sayegh

The Case for Accession to, or Ratification of, the Vienna United Nations Convention on the International Sale of Goods 1980 by African States 360

S.K. Date-Bah

Regional and Global Unification of Sales Law 370

Ingeborg Schwenzer

INCOTERMS® 2010 380

Jan Ramberg

International Commercial Arbitration

Arbitration and Promotion of Economic Growth and Investment 388

Jason Fry

L'internationalité de l'arbitrage OHADA 397

Gaston Kenfack Douajni

Autonomy and Due Process in Arbitration Recalibrating the Balance 413

Christa Roodt

Unification of Contract Law

Unification of General Contract Law in Africa 435

The Case of the UNIDROIT Principles of International Commercial Contracts

Stefan Vogenauer

Propos impertinents sur l'unification du droit général des contrats 441

Mbissane Ngom

Unification of Southern African Contract Law 451

Riekie Wandrag

OHADA's Proposed Uniform Act on Contract Law 462

Formal Law for the Informal Sector

Claire Moore Dickerson

Future of International Sales Law in Africa International Trade Law Reform in Africa A Call for Action 479

Luca G. Castellani

Promouvoir le droit commercial international en Afrique – La contribution d'UNIDROIT	488
<i>Frédérique Mestre</i>	
The Future of International Commercial Law in East Africa	505
<i>Stephen Agaha</i>	
Young Researchers	
Les avantages comparatifs des Règlements d'arbitrage CIRDI-CNUDCI-CCJA	514
<i>Sylvie Bebohi</i>	
Chinese Judicial Methodologies to Determine the Validity of Arbitration Agreements "Arbitration in Hong Kong and English Law to Apply" as an Example	529
<i>Song Lianbin & Sophia Juan Yang</i>	
Making a Case for an OHADA Corporate Governance Principles-Based Regime	540
<i>Enga Kamení</i>	
Is Africa Ready for Electronic Commerce? Critical Appraisal of the Legal Framework for Ecommerce in Africa	550
<i>Nnaemeka Ewelukwa</i>	
La libre Circulation des marchandises dans l'Union Européenne et dans L'UEMOA Approche comparative sous un angle commercial	577
<i>Ousmane Bougouma</i>	
L'uniformité du droit du contrat de transport international de marchandises par mer	600
<i>Gurvan Branellec</i>	
Danone v. Wahaha: Who Laughs Last?	614
<i>Quingxui Bu</i>	
The Future of Agreed Sums Payable upon Breach of an Obligation	629
<i>Pascal Hachem</i>	

European Journal of Law Reform

2012 (14) 1



Table of Contents

Articles

- The Response of National Law to International Conventions and Community Instruments - the Dutch Example** 3
Dorothea van Iterson
- Trade in Oil and Export Restrictions Taking the Organization of the Petroleum Exporting Countries to the WTO Court** 17 *B*
ashar H. Malkawi
- From Port Louis to Panama and Washington DC Two Regional Approaches to International Commercial Arbitration** 44 *J*
onathan Bashi Rudahindwa
- Current Developments in the National Laws of Maintenance A Comparative Analysis** 65 *D*
ieter Martiny
- Immigration, Religion and Human Rights State Policy Challenges in Balancing Public and Private Interests** 85 *E*
ric Tardif
- Teaching Legislative Drafting The Necessity for Clinical Legal Education** 104
Tonye Clinton Jaja
- State Aid Given by Local Government Which Disorts Competition** 113
Fjoralba Caka

European Journal of Migration and Law

CONTENTS Vol. 14 No. 1 2012



Articles

Violeta Moreno-Lax,

Dismantling the Dublin System: M.S.S. v. *Belgium and Greece*

1

Steve Peers,

An EU Immigration Code: Towards a Common Immigration Policy

33

Anja Wiesbrock

Granting Citizenship-related Rights to Third-Country Nationals: An Alternative to the Full Extension of European Union Citizenship?

63

Sokol Dedja

Human Rights in the EU Return Policy: The Case of the EU-Albania

Relations

95

European Journal of Migration and Law

CONTENTS Vol. 14 No. 2 2012



Articles

Júlia Mink,

EU Asylum Law and Human Rights Protection: Revisiting the Principle of *Non-refoulement* and the Prohibition of Torture and Other Forms of Ill-treatment
119

Helen Oosterom-Staples,

To What Extent Has Reverse Discrimination Been Reversed? 151

Julia Mourão Permoser,

Civic Integration as Symbolic Politics: Insights from Austria 173

News

Steve Peers,

Legislative Update 2011, EU Immigration and Asylum Law: The Recast Qualification Directive 199

Case Report

Sophie Lieven,

Case Report on C-411/10, N.S. and C-493/10, M.E. and Others, 21 December 2011 223

European Journal of Migration and Law

CONTENTS Vol.14 No. 3 2012



Special Issue: Statelessness in Europe

Guest Editors: Brad K. Blitz & Amal de Chickera

Editorial

Brad K. Blitz & Amal de Chickera

239

Articles

Laura van Waas

Fighting Statelessness and Discriminatory Nationality Laws in Europe

243

Mark Manly

UNHCR's Mandate and Activities to Address Statelessness in Europe

261

Gábor Gyulai

Statelessness in the EU Framework for International Protection

279

Claude Cahn

Minorities, Citizenship and Statelessness in Europe

297

Rene de Groot & Olivier Vonk

Nationality, Statelessness and ECHR's Article 8: Comments on *Genovese v. Malta*

317

Amal de Chickera

The Human Rights of Stateless Persons in Europe – Interview with Commissioner Thomas Hammarberg

327

Guidelines to Protect Stateless Persons from Arbitrary Detention - The Equal Rights Trust

335

European Journal of Political Research

CONTENTS VOLUME 51, NUMBER 1



Representation as a median mandate: Taking cross-national differences seriously 1

Robin E. Best, Ian Budge & Michael D. McDonald

Going, going, . . . gone? The decline of party membership in contemporary Europe 24

Ingrid Van Biezen, Peter Mair & Thomas Poguntke

Representation as a median mandate? A response to Best, Budge and McDonald 57

Paul V. Warwick

When do parties emphasise extreme positions? How strategic incentives for policy differentiation influence issue importance 64

Markus Wagner

On either side of a moat? Elite and mass attitudes towards right and wrong 89

Nicholas Allen & Sarah Birch

Interest groups in the media: Bias and diversity over time 117

Anne Skorkjaer Binderkrantz

European Journal of Social Security

Volume 13 number 4

CONTENTS

EDITORIAL

Michael Adler, Frans Pennings and Sara Stendahl 391

ARTICLES

Income Redistribution in Iceland: Development and European Comparisons

Arnaldur Sölvi Kristjánsson 392

The Cross-border Health Care Directive: More Free Movement for Citizens and More Coherent EU Law?

Frans Pennings 424

Towards Minimum Income Protection in Europe: Budgetary and Political Obstacles to Overcome

*Bea Cantillon, Herwig Verschueren and
Natascha Van Mechelen* 453

RECENT NEWS AND CASE LAW

Overview of Recent Cases Before the European Court of Human Rights and the European Court of Justice (July 2011 - September 2011)

Mel Cousins 470



European Journal of Social Security

Volume 14 number 1



ARTICLES

Gender Equalising and Gender Neutral Policies and Their Pitfalls: A Typology of the Gender Dimensions of Social Policies

Patricia Frericks

2

A Just Distribution of Health Care in the Case of Orphan Medicinal Products: Aligning the Interests of European Economic Integration and National Welfare Policy

Andrea Faeh

21

RECENT NEWS AND CASE LAW

Overview of Recent Cases Before the European Court of Human Rights and the European Court of Justice (September - December 2011)

Mel Cousins

41

European Law Journal

Volume 18, Issue 1, January 2012



Special Issue: Financial Market Regulation and Economic Governance

Guest Editor: *Francis Snyder*

Introduction 1

Francis Snyder

A Critical Genealogy of European Macroeconomic Governance 6

Rémi Colliat

The Political Economy of Financial Sector Supervision and Banking Crises: A Cross-Country Analysis 24

Puspa Delima Amri and Brett Matthew Kocher

Who Governs Finance? The Shifting Public-Private Divide in the Regulation of Derivatives, Rating Agencies and Hedge Funds 44

Stefano Pagliari

Stress before Consumption: A Proposal to Reform

Agency Ratings 62

Sarah Pei Woo

Corporate Governance in Crisis? The Politics of EU Corporate Governance Regulation 83

Laura Horn

Improving Financial Stability: Can European Union Member States Learn From China's Experience in Enhancing Commercial Banks' Social Responsibilities? 108

Suyu Liu

The Influence of the Euro in Reshaping Global Monetary Governance: Perceptions from financial elites in Brazil and China 122

Miguel Otero-Iglesias

The Participation of the European Union in Global Economic Governance Fora 143

Alan Hervé

European Law Journal

Volume 18, Issue 25 March 2012

ARTICLES

The European Law Institute

Francis Jacobs

Constitutionalising the Market, Marketising the Constitution, and to Tell the Difference: On the Horizontal Application of the Free Movement Provisions in EU Law 177

Harm Schepel

The Law Applicable to Divorce as Test Ground for Enhanced Cooperation 201

Jan-Jaap Kuipers

Protecting Supremacy from External Influences: A Precondition for a European Constitutional Legal Order? 230

Christina Eckes

Supranational Fundamental Rights or Primacy of Sovereignty?

