

INDEX TO VOLUME 32

I. SUBJECTS

Accession

Articles:

- D. Booß and J. Forman, Enlargement: Legal and procedural aspects, 95–130
I. Seidl-Hohenveldern, Constitutional problems involved in Austria's accession to the EU, 727–741

Commercial policy

Articles:

- J. Bourgeois, The EC in the WTO and Advisory Opinion 1/94: An Echternach procession, 763–787
F. Weiss, The General Agreement on Trade in Services 1994, 1177–1225

Books reviewed:

- P. Hallström, *The GATT Panels and the Formation of International Trade Law* (K.J. Kuilwijk 876–878)
P. Eeckhout, *The European Internal Market and International Trade: A legal analysis* (C. Swaak) 351–354
C. Lycourgos, *L'association avec union douanière: un mode de relations entre la CEE et des Etats tiers* (H.-P. Folz) 663–665

Company law

Books reviewed:

- J. McCahery, S. Picciotto and C. Scott (Eds.), *Corporate Control and Accountability, Changing Structures and the Dynamics of Regulation* (K.J. Hopt) 1059–1063
G. van Solinge, *Grensoverschrijdende juridische fusie* (J. Schutte-Veenstra) 354–357

Competition policy

Articles:

- J.-Y. Art and D. van Liedekerke, Developments in EC competition law in 1994: An overview, 921–971
D. Edward and M. Hoskins, Article 90: Deregulation and EC Law. Reflections arising from the XVI FIDE Conference, 157–186
C.-D. Ehlermann, Reflections on the European Cartel Office, 471–486
B. Hawk, System failure: Vertical restraints and EC competition law, 973–989
M. Schütte and J.-P. Hix, The application of the EC state aid rules to privatizations: The East German example, 215–248

IV

Editorial comments:

Subsidiarity in EC competition law enforcement, 1–5

Case law:

Case C–36/92P, *Samenwerkende Elektriciteits-produktiebedrijven NV (SEP) v. Commission*, with annotation by C. Kerse, 857–869

Case C–364/92, *SAT Fluggesellschaft mbH v. European Organization for the Safety of Air Navigation (Eurocontrol)*, with annotation by B.J. Drijber, 1039–1049

Case C–393/92, *Gemeente Almelo and Others v. Energiebedrijf IJsselmij NV*, with annotation by L. Hancher, 305–325

Joined Cases T–79, 84–86, 89, 91, 92, 94, 96, 98, 102 and 104/89, *BASF AG and Others v. Commission*, on appeal Case C–137/92 P, *Commission v. BASF AG and Others*, (PVC cases); Case T–3/93, *Air France v. Commission*, with annotation by A. Toth, 271–304

Case T–1–3/93, *Société Anonyme à Participation Ouvrière Compagnie Nationale Air France v. Commission*, with annotation by M. Broberg, 1295–1307

Case T–17/93, *Matra Hachette SA v. Commission*, with annotation by C. Swaak, 1271–1286

Book reviewed:

R. Bouterse, *Competition and Integration – What goals count?* (C. Swaak) 873–876

Cooperation in the fields of justice and home affairs

Articles:

M. den Boer, Police cooperation in the TEU: Tiger in a Trojan Horse? 555–578

D. O’Keeffe, Recasting the third pillar, 893–920

Editorial comments:

Schengen – the pros and cons, 673–678

Court of Justice

Articles:

A. Arnulf, Private applicants and the action for annulment under Article 173 of the EC Treaty, 7–49

L. Neville Brown, The first five years of the Court of First Instance and appeals to the Court of Justice: Assessment and statistics, 743–761

J. Weiler and N. Lockhart, “Taking rights seriously” seriously: The European Court and its fundamental rights jurisprudence – part I, 51–94 and part II, 579–627

Editorial comments:

The IGC 1996 and the Court of Justice, 883–892

Case law:

Case C–69/89, *Codorniu SA v. Council*, with annotation by D. Waelbroeck and D. Fosselard, 257–269

