

# **Report on the activities of the Institute of European Law during the academic 2012-2013**

## **Introduction**

The Institute of European Law was founded in 1990 and works on the basis of a statute (bylaws) approved by the Faculty Board on 22 January 1990 and by the Rector of Stockholm University on 15 February 1990. According to the Statute the Institute's objective is to promote research and education in European Law in general, and in European Community (now Union) Law, in particular. According to Art. 3 of the Statute the Institute shall fulfill its objectives by:

- developing and maintaining a specialized library;
- developing and maintaining a publication series;
- initiating, leading and coordinating research projects;
- gathering and processing research documentation and material;
- organizing lectures, seminars, symposia and similar activities;
- participating in various events at Stockholm University falling within the Institute's field of activity;
- cooperating with other research institutes with similar objectives.

The Institute shall strive to cooperate with educational institutions, associations, organizations and public authorities within the Institute's field of activity.

## **Researchers involved in the Institute's activities**

During the academic 2012-2013 the following persons have been involved in the Institute's activities.

- Professors Antonina Bakardjieva Engelbrekt, Ulf Bernitz, Steven Anderman;
- Associate professor Sideek Seyad Mohamed
- Senior Lecturers Hedvig Bernitz, Claes Granmar
- Guest lecturers Vladimir Bastidas, Björn Lundquist
- Doctoral Candidates Senem Eken, Jaan Paju, Helene Andersson, Lovorka Jonic Kapnias, Katharina Voss

From the Fall Semester 2013 another EU-researcher, Karolina Zurek, will join the Institute for two years as holder of one of the post-doc fellowships announced by the Rector of Stockholm University. Karolina has a PhD in Law from the EUI Florence and is at present Senior Researcher at SIEPS and Research Fellow at Södertörn Högskola.

## **Institute Advisory Board and Director**

The Institute Board consists of the following members:

Petter Asp, Antonina Bakardjieva Engelbrekt, Ulf Bernitz, Elisabeth Eklund, Olivier Liindén, Hedvig Lokrantz Bernitz, Sideek Seyad Mohamed.

Antonina Bakardjieva Engelbrekt is Institute Director and Chair of the Institute Board. Lovorka Jonic Kapnias has during the year acted as the Institute's secretary.

## **The Institute's library**

### Books:

According to the Law Department's new policy all specialized libraries receive an annual sum of 50.000,00 SEK for book purchases and library maintenance. In the period between January 2012 and June 2013 58 new titles were purchased. The Institute also maintains a subscription for the *Common Market Law Review* until the end of 2013.

### Digital catalogue:

In order to establish better cooperation with other individual libraries at the Faculty (IFIM - IP law library, IRI - IT law, the SCCL library etc.), in March 2013 a project "Digital Catalogue of the Institute's Library" was started. The long-term objective is to create a database of available books and to connect with other libraries including the main SU library. This database will enable easier search and borrowing for users, and will at the same time contribute to the transparent use of the library. Also, it will be easier to keep track of new editions.

For the purpose of this project, one person has been employed (Elen Aedmae) for approximately 50 working hours. So far 968 titles have been registered. Since several libraries at the Faculty use the 'Library World' online library automation service, the Institute subscribed to the service for an annual fee of 425 USD (equals 2 800 SEK). The project will be finalized by 14 June 2013. The project's expenditures are approx. 17 500 SEK.

### The Library room:

New curtains and carpet have been ordered for the Library.

### Jure AB:

Frej Holtzberg from Jure AB made an inventory of the EU-library on 18 April 2013. The visit resulted in a rather comprehensive list of basic literature that should ideally be acquired in order for the library to be updated; in total 212 titles. A special account for further orders has been arranged with Jure AB with a separate email address [eu-library@juridicum.su.se](mailto:eu-library@juridicum.su.se). Since the Institute is considered a public authority, we are given a significant discount (20% below the publishers' price plus free delivery).

## **The Institute's webpage**

The Institute's webpage <http://www.juridicum.su.se/ier/> was set up a few years ago and contains information on the Institute's statute, board members, collaborators, publications and activities. The webpage is continuously updated with information on new seminars and events, but is difficult to maintain when it comes to basic information. Therefore there is a need of serious review and update of the information about co-workers, doctoral research projects and publications.

The Institute applied for funding and was recently granted 18.000,00 SEK from the Cassel foundation. An offer has been requested by *eddy* for major refurbishing of the webpage, using new interactive software, which will make the page easier to update and will include modern functions such as blog, electronic newsletter etc. The layout for the newsletter should be prepared in a manner allowing information about the Institute's activities to be added in a simple and uniform way.