Legal Effects of the So-Called Opt-Out from the EU Charter of Fundamental Rights 251

Vojtech Belling

Developing Administrative Principles in the EU: A Foundational Model of Legitimacy? 269

Melanie Smith

Issues in Anti-Corruption Law: How Can Code of Conduct Laws Be Drafted in Order to Reduce Corruption in a Public Sector like Romania's 289

Bryane Michael



European Law Journal

Volume 18, Issue 3, May 2012



Review of European Law in Context

Founding Editor: Francis Snyder

ARTICLES

- Conceptualising Multilevel Regulation in the EU: A Legal Translation of Multilevel Governance?** 335
Nupur Chowdhury and Ramses A. Wessel
- Legal Order, Legal Pluralism, Fundamental Principles. Europe and Its Law in Three Concepts** 358
Giulio Itzcovich
- Constitutional Pluralism and the Question of the European Common Good** 385
Marco Goldoni
- Horizontal Liability for Damages in EU Law - the Changing Relationship of EU and National Law** 407
Katri Havu
- Accountability for Delegated and Implementing Acts after the Treaty of Lisbon** 427
Steve Peers and Marios Costa
- EU-China Competition Dialogue: A New Step in the Internationalisation of EU Competition Law?** 461
Qianlan Wu

European Law Journal

Volume 18, Issue 4, July 2012

Review of European Law in Context

Founding Editor: Francis Snyder



CONTENTS

ARTICLES

- Bringing the Integration of Citizens into Line with the Integration of States** 485
Jürgen Habermas
- EU Constitutionalism in Flux: Is the Eurozone Crisis Precipitating Centralisation or Diffusion?** 489
Nicole Scicluna
- EU Citizenship and Political Identity: The Demos and Telos Problems** 504
Pablo Cristóbal Jiménez Lobeira
- Judicial Interpretation or Judicial Activism? The Legacy of Rationalism in the Studies of the European Court of Justice** 518
Andreas Grimm
- Why Is Fast Track the Way to Go? Justifications for Early Agreement in the Co-Decision Procedure and Their Effects** 536
Rik de Ruiter and Christine Neuhold
- EU Merger Remedies and Competition Concerns: An Empirical Assessment** 555
Wei Wang and Matti Rudanko
- The Impact of Training and Language Competence on Judicial Application of EU Law in Hungary** 577
Allan F. Tatham

European Law Review

Volume 36 Issue 6 December 2011

Table of Contents

Editorial

Holding on .. 767

Articles

Applying Principles of EU Social and Employment Law in EU Staff Cases

Siofra O'Leary 769

Restrictive Measures Adopted by the European Union from the Standpoint of International and EU Law

Tarcisio Gazzini and Ester Herlin-Karnell 798

Theory of European Union

Matej Avbelj 818

Rethinking Minority Share Ownership and Interlocking Directorships: The Scope for Competition Law Intervention.

Tommy Staahl Gabrielsen, Erling Hjelmeng and Lars Sørsgard. 837

Analysis and Reflections

Disentangling the "Union Citizenship Puzzle"? The *McCarthy* Case

Anja Wiesbrock 861

Track[ing] Changes: An Examination of EU Regulation of Online Behavioural Advertising through a Data Protection Lens

Orla Lynskey 874

Patent Pools and Agreements on Standards

John Temple Lang 887

Equality, Fundamental Rights and the Limits of Legislative Discretion: Comment on *Test-Achats*

Philippa Watson 896



European Law Review

Volume 37 number 1

Issue 1 February 2012



Table of Contents

Editorial

Is there such a thing as too much law?	1
---	---

Articles

The United Kingdom's European Union Act 2011: "Who Won the Bloody War Anyway?"

<i>Michael Gordon and Michael Dougan</i>	3
--	---

Between Flexicurity and Fundamental Social Rights: The EU Directives on Atypical Work

<i>Mark Bell</i>	31
------------------	----

Hybridity before the Court: a Hard Look at Soft Law in the EU Competition and State Aid Case Law

<i>Oana Stefan</i>	49
--------------------	----

Analysis and Reflections

The European Investment Bank after the Treaty of Lisbon

<i>Giannangelo Marchegiani</i>	70
--------------------------------	----

Through Contact Lenses, Darkly: Is Identifying Restrictions to Free Movement Harder than Meets the Eye? Comment on *Ker-Optika*

<i>Pedro Caro de Sousa</i>	79
----------------------------	----

Judge-Made Standards of National Procedure in the Post-Lisbon Constitutional Framework

<i>Pieter Van Cleynenbreugel</i>	99
----------------------------------	----

European Law Review

Issue 3 June 2012



Editorial

Statistics of judicial activity 229

Articles

The Stability, Coordination and Governance Treaty: Principle, Politics and Pragmatism

Paul Craig 231

Internal Border Controls in the European Union: Recent Challenges and Reforms

Carsten Willemoes Jørgensen and Karsten Engsig Sørensen 249

The Rating Agency Oligopoly and its Consequences for European Competition Law

Henrik Gildehaus 269

Labour Considerations in EU Procurement: A Study of UK Utilities

Eleanor Aspey 294

Analysis and Reflections

International Aviation and the EU Carbon Trading Scheme: Comment on the *Air Transport Association of America* Case

Eileen Denza 314

State Aid and Selectivity in the Context of Emissions Trading: Comment on the *NOx* Case

Wolf Sauter and Hans Vedder 327

Dark Matter - Competence, Jurisdiction and "the Area Largely Covered by EU Law": Comment on *Lesoochranárske*

Marcus Klamert 340

European Public Law

Volume 17

December 2011

Number 4



Rapports

European Court of Human Rights: May 2010-April 2011

Alastair Mowbray 605

Recent Developments in Luxembourg: The Activity of the European Courts in 2010

Andrea Biondi and Stefanie Ripley 633

Scrutiny

Dating Cinderella: On Subsidiarity as a Political Safeguard of Federalism in the European Union

Giuseppe Martinico 649

The ECtHR, National Constitutional Law, and the Limits of Democracy: *Sitaropoulos and Others v. Greece*

Michael Ioannidis 661

Feature Articles

Can Russian Citizens Influence Public Decision-Making? An Evaluation against the Background of Article 25 of the ICCPR with Some Comparative Observations

Mariya Riekkinen 675

'A Spectre Is Haunting Europe': European Citizenship in the Area of Freedom, Security, and Justice

Luisa Marin 705

ECJ Advances Equality in Europe by Giving Horizontal Direct Effect to Directives

Erica Howard 729

The *Kadi* Case: The Turkish Side of the Implementation Saga of Security Council Resolutions

Mustafa T. Karayigit 745

European Public Law

Volume 18

March 2012

Number 1



Rapports

Former President Guilty of Sexual Crimes: Some Constitutional Thoughts Following the Katzav Affair

Suzie Navot 1

Poland: As Regards State Decentralization

Ewa J. Nowacka and Konrad Nowacki 17

Articles

Sanctions for Infringement of EU Law after the Treaty of Lisbon

Steve Peers 33

A Case for OLAF: The Place and Role of the Anti-fraud Office in the European Union Context

George Kratsas 65

The 'Guiding Hand' Model as a Technique of Regulation

Fabio Giglioni 99

From 'Administrative Cooperation' in the Application of European Union Law to 'Administrative Cooperation' in the Protection of European Rights and Liberties

Micaela Lottini 127

The Right to Be Heard in the Charter of Fundamental Rights of the European Union

Itai Rabinovia 149

European Public Law

Volume 18 June 2012 Number 2



Rapports

Leonard F.M. Besselink

231

Constitutional Adjudication in the Era of Globalization: The Netherlands in Comparative Perspective

Scrutiny

Eva Julia Lohse

249

Surprise? Surprise! - Case C-115/09 (Kohlekraftwerk Lünen) - A Victory for the Environment and a Loss for Procedural Autonomy of the Member States?

Gian Franco Cartei

269

The Implementation of the European Landscape Convention and Public Participation

Articles

Jürgen Schwarze

285

European Administrative Law in the Light of the Treaty of Lisbon

Sergio Alonso de León

305

Regions and Subsidiarity in the European Union: A Look at the Role of the Spanish and other Regional Parliaments in the Monitoring of Compliance with the Principle of Subsidiarity

George Papuashvili

323

The 1921 Constitution of the Democratic Republic of Georgia: Looking Back after Ninety Years

Patricia Mindus, Marco Goldoni

351

Between Democracy and Nationality: Citizenship Policies in the Lisbon Ruling

Eva Nieto-Garrido

373

Possible Developments of Article 298 TFEU: Towards an Open, Efficient and Independent European Administration

European Public Law

Volume 18

September 2012

Number 3



Rapports

The Belgian Constitutional Review Procedure under European Scrutiny

Prof. Patrick Peeters

411

English Rapport: The Coalition and the Constitution

Cosmo Graham

423

Hungary The New Fundamental Law

Attila Vincze & Marton Varju

437

Scrutiny

Liberty before Security: Case T-85/09

Yassin Abdullah Kadi v. Commission (No. 2) [2010]

ECR 00000 (30 September 2010)

457

Hayley J. Hooper

Featured Articles

Human Rights and Acts by Troops Abroad: Rights and Jurisdictional Restrictions

Mads Andenas & Eirik Bjorge

473

Redefining the Outer Boundaries of EU Law: The *Zambrano*, *McCarthy* and *Dereci* trilogy

Alina Tryfonidou

493

The French Parliament and European Integration

Arthur Dyeve

527

European Review of Contract Law

ARTICLES

Norbert Reich

EU Strategies in Finding the Optimal Consumer Law instrument

Ruth Sefton-Green

How far can we go when using the English language for private law in the EU? 30

Dorota Leczykiewicz

'Where Angels Fear to Tread': The EU Law of Remedies and Codification of European Private Law

47

COMMENTARY

Jürgen Basedow

The Optional Instrument of European Contract Law: Opting-in through Standard Terms - A Reply to Simon Whittaker -

82

EU LEGISLATION

Rossella Delfino

European Community Legislation and Actions

88

CASE NOTE

Aukje A.H. van Hoek

CJEU - Pammer and Alpenhof - Grand Chamber 7 December 2010, joined cases 585/08 and 144/09, not yet published.

