

## **SURVEY OF LITERATURE\***

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\* Compiled by members of the staff of the Europa Institute of the University of Leiden.

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## **B. List of abbreviations**

AA	Ars Aequi
AB	Administratief Rechtelijke Beslissingen
AJCL	American Journal of Comparative Law
AJIL	American Journal of International Law
Ann. fr. dr. int.	Annuaire Français de Droit International
AÖR	Archiv des Öffentlichen Rechts
Arch. VR	Archiv des Völkerrechts
BB	Der Betriebs-Berater
CDE	Cahiers de Droit Européen
CJTL	Columbia Journal of Transnational Law
CLJ	Cambridge Law Journal
CML Rev.	Common Market Law Review
Dir. com. scamb. int.	Diritto comunitario e degli scambi internazionali
DÖV	Die öffentliche Verwaltung
DVBL	Deutsches Verwaltungsblatt
EA	Europa Archiv
ECLR	European Competition Law Review
EIRR	European Industrial Relations Review
EL Rev.	European Law Review
E.N.	Euromarkt Nieuws
EPL	European Public Law

ESB	Economische en Statistische Berichten
EuGRZ	Europäische Grundrechte Zeitschrift
EuR	Europarecht
GRUR Int.	Gewerblicher Rechtsschutz und Urheberrecht Internationaler Teil
Harv. Int'l L.J.	Harvard International Law Journal
HRLJ	Human Rights Law Journal
ICLQ	International and Comparative Law Quarterly
IJEL	Irish Journal of European Law
IO	International Organization
IWB	Internationale Wirtschafts-Briefe
JCMS	Journal of Common Market Studies
Journ. dr. inter.	Journal du Droit International
JWT	Journal of World Trade
JZ	Juristenzeitung
LIEI	Legal Issues of European Integration
LJIL	Leiden Journal of International Law
MJ	Maastricht Journal of European and Comparative Law
NILR	Netherlands International Law Review
NJB	Nederlands Juristenblad
NJCM Bulletin	Nederlands Juristen Comité voor de Mensenrechten Bulletin
NJW	Neue Juristische Wochenschrift
NLJ	New Law Journal
NJIL	Nordic Journal of International Law
RCADI	Recueil des Cours de l'Académie de Droit International de la Haye
RDP	Revue du Droit Public et de la Science Politique en France et à l'Étranger
Rev. belge dr. int.	Revue belge du Droit International
Rev. dr. int.	Revue de Droit International
Rev. dr. int. et dr. comp.	Revue de Droit International et de Droit Comparé
Rev. gen. dr. int. publ.	Revue Générale de Droit International Public

Rev. Inst. Eur.	Revista de Instituciones Europeas
RIDPC	Rivista italiana di diritto pubblico comunitario
Riv. Dir. Eur.	Rivista di Diritto Europeo
RIW	Recht der Internationalen Wirtschaft
RMC	Revue du Marché Commun et de l'Union Européenne
RTDE	Revue Trimestrielle de Droit Européen
SEW	Sociaal-Economische Wetgeving
SMA	Sociaal Maandblad Arbeid
SPEI	Swiss Papers on European Integration
SZIER	Schweizerische Zeitschrift für internationales und europäisches Recht
Themis	Rechtsgeleerd Magazijn Themis
TVVS	Tijdschrift voor Vennootschappen, Verenigingen en Stichtingen
WPNR	Weekblad voor Privaat en Notarieel Recht
WRP	Wettbewerb in Recht und Praxis
WuW	Wirtschaft und Wettbewerb
YEL	Yearbook of European Law
ZaöRV	Zeitschrift für Ausländisches und Öffentliches Recht und Völkerrecht
ZHR	Zeitschrift für das gesamte Handelsrecht
ZLW	Zeitschrift für Luftrecht und Weltraumrechtsfragen

## I. INTEGRATION

### 1. *General aspects*

- M.P. Chiti, "Are there universal principles of good governance?", 1 EPL, 241–258.
- B. Laffan, "The politics of identity and political order in Europe", 34 JCMS, 81–102.
- O. Lando, "Lex fori in foro proprio", 2 MJ, 359–375.
- P. Legrand, "European legal systems are not converging", 45 ICLQ, 52–81.
- S. Peers, "Towards equality: Actual and potential rights of third-country nationals in the European Union", 33 CML Rev., 7–50.
- J. Schwarze, "Towards a common European Public Law", 1 EPL, 227–239.

