

Report on the activities of the Institute of European Law

2024

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 Vice Chancellor of Stockholm University on 15 February 1990. The statute has thereafter been amended according to decisions by the Vice Chancellor, most recently on 20 May 2021. According to the Statute, the Institute's objective is to promote research and education in European Law in general, and in European Union Law, in particular. According to Article 3 of the Statute, the Institute shall fulfill its objectives by:

- developing and maintaining a specialized library;
- 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 consisted of the following members in 2023: Prof. Antonina Bakardjieva Engelbrekt (SU), Elisabeth Eklund (Delphi), Olivier Linden (Kommerskollegium), Ass. Professor Claes Granmar, Director Anna Falk (JK), Adrian Engman (Nyköping City Court), Ass. Professor Sideek Seyad Mohamed (SU), Ass. Professor Jaan Paju and Professor Jane Reichel (SU). The Board was appointed for a new mandate from 1 July 2023 until 30 June 2026 by decisions of the Vice Chancellor of 17th and 31st August 2023, respectively.

Antonina Bakardjieva Engelbrekt acted as Chair of the Institute's Board and Professor Björn Lundqvist acted as Director of the Institute.

Researchers involved in the Institute's activities

During 2024, the following persons have been involved in the Institute's activities.

- Professor Antonina Bakardjieva Engelbrekt
- Professor Björn Lundqvist
- Associate Professor Helene Andersson
- Associate Professor Claes Granmar
- Associate Professor Sideek Seyad Mohamed
- Associate Professor Jaan Paju
- Doctor of Laws Branka Marusic
- Doctor of Laws Gloria Golmohammadi

- Doctoral Candidate/Doctor of Laws Niousha Nademi
- Doctoral Candidate Sascha Hurst
- Doctoral Candidate, advokat Pernilla Norman
- Doctoral Candidate Arvin Tayari.

External funding

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

Doctoral and post-doctoral projects

The following PhD projects were completed in 2024:

- 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). Faculty opponent was Anna Tzanaki, Associate Professor at Lund University and Lecturer at the University of Leeds in the United Kingdom. Assessment committee consisted of Caroline Heide-Jorgensen, Professor of Competition Law and Marketing Law (Unfair Competition) Copenhagen University; Julian Nowag, Associate Professor at the University of Hong Kong; Bengt Domeij, Professor at Uppsala University, and alternate Erik Lidman, Associate Professor of Civil Law and Senior Lecturer at Stockholm University.

The following doctoral projects are pursued by co-workers of the Institute during 2024

- Pernilla Norman, "Nationella IT-ramavtal ur upphandlingsrättsligt, konkurrensrättsligt och dataskyddsperspektiv" (Supervisor: Jaan Paju).
- Arvin Tayari, "Personal Autonomy in the Age of Big Data" (supervisor: Björn Lundqvist; co-supervisors Prof. Giorgio Monti, Tilburg University and Ass. Prof. Stanley Greenstein).
- Senem Eken Uyd: "Free movement of Capital to and from Third Countries" (Supervisor: Sideek Seyad Mohamed). Senem is working as Adjunct Lecturer at Örebro University.
- Sascha Hurst: "Access and Transfer of Data" (supervisor: Björn Lundqvist)

Gloria Golmohammadi works on her two-year post-doc project "The right to participate in the democratic life of the Union in the national context", funded by Institutet för rättsvetenskaplig forskning (Knut & Alice Wallenberg foundation).

Educational activities

The one-year **master program in European Economic Law** continues to attract a stable number of international applications, which allows forming each year a group of 25-30 well-qualified students from different countries and diverse background. The structure of the program is by now settled with a Fall Term comprising 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 and Digital Dimension, 15 ECTS each). In the Spring Term, students take the course EU Legal Methods in Research and Practice (15 ECTS) and the program ends with a Master Thesis in EU Economic Law (15 ECTS). In the academic year 2023/2024 a class of 29 students graduated from the LLM program. In the academic year 2024/2025, the program is held with a group of 33 students. Program directors are Antonina Bakardjieva Engelbrekt and Jaan Paju.