93



European Review of Contract Law

Volume 7 number 4



ARTICLES

Gregor Christandl

The 'dying' offer Rule in European Contract Law

463

Stefan Grundmann

The Future of Contract Law

490

CASE NOTE

Hans-W. Micklitz

German Constitutional Court (Bundesverfassungsgericht BVerfG) 2 BvE 2/08, 30. 6. 2009 - Organstreit proceedings between members of the German Parliament and the Federal Government

528

EU LEGISLATION

Rossella Delfino

European Union legislation and Actions

547

SECTORAL AND NATIONAL DEVELOPMENTS

Andrea Mozzati and Giorgio Afferni

RECENT DEVELOPMENTS IN THE EUROPEAN LAW OF PUBLIC CONTRACTS

552

European Review of Private Law

VOLUME 19 NO. 6-2011

709-715 *Ewoud Hondius*

Editorial/Editorial/Redaktionell

Articles/Articles/Aufsätze (Special Issue)

717-728 *Ole Lando*

Comments and Questions Relating to the European Commission's Proposal for a Regulation on a Common European Sales Law

729-758 *Marco Loos, Natali Helberger, Lucie Guibault & Chantal Mak*

The Regulation of Digital Content Contracts in the Optional Instrument of Contract Law

759-785 *Chiara Cravetto & Barbara Pasa*

The 'Non-sense' of Pre-contractual Information Duties in Case of Non-concluded Contracts

787-797 *Annick De Boeck*

B2B Information Duties in the Feasibility Study: Analysis of Article 23

799-815 *Erik Monsen*

Disgorgement Damages for Breach of Pre-contractual Obligation and Contract

817-833 *Robert Hardy*

The Feasibility Study's Rules on Contract Interpretation

835-853 *Thomas Pfeiffer*

Unfaire Vertragsbestimmungen

855-872 *Ilse Samoy, Tâm Dang Vu & Sanne Jansen*

'Don't Find Fault, Find a Remedy'

873-905 *Régine Feltkamp & Frédéric Vanbossele*

The Optional Common European Sales Law for European Contract Law: Better Buyer's Remedies for Seller's Non-performance in Sales of Goods?

907-919 *Sonja Kruisinga*

The Seller's Right to Cure in the CISG and the Common European Sales Law

921-929 *Kare Lilleholt*

Passing of Risk and the Risk of Mystification: Some Drafting Issues

931-949 *Jacques Herbots*

Why It Is Ill-Advised to Translate Consequential Damage by Dommage Indirect

951-976 *Anne Keirse*

Why the Proposed Optional Common European Sales Law Has Not, But Should Have, Abandoned the Principle of All or Nothing: A Guide to How to Sanction the Duty to Mitigate the Loss

977-1000 *Pietro Sirena*

The Rules about Restitution in the Proposal on a Common European Sales Law



Articles/Articles/Aufsätze

1001-1021 *Ángel Carrasco Perera & Karolina Lyczkowska*

Conflicts among Creditors in the Regulation of Security Interests under the Draft Common Frame of Reference a View from Spanish Law

European Review of Private Law

Volume 20 No. 1-2012

1-2 *Matthias Storme*

Editorial/Editorial/Redaktionell

Articles/Articles/Aufsätze (Special Issue: Complexity Of Transnational Law)

3-50 *Silvia Ferreri*

General Report: Complexity Of Transnational Sources

51-80 *Bea Verschraegen*

Austrian Report

81-100 *Helge Dedek & Alexandra Carbone* **Canadian Report**

101-122 *Eva-Maria Kieninger & Karin Linhart* **German Report**

123-138 *Georgina Suto Burger* **Hungarian Report**

139-152 *Tetsuo Morishita* **Japanese Report**

153-168 *Jan Smits* **Dutch Report: Coherence And Fragmentation Of Private Law**

169-184 *Salvatore Mancuso* **Ohada Report**

185-194 *Andreas Fötschl* **Swiss Report**

Articles/Articles/Aufsätze

195-212 *Martijn Hesselinic*

How To Opt Into The Common European Sales Law? Brief Comments On The Commission's Proposal For A Regulation

213-236 *Vanessa Mak*

Full Harmonization in European Private Law: a Two-Track Concept

237-254 *Matthias Storme*

The Foundations Of Private Law In A Multilevel Structure: Balancing, Distribution Of Lawmaking Power, And Other Constitutional Issues

Case Notes /Annotations/Entscheidungsanmerkungen

255-262 **Anmerkung Zu Eugh C-65/09 (Gebr. Webergmbh/Wittmer) U. C-87/09 (Putz/Medianess Electronics Gmbh) V. 16. 6. 2011** *By Bernhard Kreße*



European Review of Private Law

VOLUME 20 NO. 3-2012



661-666 *Ewoud Hondius*

Diskriminierungsschutz und Europäisches Vertragsrecht

667-684 *Georg E. Kodek*

200 Jahre Allgemeines Bürgerliches Gesetzbuch-Das ABGB im Wandel der Zeit

685-710 *Thomas Olechowski*

Das ABGB - Rechtseinheit für Zentraleuropa

711-738 *Clemens Hasenauer*

Internationalisierung der Vertragskultur an Hand von Unternehmenskauf- und Finanzierungsverträgen

739-748 *Raimund Bollenberger*

"Kautelarjurisprudenz" - Possibilities and Limitations of Drafting Contracts in Austria

749-768 *Christiane Wendehorst*

Allgemeines Bürgerliches Gesetzbuch (ABGB) und Europäisches Privatrecht

769-804 *Peter Sparkes*

Certainty of Property: *Numerus Clausus* or the Rule with No Name?

805-828 *Gareth Davies*

Freedom of Movement, Horizontal Effect, and Freedom of Contract

829-850 *Günter Weick*

Fault or Risk? A Comparative Study on the Liability for Damage Caused by Trees

851-880 *Marjeta Tomulic Vehovec*

The Cause of Member State Liability

European State Aid Law Quarterly

Volume 11 number 1

EDITORIAL



- Taking Tax Law Seriously: The Opinion of AG Mazák in EDF** 1
Thomas Jaeger

NEWS FROM THE MEMBER STATES

- Austria** • *Birgit Haslinger* 5
Belgium • *Cédric Kaczmarek and Mercedes Smeets* 8
Cyprus • *Michalis Kamperis* 10
France • *Nicole Coutrelis, Sandra Caussanel and Thomas Gourdeau* 12
Greece • *Christina Sarantidou* 14
Malta • *Yana Haber* 15
EFTA States and EFTA Community • *Birgitte Wilhelmsen Wessel and Monica Wroldsen* 17
Poland • *Katarzyna Tosza and Przemysław Kamil Rosiak* 22
Slovenia • *Janez Ahlin* 23
Spain • *Maria Muñoz de Juan* 26
Sweden • *Ida Otken Eriksson* 30

OPINION

- Recovery of State Aid in Corporate Groups and Post-Transfer** 33
Juraj Gyarfas

ARTICLES

- The 2009 Broadcasting Communication and the Commission's Decisional Practice Two Years after its Entry into Force** 37
Ansgar Held and Annette Kliemann
- State Aid for Films and Other Audiovisual Works - Current Affairs and New Developments** 49
Irina Orssich
- State Aids to the Press: The EU's Perspective** 57
Evangelia Psychogiopoulou
- "Driving" Altmark in Land Transport** 73
Mihalis Kekelekis
- Port Infrastructure and State Aids: In Search of a Coherent EU Policy** 85
Nikolaos Farantouris
- Selected Issues Raised by Bank Restructuring Plans under EU State Aid Rules** 93
François-Charles Laprèvote
- State Aid for the Coal Sector - Inevitable or Dispensable?** 113
Matthias Lang

CASE LAW AND NOTES

Todaro Nunziatina & C. Snc

Judgment of the Court (Fourth Chamber) of 20 May 2010 (C-138/09) 123

Annotation • Sabine Fehringer 133

AceaElectrabel Produzione SpA v European Commission

Judgment of the Court (Second Chamber) of 16 December 2010 (C-480/09 P) 139

Annotation ■ Tony Joris 149

Mediaset SpA v European Commission

Judgment of the Court (Third Chamber) of 28 July 2011 (C-403/1 OP) 163

Judgment of the General Court (Second Chamber) of 15 June 2010 (T-177/07) 179

Annotation • Daniel von Brevem and René Grafunder 201

Germany v Commission

Judgment of the Court of First Instance (Fifth Chamber) of 25 November 2009 (T-376/07) 209

Annotation • Péter Staviczky 215

Frucona Košice a.s. v European Commission Judgment of the General Court (Second Chamber) of 7 December 2010 (T-11/07) 221