## II. EUROPEAN COMMUNITIES

### 1. General

- C. Annacker, "Die Inexistenz als Angriffs- und Verteidigungsmittel vor dem EuGH und dem EuG", 6 *EuZW*, 755–761.
- M.G. Bos and H.J. van Merriënboer, "Nederland en de Intergouvernementele Conferentie: Kleur bekennen over gedifferentieerde integratie", 44 *SEW*, 78–84.
- S. Boyron, "Maastricht and the codecision procedure: A success story", 45 *ICLQ*, 293–318.
- S. Breitenmoser, "Die Europäische Union zwischen Völkerrecht und Staatsrecht", 55 *ZaöRV*, 951–992.
- J.A. Caporaso, "The European Union and forms of state: Westphalian, regulatory or post-modern?", 34 *JCMS*, 29–52.
- D.N. Chrysoschoou, "European Union and the dynamics of confederal consociation: Problems and prospects for a democratic future", 18 *Journal of European Integration*, 279–305.
- "La CIG 96: Réponses à quelques questions: M. Santer, Mme Guigou, M. Ersboll, M. Weyland", (1996) *RMC*, 8–14.
- H. Cullen, "From migrants to citizens? European Community policy on intercultural education", 45 *ICLQ*, 109–129.
- A. Dashwood, "The limits of European Community powers", 21 *EL Rev.*, 113–128.
- L.M. Díez-Picazo, "Derecho comunitario y medidas sancionatorias", 4 *RIDPC*, 291–320.
- O. Dörr, "Zur Rechtsnatur der Europäischen Union", 30 *EuR*, 334–348.
- P. Eleftheriadis, "Aspects of European constitutionalism", 21 *EL Rev.*, 32–42.
- M.L. Fernandez Esteban, "Constitutional values and principles in the Community legal order", 2 *MJ*, 129–144.
- J.A. Frowein, "Die Verfassung der Europäischen Union aus der Sicht der Mitgliedstaaten", 30 *EuR*, 315–333.
- C. Gamberale, "National identities and citizenship in the European Union", 1 *EPL*, 633–661.
- W. van Gerven, "Toward a coherent constitutional system within the European Union", 2 *EPL*, 81–101.
- G. Grasso, "Nuove prospettive in tema di sanzioni amministrative comunitarie", 4 *RIDPC*, 863–881.
- R. Greaves, "The nature and binding effect of decisions under article 189 EC", 21 *EL Rev.*, 3–16.
- S. Hall, "Loss of Union citizenship in breach of fundamental rights", 21 *EL Rev.*, 129–143.

- D. Kinley, "Direct effect of directives: Stuck on vertical hold", 1 EPL, 79–83.
- C.A. Kortmann, "Goede raad over Gemeenschapsrecht (Nederland)", 44 SEW, 38–46.
- G. Mangione, "La responsabilità da 'illecito legislativo comunitario' e il 'legislatives Unrecht' nella Repubblica federale di Germania", 4 RIDPC, 935–955.
- N. Moussis, "Au-delà de la CIG de 1996: Les grands enjeux de l'Union européenne", (1996) RMC, 15–20.
- M. Niedobitek, "Die kulturelle Dimension im Vertrag über die Europäische Union", 30 EuR, 349–376.
- A. Ogus, "Quality control for European regulation", 2 MJ, 325–338.
- M. O'Neill, "Democracy and the EU: legal perspectives on the political debate", 4 IJEL, 48–67.
- M. Pechstein, "Das Kohärenzgebot als entscheidende Integrationsdimension der Europäischen Union", 30 EuR, 247–258.
- E. Picozza, "Il regime giuridico del procedimento amministrativo comunitario", 4 RIDPC, 321–348.
- T. Risse-Kappen, "Exploring the nature of the Beast: International relations theory and comparative policy analysis meet the European Union", 34 JCMS, 53–80.
- G. C. Rodríguez Iglesias, "Zur 'Verfassung' der Europäischen Gemeinschaft", 23 EuGRZ, 125–131.
- M. Ruffert, "Die Mitgliedstaaten der Europäischen Gemeinschaft als Verpflichtete der Gemeinschaftsgrundrechte", 22 EuGRZ, 518–530.
- A. Ruggeri, "L'ordinamento della Presidenza del Consiglio in rapporto alle Comunità europee: Lineamenti di un assetto incompiutamente definito sul piano delle norme e dalle oscure, confuse esperienze", 4 RIDPC, 1189–1216.
- G. Sciallo, "L'accesso agli atti delle procedure di gara fra normativa comunitaria e disciplina nazionale", 4 RIDPC, 1236–1248.
- A. Steineck, "Der europäische Schwarzmarkt für Zuwanderer: Effektivität und Effizienz von Kontrollinstrumenten", 50 *Aussen-Wirtschaft*, 571–592.
- J. Temple Lang, "What powers should the European Community have?", 1 EPL, 97–116.
- O. Waever, "European security identities", 34 JCMS, 103–132.
- W. Weiß, "Die Einschränkung der zeitlichen Wirkungen von Vorabentscheidungen nach Art. 177 EGV", 30 EuR, 377–397.

