

Report on the activities of the Institute of European Law during the years 2015-2016

Introduction

The Institute of European Law was founded in 1990 and works on the basis of a statute approved by the Faculty Board of the Law Faculty (SU) 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/Union Law, in particular. According to Article 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 qualified educational activities;
- participating in various activities of Stockholm University that are within the Institute's sphere of interest;
- cooperating with other research institutes with similar objectives.

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

Institute's Board

The Institute's Board for the period from 1 July 2014 to 30 June 2017 consisted of the following members: Prof. Petter Asp (SU), Prof. Antonina Bakardjieva Engelbrekt (SU), Prof. Ulf Bernitz (SU), Elisabeth Eklund (Delphi), Ass. Professor Hedvig Lokrantz Bernitz (SU), Olivier Lindén (Kommerskollegium) and Ass. Professor Sideek Seyad Mohamed (SU).

Hedvig Lokrantz Bernitz did not continue her engagement in the Board after 1 July 2016 due to personal reasons. Björn Lundqvist (Ass. Professor, SU) was appointed as a new member of the Board starting from 1 July 2016 and until the end of the current mandate, 30 June 2017.

Antonina Bakardjieva Engelbrekt has acted as the Institute Director and Chair of the Institute's Board. Doctoral Candidate Lovorka Jonic Kapnias has until the Spring Term of 2016 acted as the Institute's secretary.

Researchers involved in the Institute's activities and research funding

During 2015-2016 the following persons have been involved in the Institute's activities.

- Professor Antonina Bakardjieva Engelbrekt
- Professor Ulf Bernitz
- Associate professor Sideek Seyad Mohamed
- Associate professor Björn Lundquist
- Senior Lecturer Claes Granmar

- Senior Lecturer Hedvig Bernitz
- Guest Lecturer, jur. dr. Jaan Paju
- Guest Lecturer Marja-Liisa Öberg (Fall Term 2015)
- Post doctoral researcher Karolina Zurek (part time at SIEPS; now at National Board of Trade)
- Doctoral Candidate Senem Eken
- Doctoral Candidate Helene Andersson
- Doctoral Candidate Lovorka Jonic Kapnias
- Doctoral Candidate Katharina Voss
- Doctoral Candidate Alina Murg Perlmutter
- Doctoral Candidate Markus Skarpsvärd
- Doctoral Candidate Gloria Golmohammadi
- Doctoral Candidate Niousha Nademi.

The researchers at the Institute have been working with various research project supported by external research grants.

Antonina Bakardjieva Engelbrekt is since the beginning of 2015 and until 2018 holder of the Torsten and Ragnar Söderberg Chair of Legal Science for a project on the decentralized enforcement of Internal Market Law with particular focus on network governance. She was during the Spring Term of 2016 affiliated as Guest Professor to Keio University, Tokyo.

Sideek Seyad Mohammed is holder of a four-year Wallenberg Foundation Grant for a project on the Banking Union. He was from October 2014 taking on sabbatical stay at Oxford University.

Jaan Paju defended successfully his doctoral thesis in April 2015 under the title “Suverenitätserosion?” (Supervisor: Ulf Bernitz). The project was funded by the Swedish Social Insurance Agency. He was during the academic 2015/2016 the SCCL post doc fellow at Oxford University.

Several new doctoral candidates have joined the Institute. Gloria Golmohammadi started as a new doctoral student at the Department from September 2015 with a project on the legal framework of participation and consultation in the EU and Swedish legislative process. The project bears the title “Participation in EU law-making through consultation: achieving coherence”. Supervisors are Antonina Bakardjieva Engelbrekt and Mauro Zamboni. Markus Skarpsvärd started as a Doctoral Candidate in EU Competition Law with external funding, with professor Lars Henriksson (Stockholm School of Economics) as supervisor. Niousha Nademi was admitted as doctoral candidate at the Department with a project on Competition Law in the New Economy, funded by the Swedish Competition Agency, with Björn Lundqvist as supervisor.

Helene Anderson (expected to defend her PhD project in early 2017), in cooperation with Ulf Bernitz, received recently funding from the Swedish Competition Agency for a three-year post-doc project on “Access to the European Commission's Files in Cartel Cases - Promoting or Preventing Effective Enforcement of the European Competition Rules?”.

Björn Lundqvist has received mandate to organize the next ASCOLA (Academic Society for Competition Law) conference at Stockholm University. For this purpose funding has been obtained from the Swedish Competition Agency. The conference will take place on 15-17 June 2016. Call for papers has already been sent out.