Annotation • Olaf Otting and Sebastian Rothweiler 253

Cases T-267/08 and T-279/08

Judgment of the Court (Eighth Chamber) of 12 May 2011 (T-267/08 and T-279/08) 261

Annotation • Ursula O'Dwyer 263

Buczek Automotive sp. z o. o. v European Commission

Judgment of the Court (Second Chamber) of 17 May 2011 (T-1/08) 271

Annotation • María Muñoz de Juan and Jose Manuel Panero Rivas 273

Ryanair Ltd v European Commission Judgment of the General Court (Fifth Chamber) of 19 May 2011 (T-423/07) 283

Annotation • Kai Struckmann and Genevra Forwood 291

European Union Politics

Volume 12 Number 4 December 2011

Contents



Articles

- The contextual nature of lobbying: Explaining lobbying success in the European Union** 483

Heike Klöver

- The euro area's common default risk: Evidence on the Commission's impact on European fiscal affairs** 507

Roman Goldbach and Christian Fahrholz

- Who is in love with multilateralism? Treaty commitment in the post-Cold War era** 529

Manfred Elsig, Karolina Milewicz and Nikolas Stürchler

- Institutional trust and multilevel government in the European Union: Congruence or compensation?** 551

Jordi Muñoz, Mariano Torcal and Eduard Bonet

- Claiming blame and giving credit? Unintended effects of how government and opposition frame the Europeanization of welfare** 575

Staffan Kumlin

Forum

- The European Parliament: In need of a theory** 597

Nikoleta Yordanova

European Union Politics

Volume 13 Number 1 March 2012



Articles

- Has Europe got anything to do with the European elections? A study on split-ticket voting in the Belgian regional and European elections of 2009** 3
Peter Van Aelst and Jonas Lefevere
- Citizens' support for the European Union and participation in European Parliament elections** 26
Daniel Stockemer
- Interventions and negotiation in the Council of Ministers of the European Union** 47
James P. Cross
- Measuring common standards and equal responsibility-sharing in EU asylum outcome data** 70
Luc Bovens, Chlump Chatkupt and Laura Smead
- Europa ante portas: Border residence, transnational interaction and Euroscepticism in Germany and France** 94
Theresa Kuhn
- Legislative negotiations in the European Parliament** 118
Thomas Jensen and Thomas Winzen
- Policy positioning in the European Parliament** 150
Gail McElroy and Kenneth Benoit
- Measuring salience in EU legislative politics** 168
Andreas Warntjen

European Union Politics

Volume 13 Number 2 June 2012

Contents



Special Issue: The Politics of Dimensionality

Guest Editors: *Catherine E. De Vries and Gary Marks*

Introduction

The struggle over dimensionality: A note on theory and empirics 185

Catherine E. De Vries and Gary Marks

Articles

The dimensionality of political space: Epistemological and methodological considerations 194

Kenneth Benoit and Michael Laver

Complexity in the European party space: Exploring dimensionality with experts 219

Ryan Bakker, Seth Jolly and Jonathan Polk

When dimensions collide: The electoral success of issue entrepreneurs 246

Catherine E. De Vries and Sara B. Hobolt

Who emphasizes and who blurs? Party strategies in multidimensional competition 269

Jan Rovny

The evolution of policy attitudes in France 293

James A. Stimson, Cyrille Thiébaut and Vincent Tiberj

Forum

Reflections on the European integration dimension 317

Sven-Oliver Proksch and James Lo

To dichotomize or not to dichotomize? 334

Gary Marks, Marco Steenbergen and Liesbet Hooghe

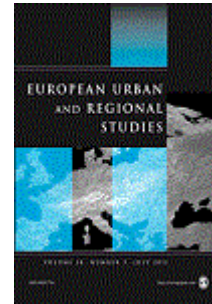
Response to Marks, Steenbergen and Hooghe 340

Sven-Oliver Proksch and James Lo

European Urban and Regional Studies

Volume 19 Number 1 January 2012

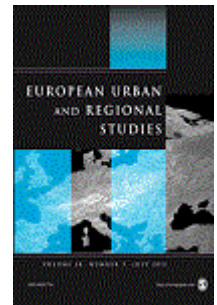
Contents



Editorial	3
<i>Adrian Smith, Neil Coe, Mireia Baylina and Lois Labrianidis</i>	
Articles	
Global shifts in contemporary times: the changing trajectories of steel towns in China, Germany and the United Kingdom	6
<i>Ray Hudson and Dan Swanton</i>	
Framing neoliberal urbanism: Translating 'commonsense' urban policy across the OECD zone	20
<i>Nik Theodore and Jamie Peck</i>	
Regional unemployment impacts of the global financial crisis in the new member states of the EU in Central and Eastern Europe	42
<i>Jiří Blažek and Pavlína Netrdová</i>	
The impacts of the economic crisis on the spatial organization of Hungarian industry	62
<i>Eva Kiss</i>	
Commodity chains, quality conventions and the transformation of agro-ecosystems: olive groves and olive oil production in two Andalusian case studies	77
<i>aniel Coq-Huelva, Manuel David Garcia-Brenes and Assumpta Sabuco-i-Cantó</i>	
The knowledge city against urban creativity? Artists' workshops and urban regeneration in Barcelona	92
<i>Marc Martí-Costa and Marc Pradel i Miquel</i>	

European Urban and Regional Studies

Volume 19 Number 2 April 2012



Contents

Special Issue: Business Improvement Districts (BIDs)

Guest Editors: Elisabeth Peyroux, Robert Pütz and Georg Glasze

Editorial

Business Improvement Districts (BIDs): the internationalization and contextualization of a 'travelling concept'

III

Elisabeth Peyroux, Robert Pütz and Georg Glasze

Articles

The co-production of purified space: hybrid policing in German Business Improvement Districts

121

Volker Eick

Conferences, informational infrastructures and mobile policies: the process of getting Sweden 'BID ready'

137

Ian R. Cook and Kevin Ward

Spillover of the private city: BIDs as a pivot of social control in downtown Los Angeles

153

Nadine Marquardt and Henning Füller

'Clean and safe' passage: Business Improvement Districts, urban security modes, and knowledge brokers

167

Randy Lippert

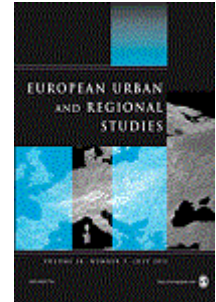
Legitimizing Business Improvement Districts in Johannesburg: a discursive perspective on urban regeneration and policy transfer

181

Elisabeth Peyroux

European Urban And Regional Studies

Volume 19 Number 3 July 2012



Contents

Special Issue: Diversity, Inequality and Urban Change

Guest Editor: Vassilis P Arapoglou

Introduction

Diversity, inequality and urban change 223

Vassilis P Arapoglou

Articles

Urban governance and economic development in the diverse city 238

Stephen Syrett and Leandro Sepulveda

'Ethnic' neighbourhoods? Practices of belonging and claims to the city 254

Ares Kalandides and Dina Vaiou

Immigration, inequality and diversity: socio-ethnic hierarchy and spatial organization in Athens, Greece 267

George Kandyliis, Thomas Maloutas and John Sayas

Social inequality and urban regeneration in Barcelona city centre: reconsidering success 287

Sonia Arbad and Teresa Tapada-Berteli

Work and settlement locations of immigrants: how are they connected? The case of the Oporto Metropolitan Area 312

Emilia Malcata Rebelo

European View

Volume 11 • Number 1 • June 2012

EDITORIAL

What kind of Union?

Wilfried Martens



1

NEW TREATIES, DIFFERENT SPEEDS

What we hope, what we fear, what we expect: possible scenarios for the future of the eurozone

Tobias Kunstein and Wolfgang Wessels

5

The new international treaties in the context of the European Union: a temporary solution for the current political challenges or a risk to the institutional future of the Union?

Carlo Casini

15

The harmless spectre of a multi-speed Europe

Vít Novotný

21

On the edge: Britain and the European Union

Brendan Donnelly

31

Rebooting the Single Market: the top priority for EU growth

Malcolm Harbour

39

RESTRUCTURING THE UNION

The demise of the driving forces behind the liberal and social democratic welfare state

Roland Poirier Martinsson

47

Preserving social models while regaining competitiveness: can Europe do both?