## *2. Accession*

- L.E. Ramsey, "Towards a wider European Union: A commentary on the possible accession of Hungary and Poland to the European Union", 1 EPL, 189–200.
- M. Smith, "The European Union and a changing Europe: Establishing the boundaries of order", 34 JCMS, 5–28.

## *3. Agriculture*

- M. Armellin, "Il negoziato comunitario: L'esempio dell'Uruguay Round in agricoltura", 34 Dir. com. scambi. int., 839–844.
- R. Mögele, "The financing system of the Common Agricultural Policy and its legal framework", 4 IJEL, 134–160.
- F. Snyder, "Integrità e frontiere del diritto europeo: Riflessioni sulla base della politica agricola comune", 4 RIDPC, 579–604.
- C. Trotman, "Agricultural policy management: A lesson in unaccountability", 32 CML Rev., 1385–1406.
- S. Ventura, "Incidenza degli accordi di Marrakech sulla politica agricola comune", 34 Dir. com. scambi. int., 759–771.

## *4. Commercial policy*

- A. Appella, "Constitutional aspects of opinion 1/94 of the ECJ concerning the WTO Agreement", 45 ICLQ, 440–462.
- J. Boudaut, "La défense commerciale dans le secteur des matières premières", (1996) RMC, 296–306.
- J.M. Beneyto, "The EU and the WTO: Direct effect of the new dispute settlement system?", 7 EuZW, 295–299.
- M.C. Bronckers, "Private participation in the enforcement of WTO law: The New EC Trade Barriers Regulation", 33 CML Rev., 299–318.
- M.C. Bronckers, "Rehabilitating antidumping and other trade remedies through cost-benefit analyses", 30 JWT, 5–37.
- P. Didier, "Le Code anti-subsidies du cycle de l'Uruguay et sa transposition dans la Communauté", 31 CDE, 679–750.
- M. Feintuck, "Good news for the media? Developments in regulating media ownership in Britain and Europe", 1 EPL, 549–562.
- B.M. Hoekman and P.C. Mavroidis, "Dumping, antidumping and antitrust", 30 JWT, 27–52.
- P. Lee and B. Kennedy, "The potential direct effect of GATT 1994 in European Community law", 30 JWT, 67–89.

- C. Rivoal, "Opinion of the European Court of Justice on the WTO Agreement (15 November 1995), 21 *Air and Space Law*, 25–27.
- M. Slotboom, "L'application du Traité CE au commerce intraétatique: Le cas de l'octroi de mer", 32 CDE, 9–29.
- C. Tietje, "Die Meistbegünstigungsverpflichtung im Gemeinschaftsrecht", 30 EuR, 398–415.
- J.P. Trachtman, "Trade in financial services under GATS, NAFTA, and the EC: A regulatory jurisdiction analysis", 34 CJTL, 37–122.
- P. Vander Schueren, "New anti-dumping rules and practice: Wide discretion held on a tight leash?", 33 CML Rev., 271–297.

### 5. *Common foreign and security policy*

- A. Cahen, "L'Union de l'Europe occidentale (UEO) et la mise en oeuvre de la future défense commune de l'Union européenne", (1996) RMC, 21–35.

### 6. *Company law*

- W. Kolvenbach, "Neue Initiative zur Weiterentwicklung des Europäischen Gesellschaftsrechts?", 7 EuZW, 229–234.

### 7. *Competition law and industrial policy*

- M. Bangemann, "La politique industrielle européenne: Ce qu'elle veut", (1996) RMC, 154–157.
- J. Basedow, "Ansätze zur europäischen Regulierung der Postdienste", 7 EuZW, 143–149.
- G. Belotti, "Gli aiuti di Stato nel diritto comunitario della concorrenza: Della tutela dei terzi", 34 *Dir. com. scamb. int.*, 469–495.
- C. Benicke, "Die Bedeutung des EG-Rechts für gemeinnützige Einrichtungen", 7 EuZW, 165–176.
- M. Bock, "Entsorgung von Verkaufsverpackungen und Kartellrecht", 46 WuW, 187–203.
- P.V. Bos, "Towards a clear distribution of competence between EC and national competition authorities", 16 ECLR, 410–416.
- J. Boyle and T. Prosser, "Universal service in a liberalized Europe", 1 EPL, 541–548.
- S. Braconnier, "Politiques culturelles locales françaises et principe communautaire de libre-concurrence", 31 RTDE, 771–803.
- R. Brent, "The certain pursuit of oligopoly: A reply", 17 ECLR, 163–165.