Doctoral projects

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

- Helene Andersson: “Dawnraids under challenge. A study of the EU Dawn Raid Practices in a Fundamental Rights Perspective (Supervisor: Ulf Bernitz); project funded by the Swedish Competition Agency. The defense is planned for 3 February 2017.

- Lovorka Jonic Kapnias: "EU Enlargement as a Method of Legal Transplantation. The Case of Institutional Twinning" (Supervisor: Antonina Bakardjieva Engelbrekt, co-supervisor Christophe Hillion)
- Senem Eken Uyad: "Free movement of Capital to and from Third Countries" (Supervisor: Sideek Seyad Mohamed)
- Katharina Voss: A New Approach to Compliance and Deterrence in EU Competition Law (Supervisor: Antonina Bakardjieva Engelbrekt, co-supervisor Vladimir Bastidas). Project funded by the Swedish Competition Agency.
- Alina Murg Perlmutter: "The Light Judicial Review in Cases Involving Complex Economic and Technical Assessment". (Supervisor. Antonina Bakardjieva Engelbrekt, Co-supervisor Björn Lundqvist)
- Gloria Golmohammadi, "Participation in EU law-making through consultation: achieving coherence" (Supervisor: Antonina Bakardjieva Engelbrekt, co-supervisor Mauro Zamboni)
- Markus Skarpsvärd, project on EU Competition Law (Supervisor: Lars Henriksson, Stockholm School of Economics)
- Niousha Nademi, "Relevant market and market power when companies compete through innovation. Competition in the New Economy", project funded by the Swedish Competition Agency (Supervisor: Björn Lundqvist).

Educational activities

The most important development concerning the education in EU Law at the Department is the resuming of the **master program in EU law** after a considerable reform and a lengthy process of quality screening and evaluation. The program now offers more clearly a specialization in European Economic Law. It contains an introductory course on EU Economic Law from a Constitutional Perspective (15 ECTS), followed by a choice between three elective courses (EU Competition Law, EU Banking and Financial Law and Internal Market Law and its Social Dimension, 15 ECTS each). In the Spring Term students are taking a course in EU Legal Methods in Research and Practice (15 ECTS). The course comprises a moot court and seminars on research methodology and includes a study trip to Brussels and Luxembourg. The program ends with a Master Thesis in EU Law (15 ECTS). Currently the first group of some 25 students is taking the reformed program. Students have very diverse international background and the first preliminary evaluations are positive.

The master program has served as basis to resume the participation of the Law Faculty in the annual **European Moot Court Competition** after the previous course on EU Procedural Law had been wound down. A team has this year been formed and is being coached by a group of senior researchers and younger doctoral students.

Several **elective courses** in EU law are currently offered to students from the Swedish law program and Erasmus students. The elective courses of the master program are also offered as elective courses, which by using some synergies is supposed to provide a cost-efficient solution. The list of courses is the following:

Fall Term B period:

- EU Competition Law (Course Director: Björn Lundqvist, 15 ECTS)
- EU Banking and Financial Law (Course Director: Sideek Seyad Mohammed, 15 ECTS)
- The Internal Market and Its Social Dimension (Course Directors: Jaan Paju/Claes Granmar, 15 ECTS)

Spring Term A period

- Dynamic Competition Law (Course Director: Björn Lundqvist, 15 ECTS)
- EU Internal Market Law (Course Director: Claes Granmar, 15 ECTS)

Spring Term B period

- EU External Trade Relations Law (Course Director: Claes Granmar, 15 ECTS)

The **undergraduate course in EU law** (7.5 ECTS) is given as before during the first term of the law education. Course Director during 2015-2016 has been Claes Granmar.

The Institute's library

Books:

According to the Law Department's policy all specialized libraries receive an annual sum of 40.000,00 SEK for books and library maintenance. In the period 2015-2016 many new titles were purchased. The Institute reduced its subscription to journals, given the availability of electronic databases.

Digital catalogue:

The Library has a digital catalogue where search in the library books can be carried out.

The Institute's webpage

The Institute's webpage has been maintained in a rather minimalist manner. Information on seminar activities was updated but more ambitious upgrade has so far not been carried out due to lack of resources.