## **Doctoral projects**

The following doctoral projects are actively carried out by co-workers of the Institute:

- Senem Eken Uyad::Free movement of Capital to and from Third Countries (Supervisor: Sideek Seyad Mohamed).
- Jaan Paju: Mot en harmoniserad socialförsäkringsrätt inom EU? (Supervisor: Ulf Bernitz); project funded by the Swedish Social Insurance Agency.
- Helene Andersson: Konkurrensmyndigheternas utredningsbefogenheter - balans mellan effektivitet och integritet? (Supervisor: Ulf Bernitz); project funded by the Swedish Competition Agency
- Lovorka Jonic Kapnias: EU Enlargement as a Method of Legal Transplantation. The Case of Institutional Twinning (Supervisor: Antonina Bakardjieva Engelbrekt)
- Katharina Voss: A New Approach to Compliance and Deterrence in EU Competition Law (Supervisor: Antonina Bakardjieva Engelbrekt). This is a new project, funded by the Swedish Competition Agency.

It can be noted with satisfaction that a former Institute's co-worker, Maria Wiberg, defended successfully her thesis "The Services Directive: Law or Simply Policy? (public defense 28 February 2013, Uppsala University, supervisors Jane Reichel and Antonina Bakardjieva Engelbrekt).

## **Seminars and other events**

In the period between April 2012 and June 2013 the Institute organized a number of seminars and other events.

- Luncheon seminars

Seven seminars have been given within the Institute luncheon seminar series in the period between April 2012 and June 2013 as follows:

1. Title: "EU's legal response to the current fiscal crisis"  
Speaker: Sideek Seyad Mohamed;  
Date: 2012-04-12. Number of participants: 10
2. Title: "Observing the European Court of Justice. A large-scale analysis of EU governments' observations in preliminary ruling cases 1997-2008",  
Speakers: Daniel Naurin, Per Cramér, Olof Larsson, Andreas Moberg;  
Discussant: Anna Falk  
Date: 2012-05-04; Number of participants: 34  
This seminar was organized in cooperation with the Political Science Department of Stockholm University. At the seminar an interdisciplinary research project of researchers at Gothenburg University was presented to both lawyers and political scientists.
3. Title: "The Place of Constitutional Courts in the EU"  
Speaker: Jan Komarek; Discussant: Ulf Öberg;  
Date: 2012-09-14; Number of participants: 30
4. Title: "Digital Agenda: Turning government data into gold, The regulation of public sector information - some comments on the Compass-case"  
Speaker: Björn Lundqvist; Discussant: Gustaf Johnssén  
Date: 2012-10-09; Number of participants: 15
5. Title: "The independence and legitimacy of the European Court of Justice";  
Speaker: Dominique Ritleng; Discussant: Karin Wistrand  
Date: 2012-11-01; Number of participants: 20
6. Title: "Equality as a free standing right? Or simply a means to market integration?"  
Speaker: Philippa Watson; Discussant: Jaan Paju  
Date: 2012-11-27; Number of participants: 24
7. Title: "Article 102: Tying Together the Threads in Recent Case Law"; Speaker: John Kallaugh  
Date: 2013-03-14; Number of participants: Seminar open to the public

The luncheon seminar series was funded by a grant from the Cassel foundation. A new grant of 42.000,00 SEK was just received by Cassel for the Fall Semester of 2013. The grant this time covers also the administration of the seminars.

In March 2013 a working group for the seminar series was set up consisting of Antonina Bakardjieva Engelbrekt, Claes Granmar, Lovorka Jonic Kapnias, Jaan Paju and Katharina Voss. The ambition is to involve more people and to ensure more efficient organization and selection of seminar topics. Ideally, the planned newsletter would provide information about the forthcoming Institute's seminars some months in advance. Also, the newsletters would replace the standard invitation form.

## Doctoral seminars

During the academic 2012/2013 several doctoral seminars were organized where doctoral candidates presented their projects or related research. Some of these seminars were by invitation only, and included specialists within the area of the project (so called reference group); others were open to the public, depending on the stage of the research project and the objectives with the seminar.

1. Title: "EU Enlargement as a Method of Legal Transplantation. The Case of Institutional Twinning"  
Speaker: Lovorka Jonic Kapnias;  
Date: 2012-11-06; Number of participants: 16/ closed seminar (presentation of doctoral project)
2. Title: "A New Approach to Compliance and Deterrence in EU Competition Law"  
Speaker: Katharina Voss;  
Date: 2013-05-14; Number of participants: 8/ closed seminar (presentation of doctoral project)
3. Title: "Samordning av socialförsäkring utifrån ett EU-rättsligt perspektiv"  
Speaker: Jaan Paju; Discussant: Erik Wennerström;  
Date: 2013-06-04; Number of participants: 14/closed seminar (halvtidsseminarium)
4. Title: "Rätten till försvar i konkurrensfall – en rätt i teorin eller praktiken?"  
Speaker: Helene Andersson  
Date: 2013-06-12; Number of participants: 14

### - Other events

On 26 October 2013 the Institute organized a half-day interdisciplinary seminar in cooperation with SIEPS on the topic "Consumer Empowerment in the EU". Key note speech at the seminar was given by the Swedish Consumer Ombudsman Gunnar Larsson and by the Undersecretary of the Swedish Ministry of Justice Peter Knutsson. Among the speakers were Antonina Bakardjieva Engelbrekt, Karolina Zurek (SIEPS), Iris Benöhr (researcher at Oxford University), professor Michelle Michelletti (Political Science Department, SU). Ulf Bernitz was involved as a moderator.

