

## Doctoral and Postdoctoral Workshop

### **Accountability and Control of European Multilevel Administration: Current Challenges in EU Administrative Law**

Amsterdam Law School  
Nieuwe Achtergracht 166, Amsterdam  
REC A, room A3.15  
21 January 2019  
9.00 – 17.15 hrs

The European Union's administrative system raises unique constitutional and legal problems. It is characterised by cooperative links that can be both vertical – between national and EU authorities – and horizontal – between national authorities amongst themselves. This is visible in how the different levels exchange information, ever more frequently with the use of new technologies; in how joint decision-making procedures are established; and in how new administrative bodies are created to ensure uniformity in the implementation of policies across the different levels.

Europe's administrative system is also characterised by the fact that the authorities involved in it belong to different jurisdictions. Their powers are obtained and framed by different legislatures, and those powers' exercise is subject to the control of different judicial systems. However integrated it may be, European multilevel administration must coexist with the legacy of the paradigm of administrative law left by the nation-state. Historically, administrative law was designed for the control of the exercise of public power by national authorities, albeit only within the territorial confines of the state. The mechanisms of judicial control and the fundamental procedural rights enshrined in the Treaties are designed only to control the exercise of power by authorities at EU level. The intertwining of levels of administrative authority in Europe is not necessarily accompanied by new instruments of control and accountability that can accommodate composite forms of administration.

The workshop will consider how the fragmentation of Europe's administrative order into a multitude of different authorities, jurisdictions, and legal orders affects the possibilities to ensure that administrative power in the EU is kept under control, and that its accountability is ensured in all its forms – political, judicial, or legal.

8.45	<b>Registration, coffee &amp; tea</b>
9.00	<p><b>Welcome</b>  Christina Eckes    Director, ACELG, University of Amsterdam  Jonathan Zeitlin    Director, ACES, University of Amsterdam  Filipe Brito Bastos    ACELG, University of Amsterdam</p>
9.15-11.15	<p><b>Session I Multilevel Administration and Europe’s dualistic division of judicial control</b>  Chair: Anniek de Ruijter    ACELG, University of Amsterdam</p> <p><b>Allocation of judicial competences within the Single Supervisory Mechanism: a case study in conceptualizing legal effects in multi-level governance</b>  Napoleon Xanthoulis    King’s College London  Discussant: Jolien Timmermans    University of Ghent</p> <p><b>Judicial Review of revocation decisions within the framework of EU banking supervision</b>  Barbora Budinska    University of Leiden  Discussant: Flavio Valerio Virzi    University of Rome – La Sapienza</p> <p><b>Ensuring Accountability of European multilevel administration through joint liability?</b>  Melanie Fink    University of Leiden  Discussant: Naida Dzino    Radboud University Nijmegen</p> <p><b>A Jurisdiction of Jurisdictions</b>  Joseba Fernández Gaztea    University of Navarra  Discussant: Simona Demková    University of Luxembourg</p>
11.15-11.30	<b>Coffee Break</b>
11.30-13.30	<p><b>Session II Judicial control, democratic accountability, and multilevel administrative power</b>  Chair: Kati Cséres    ACELG, University of Amsterdam</p> <p><b>Over-burdened accountability: the search for control over the ECB</b>  Marijn van der Sluis    Erasmus University Rotterdam  Discussant: Barbora Budinska    University of Leiden</p> <p><b>The CJEU as arbiter of Member States’ administrative discretion in EU immigration law</b>  Jonas Bornemann    University of Konstanz  Discussant: Florin Coman-Kund    Erasmus University Rotterdam</p> <p><b>The duty of care and effective judicial review – the accountability “power couple” in the Union multilevel administration?</b>  Simona Demková    University of Luxembourg  Discussant: Melanie Fink    University of Leiden</p> <p><b>Controlling the Invisible: Accountability Issues in the Exercise of <i>de Facto</i></b></p>

	<p><b>Implementing Powers</b>  Annalisa Volpato    University of Maastricht  Discussant: Napoleon Xanthoulis    King’s College London</p>
13.30-14.00	Lunch break
14.00-16.00	<p><b>Session III Cooperation, trust and accountability – within the EU and beyond</b>  Chair: Lilian Tsourdi    University of Oxford</p> <p><b>Public Enforcement of EU Competition Law: A Circle of Trust?</b>  Naida Dzino    Radboud University Nijmegen  Discussant: Marijn van der Sluis    Erasmus University Rotterdam</p> <p><b>Legal Accountability of decisions taken within the framework of the Single Resolution Mechanism</b>  Jolien Timmermans    University of Ghent  Discussant: Joseba Fernández Gaztea    University of Navarra</p> <p><b>Below the Radar! The Challenges of EU External Administrative Action in Multilevel Governance</b>  Florin Coman-Kund    Erasmus University Rotterdam  Discussant: Annalisa Volpato    University of Maastricht</p> <p><b>The accountability of Frontex as a Challenge for the Protection of migrants’ fundamental rights</b>  Flavio Valerio Virzi    University of Rome – La Sapienza  Discussant: Jonas Bornemann    University of Konstanz</p>
16.00-16.15	Coffee break
16.15-17.15	<p><b>Keynote lecture: The European Ombudsman's Work to Improve the Transparency and Accountability of the European Union</b>  Graham Smith    Senior Advisor, Office of the European Ombudsman</p> <p>Chair: Leonard Besselink    Head of the department of Public Law, University of Amsterdam</p>
17.15	<b>Reception</b>