Case C–298/89, *Government of Gibraltar v. Council*, with annotation by K.R. Simmonds, 991–996

Economic policy

Guest editorial:

H. Hahn, The European Monetary Institute’s Annual Reports: Fact-finding, means of control, incentive, 1079–1088

Environmental policy

Case law:

Court of Appeal, *Ex p. Friends of the Earth*, with annotation by C. Hilson, 1461–1475

External relations

Articles:

M. Maresceau and E. Montaguti, The relations between the European Union and Central and Eastern Europe: A legal appraisal, 1327–1367

S. Peers, An ever closer waiting room?: The case for Eastern European accession to the European Economic Area, 187–213

J. Sack, The European Community's membership of international organizations, 1227–1256

Editorial comments:

The aftermath of Opinion 1/94 or how to ensure unity of representation for joint competences, 385–390

Freedom to provide services

Case law:

Case C-275/92, *Her Majesty's Customs and Excise v. Gerhart and Jörg Schindler*, with annotation by V. Hatzopoulos, 841–855

Case C-18/93, *Corsica Ferries Italia SRL v. Corpo dei Piloti di Genoa*, with annotation by P.J. Slot, 1287–1294

Case C-23/93, *TV 10 SA v. Commissariaat voor de Media*, with annotation by P.J. Wattel, 1257–1270

Case C-384/93, *Alpine Investments v. Minister van Financiën*, with annotation by V. Hatzopoulos, 1427–1445

General

Articles:

R. Caranta, Judicial protection against Member States: A new *jus commune* takes shape, 703–726

C. Closa, Citizenship of the Union and nationality of Member States, 487–518

C. Curti Gialdino, Some reflections on the *acquis communautaire*, 1089–1121

D. Curtin and H. Meijers, The Principle of open government in Schengen and the European Union: Democratic retrogression? 391–442

W. van Gerven, Bridging the gap between Community and national laws: Towards a principle of homogeneity in the field of legal remedies? 679–702

S. O'Leary, The relationship between Community citizenship and the protection of fundamental rights in Community law, 519–554

E.-U. Petersmann, Proposals for a new constitution for the European Union: Building-blocks for a constitutional theory and constitutional law of the EU, 1123–1175

Guest editorial:

A neo-classical approach for the coming IGC, P. Ver Loren van Themaat, 1319–1326

Case law:

Case C-91/92, *Paola Faccini Dori v. Recreb Srl*, with annotation by W. Robinson, 629–639

Joined cases C-358/93 and C-416/93, *Ministerio Fiscal v. Aldo Bordessa and Ministerio Fiscal v. Vicente Mari Mellado and Concepcion Barbero Maestre*, with annotation by F. Castillo de la Torre, 1025–1038

Joined Cases T-121/89 & T-13/90, *X v. Commission*, on appeal Case C-404/92 P, *X v. Commission*, with annotation by P. Twomey, 1013–1023

VI

Books reviewed:

- Belmont European Policy Centre, *The New Treaty on European Union* and F. Laursen, S. Vanhoonacker, *The Intergovernmental Conference on Political Union* (G. Bebr) 1309–1313
- R. Bieber, *Das Verfahrensrecht von Verfassungsorganen: Ein Beitrag zur Theorie der inner- und interorganschaftlichen Rechtsetzung in der Europäischen Gemeinschaft* (J. Monar and N. Neuwahl) 667–669
- H.-J. Blanke, *Europa auf dem Weg zu einer Bildungs- und Kulturgemeinschaft* (H.J. Albers) 878–879
- R. Dehousse, *Europe After Maastricht: an Ever Closer Union?* (K. Lenaerts and J. Vanhamme) 655–659
- L. Heffernan, *Human Rights: A European Perspective* (F. Jacobs) 665–667
- D. Kinley, *The European Convention on Human Rights: Compliance without Incorporation* (L. Besselink) 1477–1480