Marek Góra

55

The EU and its democratic deficit: problems and (possible) solutions

Lucia Vesnić-Alujević and Rodrigo Castro Nacarino

63

Electing the Commission President and commissioners directly: a proposal

Frank Decker

71

Journal for European Environmental & Planning Law

Vol. 8 No. 4 2011



CONTENTS

Contributors	299
---------------------	-----

ARTICLES

<i>Jerzy Jendrośka</i> , Aarhus Convention Compliance Committee: Origins, Status and Activities	301
<i>Bernard W. Wegener</i> , European Right of Action for Environmental NGOs	315
<i>Donald McGillivray</i> , Mitigation, Compensation and Conservation: Screening for Appropriate Assessment under the EU Habitats Directive	329
<i>Marianne Hoppenbrouwers</i> , The Story of the Button on the Jacket - Substances of Very High Concern in Complex Products	353

SERVICE SECTIONS

Recent Case-Law of the Aarhus Convention Compliance Committee with Explanatory Remarks	
<i>Jerzy Jendrośka</i>	375
Recent Case-Law of the European Court of Justice and the Court of First Instance	
<i>Jana Bovet</i>	392
Comment on Case C-240/09	
<i>Ludwig Krämer</i>	445

Journal for European Environmental & Planning Law

Vol. 9 No. 1 2012

ISSN: 1613-7272 / E-ISSN: 1876-0104

Special Issue: Documentation of the JEEPL European Environmental Law Forum 2011



CONTENTS

Contributors	1
Editorial	3
ARTICLES	
<i>Astrid Epiney</i> Climate Protection Law in the European Union - Emergence of a New Regulatory System	5
<i>Eckard Rehbinder</i> Sustainable Resource Management-New Legal Approaches Needed?	34
<i>Nicolas de Sadeleer</i> Principle of Subsidiarity and the EU Environmental Policy	63
<i>J. Jendroška</i> Citizen's Rights in European Environmental Law: Stock-Taking of Key Challenges and Current Developments in Relation to Public Access to Information, Participation and Access to Justice	71
<i>Christoph Sobotta</i> Compliance with European Environmental Law - Deficiencies and Approaches: The Role of the Court of Justice of the European Union	91

Journal for European Environmental & Planning Law

Vol. 9 No. 2 2012

ISSN: 1613-7272 / E-ISSN: 1876-0104



CONTENTS

Contributors	109
ARTICLES	
<i>Christian Calliess and Heidi Stockhaus</i>	
Precautionary Principle and Nanomaterials: REACH Revisited	113
<i>Nicolas de Sadeleer</i>	
Scrap Metal Intended for Metal Production: The Thin Line between Waste and Products	136
<i>Silke Ruth Laskowski</i>	
Time for Implementation of the Right to Water and Sanitation	164
<i>L. Squintani</i>	
The Development of Ecological Corridors: Member States' Obligation under the Habitats and Birds Directives?	180
<i>Charlotte Streck, Thiago Chagas, Moritz von Unger, Robert O'Sullivan</i>	
The Durban Climate Conference between Success and Frustration	201

Journal of Common Market Studies

Volume 50 Number 2

March 2012

Michelle Cini and Amy Verdun

Editorial: JCMS Fiftieth Anniversary 195

Orhan Agirdag, Petra Huyst and Mieke Van Houtte

Determinants of the Formation of a European Identity among Children:

Individual- and School-Level Influences 198

Marieke de Goede

The SWIFT Affair and the Global Politics of European Security 214

Rafael Fernandez and Enrique Palazuelos

European Union Economies Facing 'Baumol's Disease' within the Service Sector 231

Tony Heron and Gabriel Siles-Brügge

Competitive Liberalization and the 'Global Europe' Services and Investment

Agenda: Locating the Commercial Drivers of the EU-ACP Economic Partnership Agreements 250

Thomas Horsley

Subsidiarity and the European Court of Justice: Missing Pieces in the Subsidiarity Jigsaw? 267

Zdenek Kudrna

Cross-Border Resolution of Failed Banks in the European Union after the Crisis: Business as Usual 283

Yves Bourdet and Maria Persson

Completing the European Union Customs Union: The Effects of Trade Procedure Harmonization 300

Aneta Spendzharova

Is More 'Brussels' the Solution? New European Union Member States' Preferences about the European Financial Architecture 315

Tim Van Rie and Ive Marx

The European Union at Work? The European Employment Strategy from Crisis to Crisis 335



Journal of Common Market Studies

Volume 50 Number S1

March 2012

Special Issue: *Guest Edited by Walter Mattli and Alec Stone Sweet*

Walter Mattli and Alec Stone Sweet

Regional Integration and the Evolution of the European Polity: On the Fiftieth Anniversary of the Journal of Common Market Studies

1

Berthold Rittberger

Institutionalizing Representative Democracy in the European Union:

The Case of the European Parliament

18

Adrienne Héritier

Institutional Change in Europe: Co-decision and Comitology Transformed

38

R. Daniel Kelemen

Eurolegalism and Democracy

55

Paul Craig

Subsidiarity: A Political and Legal Analysis

72

Sara B. Hobolt

Citizen Satisfaction with Democracy in the European Union

88

Neil Fligstein, Alina Polyakova and Wayne Sandholtz

European Integration, Nationalism and European Identity

106

Barry Eichengreen

European Monetary Integration with Benefit of Hindsight

123

Pieter De Wilde and Michael Zürn

Can the Politicization of European Integration be reversed?

137

Yves Mény

Conclusion: A Voyage to the Unknown

154



Journal of Common Market Studies

Volume 50 . Number 1. January 2012

JCMS Annual Lecture 2011

Gary Marks

Europe and Its Empires: From Rome to the European Union

Elena Aoun

The European Union and International Criminal Justice: Living Up to Its Normative Preferences?

Felix Berenskoetter

Mapping the Field of UK-EU Policing

Charlotte Burns, Neil Carter and Nicholas Worsfold

Enlargement and the Environment: The Changing Behaviour of the European Parliament

Laura Cram

Does the EU Need a Navel? Implicit and Explicit Identification with the European Union

Liesbet Hooghe

Images of Europe: How Commission Officials Conceive Their Institution's Role

Alexander Libman and Evgeny Vinokurov

Regional Integration and Economic Convergence in the Post-Soviet Space: Experience of the Decade of Growth

Diana Panke

Lobbying Institutional Key Players: How States Seek to Influence the European Commission, the Council Presidency and the European Parliament

Thomas Rixen and Peter Schwarz

How Effective is the European Union's Savings Tax Directive? Evidence from Four EU Member States

Louise Van Schaik and Simon Schunz

Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?



1

21

37

54

71

87

112

129

151

169

Journal of Common Market Studies

Volume 50 Number 3 May 2012



Giselle Bosse

- A Partnership with Dictatorship: Explaining the Paradigm Shift in European Union Policy towards Belarus** 367

Anna Herranz-Surrallés

- Justifying Enlargement in a Multi-Level Polity: A Discursive Institutional Analysis of the Elites-Public Gap over European Union Enlargement** 385

Nieves Pérez-Solórzano Borragán and Stijn Smismans

- Representativeness: A Tool to Structure Interest Intermediation in the European Union?** 403

Marianne Sundlisæter Skinner

- Norwegian Euroscepticism: Values, Identity or Interest** 422

Nicole Scicluna

- When Failure isn't Failure: European Union Constitutionalism after the Lisbon Treaty** 441

Daniel C. Thomas

- Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy** 457

Owen Parker

- Roma and the Politics of EU Citizenship in France: Everyday Security and Resistance** 475

Manfred Elsig and Cédric Dupont

- European Union Meets South Korea: Bureaucratic Interests, Exporter Discrimination and the Negotiations of Trade Agreements** 492

Danny Nicol

- Can Justice Dethrone Democracy in the European Union? A Reply to Jürgen Neyer** 508

Jürgen Neyer

- Who's Afraid of Justice? A Rejoinder to Danny Nicol** 523

Journal of Common Market Studies

Volume 50 Number 4 July 2012



STEFAN EICHLER AND KAROL SOBAŃSKI

What Drives Banking Sector Fragility in the Eurozone? Evidence from Stock

Market Data

539

BENJAMIN HAWKINS

Nation, Separation and Threat: An Analysis of British Media Discourses on the European Union Treaty Reform Process

561

ANNA GIULIA MICARA

Current Features of the European Union Regime for Export Control of Dual-Use Goods

578

STEFAN LUTZ AND MARIO PEZZINO

International Strategic Choice of Minimum Quality Standards and Welfare

594

ANNE RASMUSSEN AND PETYA ALEXANDROVA

Foreign Interests Lobbying Brussels: Participation of non-EU Members in Commission Consultations

614

EKATERINA TURKINA AND EVGENY POSTNIKOV

Cross-border Inter-firm Networks in the European Union's Eastern Neighbourhood: Integration via Organizational Learning

632

JENS-UWE WUNDERLICH

The EU an Actor *Sui Generis*? A Comparison of EU and ASEAN Actorness

653

Research Note

ROGER SCULLY, SIMON HIX AND DAVID M. FARRELL

National or European Parliamentarians? Evidence from a New Survey of the Members of the European Parliament

670

Journal of European Integration History

Volume 17 number 2 2011

Introduction

Guido Thiemeyer, Isabel Tölle

Supranationalität im 19. Jahrhundert? Die Beispiele der Zentralkommission für die Rheinschifffahrt und des Octroivertrages 1804-1851 171

Jieskje Hollander

The Dutch Intellectual Debate on European Integration (1948-present). On Teachings and Life 197

Andrea Benvenuti

Australia and Western European Integration in the 1950s 219

Sibylle Hambloch

EEC Competition Policy in the Early Phase of European Integration 237

Philip Bajon

De Gaulle finds his "Master". Gerhard Schröder's "Fairly Audacious Politics" in the European Crisis of 1965-66 253

Marijn Molema

European Integration from below: the Construction of the Ems-Dollart Region, 1964-1978 271

Valentina Vardabasso

La cendrillon de l'histoire: la Cour des comptes européenne et la démocratisation des institutions européennes (1970-1976) 285

Andreas Pudlat

Der lange Weg zum Schengen-Raum: Ein Prozess im Vier-Phasen-Modell 303



Journal of European Integration



VOLUME 34 • Number 1 • January 2012

CONTENTS

Articles

Ramon Pacheco Pardo

Normal Power Europe: Non-Proliferation and the Normalization of EU's Foreign Policy 1