### - Study days in EU Law

On 24 and 25 April 2013 the Institute organized for the second time so called "study days in European Law" at Högberga Gård, Lidingö. The study days were sponsored by the Educational Board of the Law Department. The study days were addressed to the Institute's co-workers and involved 13 participants. The program included topical developments in EU law, in particular "The principle of equal treatment in EU law from different perspectives" with presentations by Jaan Paju and Katharina Voss. The rest of the program was devoted to discussion about the undergraduate course in EU law, the integrated approach to EU law in the law program, the Master program in EU law and the Institute of European Law.

### - Forthcoming events

The Institute is currently planning a half-day conference on the topic "Accession of the Republic of Croatia to the EU and EU's continued enlargement" to take place in September of early October 2013.. The conference is planned in cooperation with SIEPS (the Swedish Institute for European Policy Studies) and in particular with Prof. Christophe Hillion (former

guest professor at the Law Faculty of SU). The preliminary program includes six speakers, among them prominent experts in EU External Relations Law such as Steven Blockmans, Senior Research Fellow & Head of the EU Foreign Policy Unit at CEPS, Brussels; Adam Lazowski, School of Law, University of Westminster, representative of the Swedish Ministry of Foreign Affairs, Sinisa Rodin, Professor of European Law at University of Zagreb. Funding for the conference is ensured through a grant by the Cassel foundation (50.000 SEK).

On 28 and 29 November 2013 the Institute will host the annual conference organized by the European State Aid Law Institute (EStALI). The event consists of a workshop (first day) and a larger conference (second day) and is considered a high profile event with many prominent speakers also from the EU institutions. The conference will include topics such as: 2. The overhaul of the Rescue & Restructuring Guidelines; 2. The new approach to Infrastructure Funding; 3. Energy and Environmental Guidelines. The costs of the conference are covered by EStALI.

## **Collaborations**

As evident from the overview of Institute's activities above, the Institute collaborates with a number of research institutions such as SIEPS, EStALI, Political Science Department at SU. The Institute's co-workers are also actively involved in the work of other institutionalized forms of collaboration in EU law. Antonina Bakardjieva Engelbrekt is Chair of the steering group of the Swedish Network for European Legal Studies (SNELS) and Ulf Bernitz is member of the same steering group. SNELS has on its turn recently started a Nordic Network of European Legal Studies, which has already held three meetings in Stockholm, Copenhagen and Helsinki. Antonina Bakardjieva, Ulf Bernitz and Claes Granmar have been actively participating in these meetings.

Ulf Bernitz chairs a research unit in European Commercial Law at Stockholm Center of Commercial Law at SU. He is also Director of the Board of *Europarättslig tidskrift*. Jaan Paju is managing editor.

Many of the Institute's co-workers maintain institutionalized forms of cooperation with internationally renown academic institutions such as Ulf Bernitz with Oxford University, Antonina Bakardjieva Engelbrekt with EUI Florence (within the Global Governance Program and the project European Regulatory Private Law). Sideek Seyad Mohamed has long term cooperation with academic institutions in Russia (University of St Petersburg) and Asia. The list is not exhaustive..

## **Teaching in EU Law**

The Institute's co-workers are responsible for and actively involved in the teaching of EU law at the department at both undergraduate, advance and post-graduate level. Apart from the 7.5 ECTS undergraduate course in EU law, a large number of elective courses in EU law are given at the advanced level. During the academic 2012/2013 the following courses have been given:

- Constitutional Law of the European Union (Course director: Sideek Seyad Mohamed)

- EU Procedural Law I and II (Course director: Vladimir Bastidas)
- EU Banking and Financial Law (Course director: Sideek Seyad Mohamed)
- Competition Law (Course director Steven Anderman)
- EU Commercial Law (Course director: Vladimir Bastidas)

For the academic 2013/2014 the courses will be as follows:

- Constitutional Law of the European Union (Course director: Sideek Seyad Mohamed)
- Svensk statsrätt från ett europeiskt perspektiv (Course director: Hedvig Bernitz)
- EU Procedural Law (Course director: Katharina Voss)
- EU Law and Governance (Course director: Antonina Bakardjieva Engelbrekt)
- EU Banking and Financial Law (Course director: Sideek Seyad Mohamed)
- Law and Policy of EU External Trade (Course director: Claes Granmar)
- Competition Law (Course director Steven Anderman)
- Internal Market Law (Course director: Claes Granmar)

The Faculty also offers a one-year Master Program of EU Law with an average of 25 students graduating each year. The program contains three parts (Part I Foundations of EU Law, Part II The Union, the Market and the Individual and Part III Competition Law) and a master thesis.

Stockholm, 12 June 2013

Antonina Bakardjieva Engelbrekt

Institute Director

Lovorka Jonic Kapnias

Institute Secretary