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

to Swedish students, trying to create synergies and cost-efficient solutions. The list of courses is the following:

Spring Term B period

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

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 Digital and Social Dimension (Course Director: Jaan Paju, 15 ECTS)

Claes is also responsible for the pan-Nordic moot court in human rights which has been connected to the course Praktisk europaprocess. The pan-Nordic moot court in human rights is administrated from Stockholm University.

The **undergraduate course in EU law** (7.5 ECTS) is given as before during the first term of the law education. Course Director during the Spring Term of 2024 has been Björn Lundqvist and during the Fall Term of 2024 - Antonina Bakardjieva Engelbrekt.

Seminars and other events

In recent years the Institute has received financial support from the Cassel foundation for the seminar series in EU law. A total of 10 seminars were held throughout 2024 on a variety of topics - from fundamental rights and EU constitutional law to Internal Market, consumer and competition law. The seminars were given in various formats: in person, hybrid form or online via Zoom. The seminars have been generally well-attended. A list of the seminars is attached. In addition, an internal "brown bag lunch" seminar series was started from the Fall Term 2024 discussing ongoing research projects, drafts and ideas. The seminar series is coordinated by Claes Granmar. So far, the following seminars were given: Gloria Golmohammadi introduced her post-doc. project on the 16th of September; Björn Lundqvist presented his new project on the 7th of November; Claes Granmar organised a BBL on the European Health Data Space where the doctoral candidate Zhicheng on the 21th of November.

Library

Books:

In 2023, the Institute received a generous donation of books from the estate of the late professor Ulf Bernitz. These books have now been included in the EU library and in the digital catalogue, while certain official reports mainly from the EU Institutions had to be removed due to lack of shelf space. They were transferred to the new EU center in Bergen.

According to the Law Department's policy, all specialized libraries used to receive an annual sum of 40.000,00 SEK for books and library maintenance. This funding has been reduced in 2023 and 2024. In 2024 only a few titles were purchased.

The Institute's webpage

The Institute's webpage can be found on: www.instituteforeuropeiskratt.se

Stockholm, 1 February 2025

Antonina Bakardjieva Engelbrekt

Chair of the Institute's Board

Björn Lundqvist

Institute Director

Seminar series 2024

The DMA: A Drama in Three Acts **den 12 december 2024, kl. 12:00 till 13:30**

Associate Professor Julian Nowag (Lund and Hong Kong) will present his recent publication "When the DMA's ambitious intentions interact with the EU's constitutional set-up: A future drama in three acts"

The European Union, Environmental Crime and Ecocide **den 20 september 2024, kl. 11:30**

Dr Noreen O'Meara is an Associate Professor (Reader) of Human Rights, European and Environmental Law at the University of Surrey, UK. Noreen is a visiting Associate Professor at Stockholm University, contributing to the Masters in European Economic Law programme at the Faculty of Law. Current research projects focus especially on environmental governance, environmental pollution, and challenges in the trade policy landscape.

The European Public Prosecutor's Office and its impact on national criminal procedure: Spain and Sweden in a comparative perspective **den 13 juni 2024, kl. 12:00**

Seminar with Mar Jimeno Bulnes. Mar Jimenos Buelnes is Professor of Procedural Law, University of Burgos and currently Visiting Researcher at the University of Gothenburg. During the seminar she will present work in progress on her ongoing research project.

"En reformerad EU-domstol" - Seminarium med Nils Wahl, EU-domstolen, Jan Olsson, Statsrådsberedningen, och Jur. Dr. Magnus Schmauch **den 23 maj 2024, kl. 16:30 till 18:30**

EU-domstolen har förändrats. Personaldomstolen har avskaffats och tribunalen har fått dubbelt antal ledamöter. Prövningstillstånd har införts för vissa överklaganden från tribunalen till domstolen. I år kommer kravet på prövningstillstånd utvidgas och tribunalen ska ta över ansvaret för förhandsavgöranden i vissa sakfrågor, bland annat mervärdesskattefrågor.