Nicole Alecu de Flers & Patrick Müller

Dimensions and Mechanisms of the Europeanization of Member State Foreign Policy: State of the Art and New Research Avenues 19

Ferdi de Ville

Explaining the Genesis of a Trade Dispute: the European Union's Seal Trade Ban 37

Ariadna Ripoll Servent

Playing the Co-Decision Game? Rules' Changes and Institutional Adaptation at the LIBE Committee 55

Meredith-Joy Petersheim

The European Union and Consolidating Democracy in Central and Eastern Europe 75

Review article

Lukas Obholzer

Different Lenses, one Objective: Towards a Sharper Picture of Policy-making in the European Union 93

Journal of European Integration

VOLUME 34 • Number 3 • April 2012

Articles

Nicholas Dorn

Render Unto Caesar: EU Financial Market Regulation Meets Political Accountability

205

Natasja Reslow

Deciding on EU External Migration Policy: The Member States and the Mobility Partnerships

223

Detlef Sack

Europeanization Through Law, Compliance, and Party Differences - The ECJ's 'Rüffert' Judgment (C-346/06) and Amendments to Public Procurement Laws in German Federal States

241

Andrei V Belyi

The EU's Missed Role in International Transit Governance

261

Sonia Piedrafita

Instrumental Action and Norm Compliance in EU Enlargement Negotiations

277

Michele Chang

Understanding the rules of European economic governance: Economics, politics, and wishful thinking

297



Journal of European Integration

VOLUME 34 • Number 4 • June 2012

CONTENTS

Articles

Ana Isabel Martins, Sophie Lecheler & Claes H. de Vreese

- Information Flow and Communication Deficit: Perceptions of Brussels-Based Correspondents and EU Officials** 305

Andrew Cartwright & Agnes Batory

- Monitoring Committees in Cohesion Policy: Overseeing the Distribution of Structural Funds in Hungary and Slovakia** 323

Charlotte Burns

- How and When Did We Get Here? An Historical Institutional Analysis of EU Biotechnology Policy** 341

Borja García & Henk Erik Meier

- Limits of Interest Empowerment in the European Union: The Case of Football** 359

Alex Warleigh-Lack & Malin Stegmann McCallion

- 'Usages of Europe' and Europeanisation: Evidence from the Regionalisation of Sweden** 379

Anna Michalski

- Social Welfare and Levels of Democratic Government in the EU** 397



Journal of European Integration

VOLUME 34 • Number 5 • July 2012

CONTENTS

Articles



Mihaela Ristei Gugiu

EU Enlargement and Anticorruption: Lessons Learned from Romania 429

Pieterjan De Vlieger & Irina Tanasescu

Changing Forms of Interactions between the European Commission and Interest Groups: The Case of Religious Lobbying 447

Federica Bicchi & Caterina Carta

The COREU Network and the Circulation of Information Within EU Foreign Policy 465

Daniel Wunderlich

Europeanization through the Grapevine: Communication Gaps and the Role of International Organizations in Implementation Networks of EU External Migration Policy 485

Annabelle Littoz-Monnet

Agenda-Setting Dynamics at the EU Level: The Case of the EU Cultural Policy 505

Bert Fraussen

Interest Group Politics: Change and Continuity 523



Journal of European Public Policy

Volume 19 number 2

Contents

- Cheap dates and the delusion of gratification: are votes sold or traded in the EU Council of Ministers?** 141
Jonathan Golub
- Europe's deliberative intergovernmentalism: the role of the Council and European Council in EU economic governance** 161
Uwe Puetter
- Member State interest articulation in the Commission phase. Institutional pre-conditions for influencing 'Brussels'** 179
Markus Haverland and Duncan Liefferink
- Measuring the formal independence of regulatory agencies** 198
Chris Hanretty and Christel Koop
- Does the 'California effect' operate across borders? Trading- and investing-up in automobile emission standards** 217
Richard Perkins and Eric Neumayer
- Engaging with the EU in order to minimize its impact: sport and the negotiation of the Treaty of Lisbon** 238
Borja García and Stephen Weatherill
- Projecting national preferences: police co-operation, organizations and politics** 257
Jacques de Maillard and Andy Smith
- Labour market- versus life course-related social policies: understanding cross-programme differences** 275
Carsten Jensen
- Research agenda section**
Edited by: Berthold Rittberger
- Differentiated integration in the European Union: many concepts, sparse theory, few data** 292
Katharina Holzinger and Frank Schimmelfennig

Journal of European Public Policy

SPECIAL ISSUE

Economic patriotism: political intervention in open economies

Guest editors: *Ben Clift and Cornelia Woll*

Economic patriotism: reinventing control over open markets 307

Ben Clift and Cornelia Woll

Supranational governance as economic patriotism? The European Union, legitimacy and the reconstruction of state space 324

Ben Rosamond

From nationalism to European patriotism? Trade unions and the European works council at General Motors 342

Thomas Fetzner

Homespun capital: economic patriotism and housing finance under stress 358

Leonard Seabrooke

Supporting the City: economic patriotism in financial markets 373

Glenn Morgan

The phantom of Palais Brongniart: economic patriotism and the Paris Stock Exchange 388

Helen Callaghan and Paul Lagneau-Ymonet

Cities as national champions? 405

Colin Crouch and Patrick Le Gales

Economic patriotism in European agriculture 420

Wyn Grant

European armament co-operation and the renewal of industrial policy motives 435

Catherine Hoeffler



Journal of European Public Policy

volume 19 no 5

Contents

SPECIAL ISSUE

EUSA 2011 Boston Conference Papers

Guest editor: *Amie Kreppel*



The normalization of the European Union 635

Amie Kreppel

Fiscal governance in the euro area: institutions vs. rules 646

Andrew Hughes Hallett and Svend E. Hougaard Jensen

Existential crisis, incremental response: the eurozone's dual institutional evolution 2007 - 2011 665

Marion Salines, Gabriel Glöckler and Zbigniew Truchlewski

Market power Europe 682

Chad Damro

European Union regulatory politics in the shadow of the WTO: WTO rules as frame of reference and rhetorical device 700

Ferdi De Ville

European agencies and their boards: promises and pitfalls of accountability beyond design 719

Madalina Busuioc

National parties and group membership in the European Parliament: ideology or pragmatism? 737

Edoardo Bressanelli

The rise and fall of EU studies in the USA 755

David M. Andrews

Journal of European Public Policy

Vol. 19 no 6 2012



Editorial announcement

Journal of European Public Policy (JEPP) Prizes

Jeremy Richardson

777

Institutional hokey-pokey: the politics of multispeed integration in the European Union

779

Christian B. Jensen and Jonathan B. Slapin

Image and venue as factors mediating latent spillover pressure for agenda-setting change

796

Paul J. Stephenson

Formal and real authority of ministerial jurisdictions in semi-open states: the comparative value of administrative inside and outside networking

817

Paul W. Thurner and Martin Binder

From 'Frankenstein' to 'toothless vampire'? Explaining the watering down of the Services Directive

844

Mads Dagnis Jensen and Peter Nedergaard

Convergence without membership? The impact of the European Union in the neighbourhood: evidence from Ukraine

863

Julia Langbein and Kataryna Wolczuk

Erratum

Correction to article *Convergence without membership? The impact of the European Union in the neighbourhood: evidence from Ukraine*

by Julia Langbein and Kataryna Wolczuk

882

European Commission's agency meets Ankara's agenda: why Turkey is ready for a readmission agreement

883

Alexander Bürgin

Welfare state values in the European Union, 2002-2008.

A multilevel investigation of formal institutions and individual attitudes

900

Ferry Köster and Monika-Ewa Kaminska

Fiscal austerity and the trade-off between public investment

and social spending

921 *Chr*

istian Breunig and Marius R. Busemeyer

Research agenda section

Edited by Berthold Rittberger

Experiments in supranational institution-building:

the European Commission as a laboratory

939

Morten Egeberg

Journal of European Public Policy

Volume 19 number 7

Contents



- Bringing codecision to agriculture: a hard case of parliamentarization** 951
Christilla Roederer-Rynning and Frank Schimmelfennig
- Who lobbies the European Union? National interest groups in a multilevel polity** 969
Andreas Dür and Gemma Mateo
- The EU and a holistic security approach after Lisbon: competing norms and the power of the dominant discourse** 988
Kamil Zwolski
- Regulating aircraft emissions: leadership and market power** 1006
Martin Staniland
- Metagovernance and nuclear power in Europe** 1026
Keith Baker and Gerry Stoker
- Constructing an internal market for research through sectoral and lateral strategies: layering, the European Commission and the fifth freedom** 1052
Meng-Hsuan Chou
- 'Second-order' institutions: national institutional quality as a yardstick for EU evaluation** 1071
Pieterjan Desmet, Joost van Spanje and Claes de Vreese
- Policy or institution? The political choice of retrenchment strategy** 1089
Christian Elmelund-Prastekar and Michael Baggesen Klitgaard

Journal of European Social Policy

Volume 21 Number 5 December 2011

[Contents](#)

Articles

The effect of integration and social democratic welfare states on immigrants' educational attainment: a multilevel estimate

Flavia Fossati 391

Household joblessness and its impact on poverty and deprivation in Europe

Marloes de Graaf-Zijl and Brian Nolan 413

The paradox of the social investment state: growth, employment and poverty in the Lisbon era

Bea Cantillon 432

Disappointing poverty trends: is the social investment state to blame?