Institutions

Articles:

- H. Tichy and L. Dedichen, Securing a smooth shift between the two EEA pillars: Prolonged competence of EFTA institutions with respect to former EFTA States after their accession to the European Union, 131–156
- C. Trotman, Agricultural policy management: A lesson in unaccountability, 1385–1406

Case law:

- Case C-316/91, *Parliament v. Council*, with annotation by R. Barents, 249–255
- Case C-65/93, *European Parliament v. Council*, with annotation by T. Heukels, 1407–1426

Book reviewed:

- J. de Zwaan, *Het Comité van Permanente Vertegenwoordigers* (G. Wils) 357–359

Intellectual property

Case law:

- Case C-9/93, *IHT Internationale Heiztechnik GmbH, Uwe Danziger v. Ideal-Standard GmbH, Wabco Standard GmbH*, with annotation by W. Alexander, 327–349
- Joined Cases C-92/92 and C-326/92, *Collins v. Imtrat Handelsgesellschaft mbH and Patricia Im- Und Export Verwaltungsgesellschaft mbH v. EMI Electrola GmbH*, with annotation by L. Flynn, 997–1011

Books reviewed:

- A. Benyamini, *Patent Infringement in the European Community* (D. Keeling) 359–360
- A. Booy, A. Horton (Eds), *Sweet and Maxwell's E.C. Intellectual Property Materials* (C. Swaak) 1065–1066

Relationship between Community law and national law

Articles:

- M. Herdegen, After the TV judgment of the German Constitutional Court: Decision-making within the EU Council and the German *Länder*, 1369–1384

Case law:

- R. v. Secretary of State for Employment ex Parte Equal Opportunities Commission and Another*, with annotation by C. Harlow and E. Szyszczak, 641–654

Book reviewed:

- J. Bonnes, *Uitvoering van EG-verordeningen in Nederland* (R. de Lange) 659–663

N. Foster, *German Law and Legal System* (P. Cullen) 361–364

Social policy

Articles:

- H. Fenwick and T. Hervey, Sex equality in the single market: New directions for the European Court of Justice, 443–470
 E. Whiteford, Lost in the mists of time: The ECJ and occupational pensions, 801–840

Case law:

- Case C–410/92, *Johnson v. Chief Adjudication Officer*, with annotation by C. Docksey, 1447–1459
 Case C–412/92, *Habermann-Beltermann v. Arbeiterwohlfahrt, Bezirksverband Ndb/Opf eV*, with annotation by J. Shaw, 1051–1058

Books reviewed:

- C. McCrudden (Ed.), *Equality of Treatment between Women and Men in Social Security* (J. Steiner) 1313–1316
 M. Verwilghen (Ed.), *Access to Equality between Men and Women in the European Community* (T. Hervey) 1063–1065

Transport policy

Book reviewed:

- B. Adkins, *Air Transport and E.C. Competition Law* (J. Balfour) 871–873

II. CASE LAW

A. Court of Justice of the European Communities (in order of case number)

- Case C–69/89, *Codorniu SA v. Council*, with annotation by D. Waelbroeck and D. Fosselard, 257–269
 Case C–298/89, *Government of Gibraltar v. Council*, with annotation by K.R. Simmonds, 991–996
 Case C–316/91, *Parliament v. Council*, with annotation by R. Barents, 249–255
 Case C–36/92P, *Samenwerkende Elektriciteits-produktiebedrijven NV (SEP) v. Commission*, with annotation by C. Kerse, 857–869
 Case C–91/92, *Paola Faccini Dori v. Recreb Srl*, with annotation by W. Robinson, 629–639
 Joined Cases C–92/92 and C–326/92, *Collins v. Imtrat Handelsgesellschaft mbH and Patricia Im- Und Export Verwaltungsgesellschaft mbH v. EMI Electrola GmbH*, with annotation by L. Flynn, 997–1011
 Case C–275/92, *Her Majesty's Customs and Excise v. Gerhart and Jörg Schindler*, with annotation by V. Hatzopoulos, 841–855
 Case C–364/92, *SAT Fluggesellschaft mbH v. European Organization for the Safety of Air Navigation (Eurocontrol)*, with annotation by B.J. Drijber, 1039–1049
 Case C–393/92, *Gemeente Almelo and Others v. Energiebedrijf IJsselmij NV*, with annotation by L. Hancher, 305–325
 Case C–410/92, *Johnson v. Chief Adjudication Officer*, with annotation by C. Docksey, 1447–1459
 Case C–412/92, *Habermann-Beltermann v. Arbeiterwohlfahrt, Bezirksverband Ndb/Opf eV*, with annotation by J. Shaw, 1051–1058
 Case C–9/93, *IHT Internationale Heiztechnik GmbH, Uwe Danziger v. Ideal-Standard GmbH, Wabco Standard GmbH*, with annotation by W. Alexander, 327–349