EN: *"A Reformed EU Court" - Seminar with Nils Wahl, EU Court of Justice, Jan Olsson, Prime Minister's Office, and Dr. Magnus Schmauch, Jur. Dr. May 23, 2024, from 16:30 to 18:30*

The EU Court of Justice has undergone changes. The Civil Service Tribunal has been abolished, and the General Court has doubled its number of judges. Leave to appeal has been introduced for certain appeals from the General Court to the Court of Justice. This year, the requirement for leave to appeal will be expanded, and the General Court will take over responsibility for preliminary rulings in certain matters, including VAT issues.

**Beaktas unionsrättens genomslag i svensk arbetsrätt vid övergång av verksamhet? -
Seminarium med Jur. Dr. Annika Blekemo
den 20 maj 2024, kl. 11:30 till 13:00**

Annika Blekemo disputerade i februari och baserat på avhandlingen "Entreprenadövergång – Anställningsskyddets gränser vid övergång av verksamhet" delar hon några tankar om hur vi nationellt fastställer gällande rätt på ett område som i stora delar styrs av EU-rättens dynamik och om vi verkligen uppnår en EU-konform tolkning. Kommentator: Katarina Fast Lappalainen Moderator: Docent Claes Granmar

EN: *"Is the Impact of EU Law Considered in Swedish Labor Law During Business Transfers?" - Seminar with Dr. Annika Blekemo May 20, 2024, from 11:30 to 13:00*

Annika Blekemo defended her dissertation in February, and based on her thesis "Transfer of Undertakings – The Limits of Employment Protection in Business Transfers," she shares some thoughts on how we nationally determine the applicable law in an area largely governed by the dynamics of EU law and whether we truly achieve an EU-compliant interpretation. Commentator: Katarina Fast Lappalainen Moderator: Associate Professor Claes Granmar

**EU law and private norm making after Super League, in and beyond sports
Seminar with professor Johan Lindholm from Umeå University
den 6 mars 2024, kl. 12:00 till 13:30**

At the end of 2023, the Court of Justice of the European Union issued three sports-related judgments: European Super League, International Skating Union, and Royal Antwerp. In these judgments, the Court expands on the requirements that sport governing bodies and other private actors that "collectively regulate" markets (e.g. trade unions and professional organisations) must respect under EU internal market law. This carries generell, long-term, and potentially far-reaching consequences for private norm making, far beyond the specific issue of so-called breakaway leagues in European football.

**Legitimacy of judicial lawmaking in public interest litigation cases (PIL) in Europe and beyond
den 26 februari 2024, kl. 14:00 till 15:30**

At this seminar Professor Rob van Gestel is going to introduce his new research project that concerns the legitimacy of judicial lawmaking in public interest litigation cases (PIL). The project is funded by the national research foundation of the Netherlands.

**Green transition and consumer protection: an overview of the EU regulation
den 14 februari 2024, kl. 13:00-17:00**

Joint seminar with Stockholm Centre of Commercial Law and University of Naples Federico II.

Seminar on empowering consumers for the green transition through better protection against unfair practices and better information, with keynote speeches by Antonina Bakardjieva Engelbrekt, Vittorio Amato, Carlo Amatucci and Jori Munukka.

**The re-orientation of platform regulation: Treading water or experimenting?
den 5 februari 2024, kl. 12:00 till 13:00**
**Yane Svetiev, Professor at University of Sydney Law School will present his draft
competition law paper.**

The paper analyses the re-orientation of digital platform regulation, including legislative proposals and enforcement efforts to deal with platform power in those jurisdictions. It argues that the initiatives to control platform power in these jurisdictions follow a common emergent template of measures, also followed in the EU and other key players, focused on identifying conduct violations for specifically designated platforms on the basis of structural criteria of size and concentration.

COMPETITION LAW 2024
den 19 januari 2024, kl. 09:30 till 18:00

Several speakers. The conference aims both to deepen and broaden the attendees' knowledge in European and Swedish competition law, while also updating the attendees' substantive and methodological skills. The focus is on the current state of EU competition law and the conference places great importance on the current case law of the Union Courts and the European Commission. But also case law from Sweden is discussed extensively.