Frank Vandenbroucke and Koen Vleminckx 450

The unequal benefits of activation: an analysis of the social distribution of family policy among families with young children

Joris Ghysels and Wim Van Lancker 472

Escaping welfare? Social assistance dynamics in Sweden

Olof Bäckman and Åke Bergmark 486

European Briefing

The welfare state and the crisis: the case of Greece

Manos Matsaganis 501



Journal of European Social Policy

Volume 22 Number 1 February 2012

Contents



Articles

- Doctoral Researcher Prize The local dimension of active inclusion policy** 3

Sebastian Künzelt

- Tax disincentives and female employment in Organisation for Economic Co-operation and Development (OECD) countries** 17

Peter Schwarz

- Welfare to work and the inclusive labour market: a comparative study of activation policies for disability and long-term sickness benefit claimants in the UK and Denmark** 30

David Etherington and Jo Ingold

- Mass political polarization and attitudes towards education as part of the welfare state in Norway, Sweden and Finland** 45

Audun Fladmoe

- The southern European social model: familism and the high rates of female employment in Portugal** 63

Isabel Tavora

European Briefing

- What do the public think of taxation? Evidence from a focus group study in England** 77

Rajiv Prabhakar

Journal of European Social Policy

Volume 22 Number 2 May 2012

Contents



Articles

- Three worlds of educational welfare states? A comparative study of higher education systems across welfare states** 105
Nienke Willemse and Paul de Beer
- The European Employment Strategy and National Core Executives: Impacts on activation reforms in the Netherlands and Germany** 118
Sabina Stiller and Minna van Gerven
- Varieties of migrant care work: Comparing patterns of migrant labour in social care** 133
Franca J. van Hooren
- Counteracting material deprivation: The role of social assistance in Europe** 148
Kenneth Nelson
- Poverty, ethnic minorities among the poor, and preferences for redistribution in European regions** 164
Henning Finseraas
- Popular perceptions of welfare state consequences: A multilevel, cross-national analysis of 25 European countries** 181
Wim van Oorschot, Tim Reeskens and Bart Meuleman
- Reciprocity and public support for the redistributive role of the State** 198
Francisco José León

Journal of European Social Policy

Volume 22 Number 3 July 2012



Contents

Articles

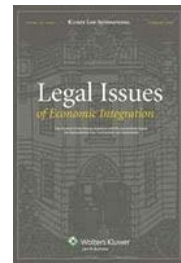
- Inequality and the political economy of education: An analysis of individual preferences in OECD countries** 219
Marius R. Busemeyer
- Explaining the introduction of automatic pension indexation provisions in 17 OECD countries, 1945-2000** 241
Juan J. Fernández
- Managing risks in EU health services policy: Spot markets, legal certainty and bureaucratic resistance** 259
Scott Greer and Holly Jarman
- Varieties of poverty reduction: Inserting the poverty and social exclusion target into Europe 2020** 273
Paul Copeland and Mary Daly
- Support for redistribution and the paradox of immigration** 288
Brian Burgoon, Ferry foster and Marcel van Egmond
- An inquiry on introducing a minimum income scheme in Turkey: Alternating between cost efficiency and poverty reduction** 305
Burcu Yakut-Cakar, Burcay Erus and Fikret Adaman
- European Briefing**
- What are the effects of reforms promoting fathers' parental leave use?** 319
Ann-Zofie Duvander and Mats Johansson

Legal Issues of Economic Integration

Volume 39

February 2012

Issue 1



Enhanced Regulatory Cooperation in the Canada: EU Comprehensive Trade Agreement

From The Board

1

Articles

Regulatory Cooperation to Remove Non-Tariff Barriers to Trade in Products: Key Challenges And Opportunities For The Canada-EU Comprehensive Trade Agreement

Stanko S. Krstic

3

A Critical Look at The Prospects For Robust Rules Services In Preferential Trading Agreements

J. Anthony VanDuzer

29

Implementing International Trade Agreements in Federal Systems: A Look at The Canada-EU CETA's Intellectual Property Issues

Jeremy de Beer

51

Multilateral Aspects Of Advanced Regulatory Cooperation: Considerations For A Canada-EU Comprehensive Trade Agreement (CETA)

James Mathis

73

Transparency Norms, the World Trade System and Free Trade Agreements: The Case Of CETA

Ljiljana Biuković

93

Institutions For Regulatory Cooperation In 'New Generation' Economic And Trade Agreements

Debra P. Steger

109

Legal Issues of Economic Integration

Volume 38

November 2011



Preferential Trade Agreements: The WTO Speaks . . . Again

From the Board

291

Articles

National Courts as 'Guardians' and 'Ordinary Courts' of EU Law: Opinion 1/09 of the ECJ

Roberto Baratta

297

Liberalization of Legal Services under the CEPA Framework between Mainland China and Hong Kong

Yun Zhao

321

Comparative Analysis of Technical Assistance Obligations under WTO and FTAs: The Missing Perspective of the Regionalism-Multilateralism Debate

Shintaro Hamanaka

341

Case Law Review

Soft Drugs under Scrutiny: How 'Easy Going' Is the Court?

Luke Haasbeek

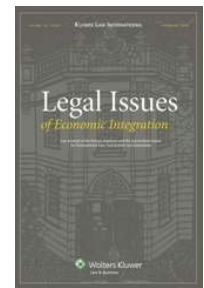
389

Legal Issues of Economic Integration

Volume 39

May 2012

Issue 2



The Present and Future of EU International Investment Treaties

From the Board

153

Articles

Articles 30 and 59 of the Vienna Convention on the Law of Treaties in Action: The Decisions on Jurisdiction in the *Eastern Sugar* and *Eureko* Investment Arbitrations

August Reinisch

157

Circumventing Primacy of EU Law and the CJEU's Judicial Monopoly by Resorting to Dispute Resolution Mechanisms Provided for in Inter-se Treaties? The Case of Intra-EU Investment Arbitration

Steffen Hindelang

179

Investor-State Arbitration in EU International Investment Agreements with Third States

Markus Burgstaller

207

Return to the Local Remedies Rule in European BITs? Power (Inequalities), Dispute Settlement, and Change in Investment Treaty Law

Mavluda Sattorova

223

Differentiated Integration Revisited: EU Energy Policy as Experimental Ground for a Schengen Successor?

Nicole Aimer, Adrien de Hauteclocque & Jean-Michel Glachant

249

Case Law Review

EU Citizenship and EU Fundamental Rights: Taking EU Citizenship Rights Seriously?

M.J. van den Brink

273

Maastricht Journal of European and Comparative Law

Volume 18 number 4

CONTENTS

EDITOR'S NOTE

GUEST EDITORIAL

Europe's *Raison d'Être*?

Gráinne de Búrca

418

ARTICLE REVIEWS

Reviews of A. W. Ueringa, MJ18-3 (2011), p. 221 -224

Androulla Vassiliou, Stefan Grundmann, Niccolò Rinaldi, Marcel Brus, Jacqueline Kinghan, Krystyna Pawłowicz and Christine Godt

421

ARTICLES

The European Union and the United Nations Convention on the Rights of Persons with Disabilities: A Story of Exclusive and Shared Competences

Lisa Waddington

431

Epistemological Considerations in Private Law: Exploring Taxonomical Structures in the Common Law, Civil Law and Beyond

Stephanie Law

454

Religious Displays at Public Schools - Courts, Crucifixes and Masters of Identities

Maria Zhurnalova-Juppunov

479

Transforming Shields into Swords: The VEBIC Judgment, Adequate Judicial Protection Standards and the Emergence of Procedural Heteronomy in EU Law

Pieter Van Cleynenbreugel

511



LEGAL DEBATES

Metamorphosis of Functionalism - or Back to Basics?

JAAKKO HTJSA 548

Taking Functionalism Seriously: On the Bright Future of a Contested Method

JAN M. SMITS 554

CASE NOTES

Case C-484/07 *Pehlivan*, Judgment of the Court of 16 June 2011, not yet reported
573

Case C-396/09 *Meredil Sri*, Judgment of the Court of 20 October 2011,
not yet reported 581

RECENT LEGAL DEVELOPMENTS

Reforming EU Economic Governance: The Legislative Response to the
Euro Crisis

MARK DAWSON 588

Commission Proposal for a Financial Transaction Tax: a Critical View

PABLO IGLESIAS RODRIGUEZ 589

Commission Proposes an Optional Common European Sales Law 599

NICOLE KORNET

Should there be a 5% Entry Threshold for Elections to the European
Parliament? The View of the German Constitutional Court

PIERRE THIELBORGER and MARK DAWSON 603

INDEXES TO VOLUME 18 605

PUBLICATIONS RECEIVED VOLUME 18 610

Maastricht Journal of European and Comparative Law

Volume 19 number 1

CONTENTS



GUEST EDITORIAL

The Proposed Common European Sales Law: Have the Right Choices Been Made? Introduction to a Special Issue

Gary Low and Jan Smits

3

ARTICLE REVIEWS

Europe's Raison d'Être: Leadership, Democracy - or both? Reflections on G. de Burca and J. Weiler, 18MJ4 (2011), p. 418

Andreas Føllesdal

7

Review of M. Wojewoda, 'Mandatory Rules in Private International Law' 7 MJ 2 (2000), p. 183

