

ACELG NEWSLETTER 2014-2

The Amsterdam Centre for European Law and Governance (ACELG) is a research centre of excellence at the Faculty of Law of the University of Amsterdam. Established in 2009, it studies European Union Law in the context of the surrounding legal and political systems as well as wider structures of (global) governance.

The ACELG Newsletter is published twice a year.



TEN YEARS AFTER REGULATION 1/2003



On 14 November 2014, the Fourth ACELG Annual Conference on *Ten Years of Decentralized EU Competition Law Enforcement* took place, bringing together academics and practitioners with the aim to take stock of the various constitutional (legal and institutional) developments that followed the entering into force of Regulation 1/2003 and to evaluate its first ten years of functioning. Read PhD researcher Or Brook's [ACELG blog on the conference](#).

DEFENDING EUROPEAN VALUES IN THE WTO



In July, assistant professor Maria Weimer finalized a two-year research project in which she explored to what extent members of the World Trade Organisation (WTO), and especially the EU, are able to respond to consumer values when regulating food and related products, while complying with WTO standards. Using several case studies, the project showed that WTO members can legitimately invoke consumer, especially animal welfare and ethical concerns, and that recent WTO decisions show a trend towards greater deference to domestic policy choices in this respect. Finally, the project observed a shift at the level of EU regulation of food and related products from mainly science-based to more value-responsive approaches. The findings of Maria's project will be published as journal articles and book contributions in 2015. [More...](#)

RULES ON EU ADMINISTRATIVE PROCEDURE



On 1 September 2014, the Research Network on EU Administrative Law (ReNEUAL)'s [Model Rules on EU Administrative Procedure](#) were published, marking the completion of a five-year research project, which involved ACELG members Deirdre Curtin and Joana Mendes in leading roles. Researchers and practitioners from Europe and beyond cooperated in creating the Model Rules on EU Administrative Procedure with the objective to improve implementation of European Union law and policies whilst ensuring that the constitutional values of the Union are present and complied with in all instances of exercise of public authority. [More...](#)

ACELG PUBLICATIONS

Vigilencia Abazi: The Future of Europol's Parliamentary Oversight: A Great Leap Forward?, *German Law Journal*, 06(5), pp. 1121 - 1144

Leonard Besselink: Parameters of Constitutional Development. The Fiscal Compact In Between EU and Member State Constitutions, in: L.S. Rossi & F. Casolari (eds.) *The EU after Lisbon. Amending or Coping with the Existing Treaties?* (Springer 2014), pp. 21 - 35

Deirdre Curtin: Challenging Executive Dominance in European Democracy', *Modern Law Review* 77(1), pp. 1 - 32

Thomas Vandamme: EU Directives and Multi-Level Governance. Can Lessons be Drawn from Cooperative Federalism?, *Maastricht Journal of European and Comparative Law* 21(2), pp. 341 - 358

Maria Weimer: Risk Regulation, GMOs, and the Challenges to Deliberation in EU Governance. Politicisation and Scientification as Co-Producing Trends, in: C. Joerges & C. Glinksi eds. *The European Crisis and the Transformation of Transnational Governance* (Hart 2014), pp. 293 - 316

[ALL 2014 ACELG Publications](#)
[ACELG Working Papers on SSRN](#)
[ACELG blog](#)

APPOINTMENTS

Kati Cseres Non-Governmental Advisor of the Netherlands Authority for Consumers & Markets

Christina Eckes Adjunct Director ACELG

Katja Swider Advisory Committee Member ENS

René Smits Alternate Member review panel ECB

Joana Mendes PhD Dean, Faculty of Law, University of Amsterdam



On 16 January 2015, PhD candidate Annik de Ruijter will publicly defend her doctoral thesis entitled *A Silent Revolution: The Expansion of EU Power in the Field of Human Health. A rights-based analysis of EU health law & policy*. On the basis of three case-studies, Annik concludes that the EU not only explicitly, but also implicitly takes on fundamental rights obligations with respect to

health. It de-facto balances the rights of individuals with those of the entire EU population as well as the responsibility of the Member States with that of the EU. However, not all aspects of EU health policy can be legally challenged in terms of fundamental rights, even when a policy affects fundamental values related to health, putting its legitimacy in a precarious light. [More ...](#)

THE EU'S POWERS UNDER EXTERNAL PRESSURE



Christina Eckes, Associate Professor and co-director of ACELG, will hold a public conference on 24 April 2015 to discuss the results of her NWO-sponsored research project *Outside-In. Tracing the Imprint of the European Union's External Actions on Its Constitutional Landscape*. The project has examined the consequences of the EU's intensified external actions for the power division within the EU. The conference will focus on the power shifts that occur when a policy is pursued externally rather than internally, triggered for example by a different involvement and influence of the EU institutions or by a changing interpretation of established organizational principles, such as subsidiarity and sincere cooperation. [More...](#)

PHD RESEARCH RAISES INTEREST



Although it is just mid-way, the work of ACELG PhD candidate Katja Swider on the precarious legal position of stateless persons has already raised considerable interest with NGO's, policy makers and legal practitioners in the Netherlands and abroad. Katja's NWO-funded research focuses on statelessness in Europe, and in particular the potential role of the European Union in addressing

this issue. Her recent appointment as an Advisory Committee member of the [European Network on Statelessness](#), brought her to Armenia, Russia and Slovenia for advisory work. Upon Katja's initiative, a number of statelessness-related events will be brought to the Law Faculty of the University of Amsterdam in March 2015, such as a photo exhibition on stateless persons in the Netherlands by [Greg Constantine](#), a [post-academic course on statelessness](#) in the Dutch legal system, and a symposium on policy developments towards stateless persons in the Netherlands. [More...](#)

[e](#) 16.1.15: PhD Defence Annik de Ruijter, *A Silent Revolution: The Expansion of EU Power in the Field of Human Health* [More ...](#)

[e](#) 21.1.15: Anne Meuwese: Alternative proportionality and subsidiarity review within the European Commission [More...](#)

[e](#) 2.3.15: What awaits the Dutch stateless in 2015? [More...](#)

[e](#) 24.4.15: Powers under External Pressure [More...](#)

[e](#) 21-22.5.2013: Regulating Risks in the European Union. The co-production of expert and executive power [More...](#)

ARCHITECTURE PROJECT

[e](#) ACELG co-directs the project [The Architecture of Postnational Rulemaking](#). In the [Dialogue Series](#) leading and upcoming scholars are invited to engage with the theme. Next in the series

2.3.2015: [Jonathan Zeitlin](#), University of Amsterdam

1.6.2015: [Joanne Scott](#), University College London (tentative)

[e](#) 16-17.4.2015: The Power of Knowledge in 'Postnational' Law-Making [More...](#)

[e](#) 18-19.6.2015: Relative Authority in Global Governance. Balancing Institution in Comparative Assessments

RESEARCHERS ABROAD

[Nik de Boer](#), Harvard University (09/14 - 12/14)

[Deirdre Curtin](#): Wissenschaftskolleg zu Berlin (09/14 - 07/15)

[Maarten Hillebrandt](#), University of Lausanne (02 - 03/15), University of Gothenburg (04 - 06/15)