



Editorial

MCEL scholars engage with society

In the past few months, various MCEL scholars have been actively engaging with society on a number of topics. We would like to draw your attention to a number of activities. More information is available through our Facebook page.

Elise Muir and Vigjilence Abazi appeared before the European Parliament in hearings. Elise was heard on 'Taking Citizens' concerns seriously: broadening the scope of the EU Charter on Fundamental Rights (Article 51)?'. Vigjilence presented the draft directive for whistle-blower protection across the EU. Marcus Meyer was interviewed on his empirical work on Dutch central works councils by 'Praktijkblad Ondernemingsraad'. Francesca Galli commented on the terrorist attacks in Brussels before Italian television. Sarah Schoenmaekers spoke before the American Bar Association about fraud and corruption in European public procurement and the ways to tackle anti-competitive behaviour. Ellen Vos wrote a blog on EU agencies and started, together with colleagues from legal, political and social disciplines, a dialogue with various practitioners on the challenges posed by the ongoing agencification.

Lisa Waddington actively contributed to the debate on the consequences of the British referendum in June. Faced with the sad results of that referendum, MCEL scholars will continue to discuss about the consequences of a Brexit and will also engage on an academic level with the future design of the EU.

Ellen Vos and Bruno de Witte

News

The second half of this academic year has been marked by two inaugural lectures. Prof. O. Jansen gave a presentation on 'Administrative Law and its Territory' and Prof. J. Vidmar devoted his speech to 'Wrongfulness, Responsibility and Defences in International Law'.

Several events were organised on the Campus of Maastricht University in Brussels. A workshop on 'The Law and Politics of EU Confidential Negotiations' was co-organised by V. Abazi and Dr. J. Adriaensen (12th February). An event on 'The Cultural Open Method of Coordination: A New Boost for European Cultural Policies?' was hosted by E. Psychogiopoulou and B. de Witte (20th June).

Our MCEL Research Seminars continue to be lively. A. Meuwese, from Tilburg University, invited us to reflect on 'Impact Assessment as an (Inter-)Institutional Magic Wand?'. The Head of Data Protection at Eurojust, D. A. Bas, presented on 'Processing and Protection of Personal Data at Eurojust after Lisbon: Is the New Legal Framework for Better or for Worse?'. MCEL members N. Gundt and A.P. van der Mei introduced recent rulings of the CJEU on social tourism, delegation of rule-making powers to the Commission and the European Arrest Warrant regime. S. Garben, from the College of Europe, triggered interesting debates on 'Balancing 'the Market' and 'the Social' in the EU'. Finally, E. Psychogiopoulou reported on her research on the Cultural Open Method of Coordination and opened a discussion with K. Mattocks, from the City University London, whose own research on the governance of Culture was also introduced.



MCEL researchers have gathered in the framework of the MCEL PhD Forum. M. Bonelli gave a presentation entitled 'A Rule of Law Crisis in Poland? Developments and EU's Reaction'. A. Broderick explained the findings of her PhD entitled 'The Long and Winding Road to Equality and Inclusion for Persons with Disabilities: the UNCRPD'. J. Hillebrand-Pohl discussed 'Financial Transaction Taxes and the Right of Free Transfer and Convertibility under International Investment Law'. S. Nobrega introduced her PhD Chapter on 'Access to Information and Public Participation at the EU level: the Biofuels Case'. We also had a final session to discuss recent European case law.

Finally, students in EU law, supported by MCEL members, have performed greatly in the past months. The Maastricht team (K.Wende, E. Meurgey, L. Fleuret, J. Timmermans) coached by P. Melin was semi-finalist at the All-European Finals of the European Law Moot Court. C. Campo (supervised by E. Muir) was given the award for the best bachelor thesis of the European Law School of 2015. Maastricht University also hosted one of the regional finals of the European Law Moot Court.

Upcoming Events

- ❖ Summer School, CLEER Summer School 2016 on EU External Relations Law, 27 June - 1 July 2016, Brussels.
- ❖ Summer School, Septfontaines Summer School of EU Law, 3 - 10 July 2016, Champagne.
- ❖ Workshop, Taking Stock of the Open Method of Coordination, 24 - 25 November, Maastricht.
- ❖ Conference, TARN conference on Constitutionality, Powers and Legitimacy of EU agencies, 10 - 11 November, EUI, Florence.

Selected Publications

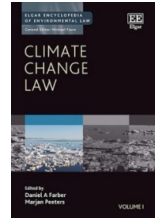
- ❖ Abazi, V. (2016). European Parliamentary Oversight Behind Closed Doors, *Cambridge Journal of International and Comparative Law*, 5(1).
- ❖ Brkan, M. (2015). Data protection and European Private International Law: Observing a Bull in a China Shop, *International Data Privacy Law* 5 (4), 257-278.
- ❖ Claes, M. (2016). The validity and primacy of EU law and the cooperative relationship between national constitutional courts and the European Court of Justice, *Maastricht Journal of European and Comparative Law* 23(1), 151-170.
- ❖ De Witte, B et al, (eds.) (2016), *National Courts and EU Law New Issues, Theories and Methods*, Edward Elgar Publishing.
- ❖ Kortese, L. (2016). Assessing the Coherence of Mechanisms for the Recognition of Qualifications: Discerning Dimensions to a Multilevel Challenge, MCEL Publication Masters Working Paper.
- ❖ Peeters, M. (2016). An EU Law Perspective on the Paris Agreement: Will the EU Consider Strengthening its Mitigation Effort?, *Climate Law Journal* (6), 182-195.
- ❖ Peeters, M. & Farber, D.A. (2016). *Climate Change Law*, Elgar Encyclopedia of Environmental Law series.
- ❖ Vos, E. (2016), EU agencies and Independence, in: D. Ritleng (ed.), *Independence and legitimacy in the institutional system of the EU*, Oxford University Press, 206-228.
- ❖ Waddington, L., McSherry, B. (2016). Exceptions and Exclusions: The Right to Informed Consent for Medical Treatment of People with Psychosocial Disabilities in Europe', *23 European Journal of Health Law*, 23, 1-26

Focus

New book: 'Climate Change Law'

Marjan Peeters, MCEL scholar, has co-edited together with Daniel A. Farber (Berkeley) a new book. This book brings together over 70 legal scholars from across the world for a comprehensive examination in 54 chapters of the emerging field of climate change law.

Rather than delving into the details of the law, the emphasis is on disclosing scholarship on core topics such as human rights and climate change, the challenge of a coherent international treaty approach, the role of principles such as the precautionary principle, the choice and design of regulatory instruments for reducing greenhouse gas emissions, legal issues of geo-engineering, and the potential role of international and national courts in relation to climate change. Specific chapters discuss the EU emissions trading scheme and EU renewable energy law.



As it has evolved, climate law is a combination of international frameworks such as the Paris Agreement from 12 December 2015 and bottom-up efforts by national and sub-national governments. This legal field is substantively linked to other areas of law such as energy regulation, water law, and land use law, while raising new issues for various disciplines of law, including public international law, constitutional law and administrative law. The concluding chapter brings together the insights and discusses the polycentric development of a 'global climate law'.

Climate Change Law is the first issue of the Elgar Encyclopedia of Environmental Law under the general direction of Michael Faure (also from our University). More at <http://www.e-elgar.com/shop/climate-change-law>.

People



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



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



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



Chris Backes was Professor of Constitutional and Administrative Law at Maastricht University (2007-2016). After his farewell from Maastricht University and thus from our Centre, he has joined the Utrecht Centre for Water, Oceans and Sustainability Law as Professor of Environmental Law.