Alessandra Zanobetti

9

ARTICLES

The Court of Justice of the European Union as a Rhetorical Actor

Mirjami Paso

12

More Consistency and Legal Certainty in the Private Law *Acquis*: A Plea for Better Justification for the Harmonization of Private Law

Esther van Schagen

37

Equal Treatment on the Grounds of Movement and Union Choice-of-Law Rules under Article 81 TFEU

Rufat Babayev

63

Maastricht Journal of European and Comparative Law

2012, vol. 19, no. 2



SPECIAL ISSUE: EUROPEAN TRADITIONS -INTEGRATION OR DISINTEGRATION? *Guest-edited by Janwillem Oosterhuis and Emanuel van Dongen*

Editorial

Janwillem Oosterhuis, Emanuel van Dongen 220

ARTICLES

Second-Rate Citizens: Junian Latins and the *Constitutio Antoniniana*

Egbert Koops 223

The Booke of Orders of Assurances: A Civil Law Code in 16th Century London

Guido Rossi 240

The Revival of Romanistic Scholarship between the 19th and 20th Centuries as a 'Centralizing Force' in European Legal History - The Masterpieces of German Pandectist Literature Revised by Italian Translators

Federica Furfaro 262

New Imperialism (1870-1914) and the European Legal Traditions: A (Dis)Integrative Episode

Mieke van der Linden 281

The Path of the Former Yugoslav Countries to the European Union: From Integration to Disintegration and Back

Sandra Fabijanić Gagro, Budislav Vukas Jr 300

The Enigma of Civil Justice in Imperial China: A Legal Historical Enquiry

Peter C.H. Chan 317

Revue de l'Union Européenne

Numero 553 2011

ÉDITORIAL

625 **Questions d'Europe**

par Florence CHALTIEL

INTERVIEW

626 **Interview de Vincent Peillon, Député européen**

par Florence CHALTIEL

EUROPE DES DROITS

629 **Pox Europeana, la romanité de l'Europe par le droit**

par Marc CLÉMENT

636 **Arx Tarpeia Capitoli Proxima...- Bref retour sur l'adhésion de l'Union européenne à la Convention européenne des droits de l'Homme**

par David SZYMCZAK

BREVET

642 **La délimitation du champ de compétence de la juridiction des brevets - Réflexions autour de l'avis 1/09 de la Cour de justice**

par Jean Félix DELILE

AGRICULTURE

650 **Tendances du secteur agro-alimentaire**

par Nelly JAZRA BANDARRA

655 **Manifestation d'intérêt au Parlement européen pour la réforme de la PAC**

par Gabrielle ROCHDI

BUDGET

662 **Les innovations des procédures budgétaires de l'Union européenne - Huitième partie: le budget de l'Union pour 2011 - La première procédure selon les nouvelles dispositions budgétaires du traité de Lisbonne**

par Ilkka SAARILAHTI

CHRONIQUE

680 **Chronique UE-OMC 2010**

par Régis CHEMAIN et Habib Ghérari



Revue de l'Union Européenne

Numero 555 2012

HOMMAGE

73 Hommage a Daniel Vignes

74 Retour sur le Parlement européen

par Florence Chaltiel

TRAITÉ DE LISBONNE

76 Le rôle du Conseil européen après Lisbonne - Lecture critique des traités modifiés

par Frédérique Michea

DÉVELOPPEMENT DURABLE

84 L'apport du principe de développement durable au droit communautaire: gouvernance et citoyenneté écologique

par Marta Torre-Schaub

ENTREPRISES

93 Adaptation du droit de PUE au cas de l'entreprise en difficulté

par Viviane de Beaufort et Clément Maillot-Bouvier

POLOGNE ET UE

101 Programme de la présidence polonaise de l'UE

par Piotr Szwedo

108 Le bilan de l'adhésion de la République de Pologne à l'Union européenne

par Inga Kawka

FINANCES, FISCALITÉ

116 Problématique actuelle de la régulation prudentielle pour les banques en Europe

par Alain Buzelay

124 Extension du champ des activités des personnes publiques assujetties à la TVA

par Lucienne-Victoire Maublanc-Fernandez

130 Fair-play financier: le prochain défi de la régulation financière européenne?

par Florence Rangeon

Revue de l'Union Européenne

Numero 556 Mars 2012

INTRODUCTIONS

141 L'Union européenne et ses États membres après le traité de Lisbonne - Quelle place et quel rôle dévolus aux États et pour quelle Union? Introductions

par Alain Delcamr, Florence Chaltiel

LA GOUVERNANCE DE L'UE

144 Le paradigme du „multi-level governance" est-il soluble dans le droit?

par Olivier Dubos

150 Le respect de l'identité nationale des États membres: frein ou recomposition de la gouvernance?

par Sébastien Platon

159 La lecture étatique des compétences non exclusives de l'Union européenne

par Christine Guillard

169 L'appropriation de la gouvernance économique par le Conseil européen

par Frédérique Michéa

LA PARLEMENTARISATION DE L'UE

178 Quand le performatif tient lieu d'argumentatif: la contribution des parlements nationaux au bon fonctionnement de l'Union

par Sébastien Roland

185 Vers une possible démocratie « transnationale » européenne? Du discours à la méthode dans l'établissement d'une démocratie européenne

par Christophe Maubernard

192 L'association des parlements nationaux au contrôle du principe de subsidiarité

par Francette Fines

L'IDENTITÉ DE L'UE

197 Le principe de coopération loyale comme fondement identitaire de l'Union européenne

par Eleftheria Neframi

204 L'État membre entre souveraineté et respect de son identité: quelle Union européenne?

par Jean-Denis Mouton

210 L'identité (constitutionnelle) nationale: limite à l'Union européenne?

par Béligh Nabli

Transfer

European Review of Labour and Research

Volume 18 Number 1 February 2012

Individual working lives viewed through the lens of the capability approach. An overview across Europe



Editorial

3 *Em*

anuela Abbatecola, Florence Lefresne, Joan Miquel Verd and Josiane Vero

Main Articles

Individual working lives and collective action. An introduction to capability for work and capability for voice 9

Jean-Michel Bonvin

Collective responsibility in the workplace from a capability perspective 19

Bénédicte Zimmermann

Unemployment, intervention and capabilities. A comparative study of Germany and Spain 31

Peter Bartelheimer, Joan Miquel Verd, René Lehweß-Litzmann, Martí López-Andreu and Tanja Schmidt

Work-life balance in a capability perspective: an Italian case study of 'flexible couples' 45

Valeria Pandolfini

Decoding the European dynamic employment security indicator through the lens of the capability approach. A comparison of the United Kingdom and Sweden 55

Josiane Vero, Jean-Michel Bonvin, Marion Lambert and Eric Moachon

Flexible employment, poverty and the household 69

René Lehweß -Litzmann

Conclusion. Individual working lives through the lens of the capability approach: evaluation of policies and items for debate 83

Emanuela Abbatecola, Florence Lefresne, Joan Miquel Verd and Josiane Vero

News and Background

When ideas circulate. A walk across disciplines and *different* uses of the 'capability approach' 91

Margherita Bussi and Stephan Dahmen

Further episodes in the Italian industrial relations saga: the Multi-sectoral agreement on collective representatives and Article 8 of D.L 138/2011 97

Transfer

European Review of Labour and Research
Quarterly of the ETUI Research Department
Volume 18 Number 2 May 2012



Trade union cultures

Contents

Editorial

Pietro Causarano and Gian Primo Cella

Main Articles

- The rise and fall of industrial unionism** 129
Jelle Visser
- Labour and trade union cultures: the idiosyncratic experience of the European dockworkers in the 19th to the 21st centuries** 143
Michel Pigenet
- Teachers and trade unions: between corporate tradition, professional associations and collective representation** 157
Pietro Causarano
- The representation of non-standard workers. Theory and culture of collective bargaining** 171
Gian Prima Cella
- Gender politics in trade unions. The representation of women between exclusion and inclusion** 185
Sue Ledwith
- Unions and migrant workers: strategic challenges in Britain** 201
Phil James and Joanna Karmowska
- Swords of justice in an age of retrenchment? The role of trade unions in welfare provision** 213
Alison Johnston, Andreas Kornelakis and Costanza Rodriguez d'Acri
- News and Background**
- Interview of Bernadette Segol: 'The European Union is not an exercise in applied economics'** 225
Interview conducted by Denis Grégoire
- Wage cuts in the Portuguese public sector: the negative effects of a court decision on labour relations** 229

Transfer

European Review of Labour and Research
Volume 18 Number 3 August 2012 Quarterly of the ETUI Research
Department



EU social and employment policy under the Europe 2020 strategy

Contents

Editorial	243
<i>Silke Bothfeld and Janine Leschke</i>	
Main Articles	
EU facing the crisis: social and employment policies in times of tight budgets	255
<i>Hans-Jürgen Bieling</i>	
Paradigms in EU social policy: a critical account of Europe 2020	273
<i>Mary Daly</i>	
EU social policy and the governance architecture of Europe 2020	285
<i>Kenneth A Armstrong</i>	
Young people and the post-recession labour market in the context of Europe 2020	301
<i>Heejung Chung, Sonja Bekker and Hester Houwing</i>	
The European social dimension in pension policy	319
<i>Michaela Willert</i>	
'More and better jobs': is quality of work still an issue - and was it ever?	337
<i>Silke Bothfeld and Janine Leschke</i>	
News and Background	
The White Paper on pensions: a critical reading	355
<i>David Natali</i>	