Seminars and other events

During 2015 and 2016 the Institute has received financial support from the Cassel foundation for a seminar series in EU law. The following seminars have been organized:

List of seminars

1. Seminar with Jacob Öberg (PhD, EUI Florence; Senior Lecturer, Örebro University)
Date: 12 February 2015, 12.00 - 13.30
"Limits to EU powers:: a case study on individual criminal sanctions for the enforcement of EU law"
In cooperation with the research group in Criminal Law at the Faculty of Law, Stockholm University
Number of participants: 15
2. Seminar on "The Methodology of Enforcing Article 102 in an Effects Based World"
Date: 4 March 2015
Organizer: Björn Lundqvist (SU)
Seminar with speakers from Law Department, Department of Economics, SU and the Swedish Competition Authority,
Number of participants: 16
3. Mid-term seminar with Katherina Voss, Doctoral Candidate, SU
Date: 26 May 2015, 15.00 - 17.00
"Successful enforcement of Articles 101 and 102 TFEU?"
Discussant: Professor Lars Henriksson (Stockholm School of Economics)
Number of participants: 25
4. Seminar with Eduardo Gill-Pedro, Doctoral Candidate, Lund University
Date: 7 September 2015, 12.00 - 13.30

"Fundamental Rights in EU Law: Principles or Policies?"

Discussant: Mauro Zamboni (Stockholm University)

Number of participants: 18

5. Seminar with Maria Wiberg, kansliråd, Utrikesdepartementet,
Date: 16 November 2015
"The Internal Market for Services: New Case Law on the Services Directive"
Number of participants: 8
6. Introductory Seminar with Gloria Golmohammadi, Doctoral Candidate, SU
Date: 3 December 2015, 12.00 - 13.30
"Participation in EU law-making through consultation: achieving coherence"
Number of participants: 12
7. Seminar with Jacob Öberg (Örebro University; PhD EUI Florence)
Date: 15 December 2015, 12.00 -13.30
"Subsidiarity as a Limit to the Exercise of EU Competences"
Discussant: Antonina Bakardjieva Engelbrekt (Stockholm University)
Number of participants: 13
8. Seminar with Marja-Liisa Öberg (PhD EUI Florence)
Date: 20 January 2016, 12.00-13.30
"EU as a norm exporter: A one-way street of normative influence?"
Discussant: Ulf Bernitz, SU
Number of participants: 12
9. Final seminar (slutseminarium) with Helene Andersson, Doctoral Candidate, SU
Date: 15 June 2016, 10.00 - 12.00
"Dawn Raids Under Challenge - A Study of the European Commission's Dawn Raid Practices in Competition Cases from a Fundamental Rights Perspective"
Discussant: Julian Nowag.
Number of participants: 19
10. Seminar in EU law with Angela Ward, Visiting Professor at Birkbeck College, London, United Kingdom
Date: 16 September 2016, 14.00 - 16.00
"The EU Charter of Fundamental Rights; revolution in fundamental rights protection in the Member States of the EU or mere reinforcement?"
Number of participants: 21
11. Seminar with Prof. Andreas Heinemann from the University of Zurich
Date: 13 October, 14.16
"Defining the decision-making powers of competition agencies"
Number of participants: 10
12. Seminar on "Competition Law For the Digital Economy"
Date: 18 November 2016, Friday, 13.00 - 15.30
 - Introduction - "Big Data, Open Data, Privacy Regulations, Intellectual Property and Competition Law"
 - Justin Pierce (jur.dr. Lund University) - "The Antitrust Dilemma - Balancing Market Power, Efficiency and Innovation"
 - Marios Iacovides (jur.dr. Uppsala University) and Jakob Jeanrond (Ph.D. European University Institute) will present "Multisided markets - the interface between theory and practice"

- Niousha Nademi (Doctoral candidate in Law, SU) will present his research project “Market power in a multisided platform environment”
Number of participants:

- 13. Seminar with Niamh Nic Shuibhne
Date: 28 November 2016, 12.30 - 14.00
“Free movement of citizens or free movement of workers: what do we have, and what do we want?”
Discussant: Jaan Paju
Number of participants: 16

- 14. Seminar with Jan Komárek
Date: 9 December 2016, Friday, 14.00 - 16.00
“The crisis of authority in the EU”
Number of participants: 14

- 15. Seminar with Peter Oliver
“Brexit: What does it mean? What could be the shape of it?”
Date. 12 December 2016, 16-18
In cooperation with SCCL
Discussant: Professor Ulf Bernitz
Number of participants: 37:

A more informal series of luncheon meetings discussing topical EU law cases (so called “**case sessions**”) has been initiated by Helene Andersson following up on an earlier initiative by Vladimir Bastidas. The meetings have been held a few times per semester.

Members of the Institute are also participating in an informal Internal Market discussion group with members from Uppsala University, Swedish Foreign Ministry, the National Board of Trade (Kommerskollegium), etc.

Stockholm, 12 December 2016

Antonina Bakardjieva Engelbrekt

Institute Director and Chair of the Board