VIII

- Case C-18/93, *Corsica Ferries Italia SRL v. Corpo dei Piloti di Genoa*, with annotation by P.J. Slot, 1287-1294
- Case C-23/93, *TV 10 SA v. Commissariaat voor de Media*, with annotation by P.J. Wattel, 1257-1270
- Case C-65/93, *European Parliament v. Council*, with annotation by T. Heukels, 1407-1426
- Joined cases C-358/93 and C-416/93, *Ministerio Fiscal v. Aldo Bordessa and Ministerio Fiscal v. Vicente Mari Mellado and Concepcion Barbero Maestre*, with annotation by F. Castillo de la Torre, 1025-1038
- Case C-384/93, *Alpine Investments v. Minister van Financiën*, with annotation by V. Hatzopoulos, 1427-1445

Court of First Instance

- Joined Cases T-79, 84-86, 89, 91, 92, 94, 96, 98, 102 and 104/89, *BASF AG and Others v. Commission*, on appeal Case C-137/92 P, *Commission v. BASF AG and Others*, (PVC cases); Case T-3/93, *Air France v. Commission*, with annotation by A. Toth, 271-304
- Joined Cases T-121/89 & T-13/90, *X v. Commission*, on appeal Case C-404/92 P, *X v. Commission*, with annotation by P. Twomey, 1013-1023
- Case T-1-3/93, *Société Anonyme à Participation Ouvrière Compagnie Nationale Air France v. Commission*, with annotation by M. Broberg, 1295-1307
- Case T-17/93, *Matra Hachette SA v. Commission*, with annotation by C. Swaak, 1271-1286

B. National courts

- R. v. Secretary of State for Employment ex Parte Equal Opportunities Commission and Another*, with annotation by C. Harlow and E. Szyszczak, 641-654
- Court of Appeal, *Ex p. Friends of the Earth*, with annotation by C. Hilson, 1461-1475

III. ARTICLES

A. Arnulf	Private applicants and the action for annulment under Article 173 of the EC Treaty	7-49
J.-Y. Art and D. van Liedekerke	Developments in EC competition law in 1994: An overview	921-971
M. den Boer	Police cooperation in the TEU: Tiger in a Trojan Horse?	555-578
D. Booß and J. Forman	Enlargement: Legal and procedural aspects	95-130
J. Bourgeois	The EC in the WTO and Advisory Opinion 1/94: An Echernach procession	763-787
L. Neville Brown	The first five years of the Court of First Instance and appeals to the Court of Justice: Assessment and statistics	743-761
R. Caranta	Judicial protection against Member States: A new <i>jus commune</i> takes shape	703-726
C. Closa	Citizenship of the Union and nationality of Member States	487-518
C. Curti Gialdino	Some reflections on the <i>acquis communautaire</i>	1089-1121
D. Curtin and H. Meijers	The Principle of open government in Schengen and the European Union: Democratic retrogression?	391-442
D. Edward and M. Hoskins	Article 90: Deregulation and EC Law. Reflections arising from the XVI FIDE Conference	157-186
C.-D. Ehlermann	Reflections on the European Cartel Office	471-486
H. Fenwick and T. Hervey	Sex equality in the single market: New directions for the European Court of Justice	443-470

W. van Gerven	Bridging the gap between Community and national laws: Towards a principle of homogeneity in the field of legal remedies?	679-702
B. Hawk	System failure: Vertical restraints and EC competition law	973-989
M. Herdegen	After the TV judgment of the German Constitutional Court: Decision-making within the EU Council and the German <i>Länder</i>	1369-1384
M. Maresceau and E. Montagutti	The relations between the European Union and Central and Eastern Europe: A legal appraisal	1327-1367
D. O'Keefe	Recasting the third pillar	893-920
S. O'Leary	The relationship between Community citizenship and the protection of fundamental rights in Community law	519-554
S. Peers	An ever closer waiting room?: The case for Eastern European accession to the European Economic Area	187-213
E.-U. Petersmann	Proposals for a new constitution for the European Union: Building-blocks for a constitutional theory and constitutional law of the EU	1123-1175
J. Sack	The European Community's membership of international organizations	1227-1256
M. Schütte and J.-P. Hix	The application of the EC state aid rules to privatizations: The East German example	215-248
I. Seidl-Hohenveldern	Constitutional problems involved in Austria's accession to the EU	727-741
H. Tichy and L. Dedichen	Securing a smooth shift between the two EEA pillars: Prolonged competence of EFTA institutions with respect to former EFTA States after their accession to the European Union	131-156
C. Trotman	Agricultural policy management: A lesson in unaccountability	1385-1406
J. Weiler and N. Lockhart	"Taking rights seriously" seriously: The European Court and its fundamental rights jurisprudence - parts I and II	51-94 and 579-627
F. Weiss	The General Agreement on Trade in Services 1994	1177-1225
E. Whiteford	Lost in the mists of time: The ECJ and occupational pensions	801-840

IV. LIST OF AUTHORS

W. Alexander	327-349	C. Closa	487-518
A. Arnulf	7-49	C. Curti Gialdino	1089-1121
J.-Y. Art	921-971	D. Curtin	391-442
R. Barents	249-255	L. Dedichen	131-156
M. den Boer	555-578	C. Docksey	1447-1459
D. Booß	95-130	B.J. Drijber	1039-1049
J. Bourgeois	763-787	D. Edward	157-186
M. Broberg	1295-1307	C.-D. Ehlermann	471-486
L. Neville Brown	743-761	H. Fenwick	443-470
R. Caranta	703-726	L. Flynn	997-1011
F. Castillo de la Torre	1025-1038	J. Forman	95-130

X

D. Fosselard	257-269	S. Peers	187-213
W. van Gerven	679-702	E.-U. Petersmann	1123-1175
H. Hahn	1079-1088	W. Robinson	629-639
L. Hancher	305-325	J. Sack	1227-1256
C. Harlow	641-654	M. Schütte	215-248
V. Hatzopoulos	841-855 and 1427-1445	I. Seidl-Hohenveldern	727-741
B. Hawk	973-989	J. Shaw	1051-1058
M. Herdegen	1369-1384	K.R. Simmonds	991-996
T. Hervey	443-470	P.J. Slot	1287-1294
T. Heukels	1407-1426	C. Swaak	1271-1286
C. Hilson	1461-1475	E. Szyszczak	641-654
J.-P. Hix	215-248	H. Tichy	131-156
M. Hoskins	157-186	A. Toth	271-304
C. Kerse	857-869	C. Trotman	1385-1406
D. van Liedekerke	921-971	P. Twomey	1013-1023
N. Lockhart	51-94 and 579-627	P. Ver Loren van Themaat	1319-1326
M. Maresceau	1327-1367	D. Waelbroeck	257-269
H. Meijers	391-442	P. Wattel	1257-1270
E. Montaguti	1327-1367	J. Weiler	51-94 and 579-627
D. O'Keeffe	893-920	F. Weiss	1177-1225
S. O'Leary	519-554	E. Whiteford	801-840

V. LIST OF BOOKS REVIEWED

Author/editor	Title	Reviewer	Pages
B. Adkins	<i>Air Transport and E.C. Competition Law</i>	J. Balfour	871-873
Belmont European Policy Centre	<i>The New Treaty on European Union</i>	G. Bebr	1309-1313
Benyamini	<i>Patent Infringement in the European Community</i>	D. Keeling	359-360
R. Bieber	<i>Das Verfahrensrecht von Verfassungsorganen: Ein Beitrag zur Theorie der inner- und interorganschaftlichen Rechtsetzung in der Europäischen Gemeinschaft</i>	J. Monar and N. Neuwahl	667-669
H.-J. Blanke	<i>Europa auf dem Weg zu einer Bildungs- und Kulturgemeinschaft</i>	H.J. Albers	878-879
A. Booy, A. Horton	<i>Sweet and Maxwell's E.C. Intellectual Property Materials</i>	C. Swaak	1065-1066
J. Bonnes	<i>Uitvoering van EG-verordeningen in Nederland</i>	R. de Lange	659-663
R. Bouterse	<i>Competition and Integration - What goals count?</i>	C. Swaak	873-876

R. Dehousse	<i>Europe After Maastricht: an Ever Closer Union?</i>	K. Lenaerts and J. Vanhamme	655-659
P. Eeckhout	<i>The European Internal Market and International Trade: A legal analysis</i>	C. Swaak	351-354
N. Foster	<i>German Law and Legal System</i>	P. Cullen	361-364
P. Hallström	<i>The GATT Panels and the Formation of International Trade Law</i>	K.J. Kuilwijk	876-878
L. Heffernan	<i>Human Rights: A European Perspective</i>	F. Jacobs	665-667
D. Kinley	<i>The European Convention on Human Rights: Compliance without Incorporation</i>	L. Besselink	1477-1480
F. Laursen, S. Vanhoonacker	<i>The Intergovernmental Conference on Political Union</i>	G. Bebr	1309-1313
C. Lycourgos	<i>L'association avec union douanière: un mode de relations entre la CEE et des Etats tiers</i>	H.-P. Folz	663-665
J. McCahery, S. Picciotto, C. Scott	<i>Corporate Control and Accountability, Changing Structures and the Dynamics of Regulation</i>	K.J. Hopt	1059-1063
C. McCrudden	<i>Equality of Treatment between Women and Men in Social Security</i>	J. Steiner	1313-1316
G. van Solinge	<i>Grensoverschrijdende juridische fusie</i>	J. Schutte-Veenstra	354-357
R. Thompson	<i>The Single Market for Pharmaceuticals</i>	L. Hancher	1316-1318
M. Verwilghen	<i>Access to Equality between Men and Women in the European Community</i>	T. Hervey	1063-1065
J. Wibmer	<i>Rechtsschutz von Produktausstattungen</i>	C. Tobler	1480-1481
J. de Zwaan	<i>Het Comité van Permanente Vertegenwoordigers</i>	G. Wils	357-359

VI EDITORIALS ETC.

Document: Opinion 1/94 of 15 November 1994, 789-800

Editorial comments: Schengen – the pros and cons, 673-678

Editorial comments: Subsidiarity in EC competition law enforcement, 1-5

Editorial comments: The aftermath of Opinion 1/94 or how to ensure unity of representation for joint competences, 385-390

Editorial comments: The IGC 1996 and the Court of Justice, 883-892

Guest Editorial: A neo-classical approach for the coming IGC, P. Ver Loren van Themaat, 1319-1326

Guest Editorial: The European Monetary Institute's Annual Reports: Fact-finding, means of control, incentive, by Hugo Hahn, 1079-1088

In memoriam K.R. Simmonds, 671-672