- M.G. Briotti, "Politiche industriali e trasferimenti pubblici alle imprese nel mercato unico Europeo", 35 Riv. Dir. Eur., 125–140.
- R. Cafari Panico, "Il recupero degli aiuti illegittimamente concessi", 35 Riv. Dir. Eur., 39–52.
- G. Campogrande, "Gli aiuti a finalità regionale in Italia", 35 Riv. Dir. Eur., 53–63.
- F. Capelli and A. Gratani, "Aiuti e incentivi comunitari a favore delle piccole e medie imprese", 34 Dir. com. scambi. int., 589–637.
- M. Clough, "The devil and the deep blue sea (EC competition law and liner shipping consortia)", 16 ECLR, 417–427.
- J. Creutzig, "Die neue Gruppenfreistellungsverordnung für Vertriebs- und Kundendienstvereinbarungen im Kfz-Bereich", 6 EuZW, 723–732.
- J. Creutzig, "Vertrieb von Kraftfahrzeugen", 7 EuZW, 197–201.
- G. Cumming, "*Otto v Post Bank* and the privilege against self-incrimination in enforcement proceedings of EC articles 85 and 86 before the English Courts", 16 ECLR, 400–409.
- H. Daiber, "Wasserpreise und Kartellrecht: Zur Mißbrauchsaufsicht über Wasserversorgungsunternehmen", 46 WuW, 261–371.
- M. Demetriou and A. Robertson, "US extra-territorial jurisdiction in anti-trust matters: Recent developments", 16 ECLR, 461–468.
- C.F. Durand, "Service public européen et politique industrielle ou la promotion de l'intérêt général et du service aux citoyens", (1996) RMC, 211–221.
- C.D. Ehlermann, "The European administration and the public administration of Member States with regard to competition law", 16 ECLR, 454–460.
- C.D. Ehlermann and P. Schütterle, "Vollzugsdefizit der europäischen Beihilfenkontrollregeln?", 7 EuZW, 234–235.
- J. Epstein and G. Le Breton, "Sociétés transfrontalières et sociétés de droit européen", (1996) RMC, 228–235.
- P. Fattori, "Aiuti di stato: Processi di privatizzazione e tutela della concorrenza", 35 Riv. Dir. Eur., 87–100.
- A. Fletcher and Z. Biro, "The MMC investigation into the electrical goods market", 16 ECLR, 474–477.
- T. Frazer and P. Holmes, "Self-Restraint: Cars, complaints and the Commission", 1 EPL, 85–95.
- A. Fuchs, "Widerruf der Genehmigung und nachträgliche Untersagungsmöglichkeit nach der Fusionskontroll-Verordnung", 7 EuZW, 263–267.
- M. Furse, "The 'essential facilities' doctrine in community law", 16 ECLR, 469–473.
- Y. van Gerven, "Een nieuwe benadering voor coöperatieve joint ventures?", 44 SEW, 84–96.

- A.S. Gourdin-Lamblin, "La lutte contre la contrefaçon en droit communautaire", (1996) RMC, 40–50.
- K.W. Grewlich, "La société d'information et les communications planétaires: Concurrence et coopération", (1996) RMC, 236–243.
- V. Guizzi, "La 'politica' degli aiuti di stato", 35 Riv. Dir. Eur., 101–105.
- T. Jestaedt and U. Häsemeyer, "Die Bindungswirkung von Gemeinschaftsrahmen und Leitlinien im EG-Beihilfenrecht", 6 EuZW, 787–792.
- T. Körber, "Konkurrentenklagen in der europäischen Fusionskontrolle", 7 EuZW, 267–273.
- H.P. Lugard, "Vertical restraints under EC competition law: A horizontal approach?", 17 ECLR, 166–177.
- P. Maillet, "L'évolution de l'orientation des actions structurelles de la Communauté: D'une stratégie auto-centrée à une nécessaire stratégie d'adaptation à l'économie mondiale", (1996) RMC, 170–174.
- P. Manzini, "Aiuti di stato prestati mediante conferimento alle imprese di diritti speciali o esclusivi", 35 Riv. Dir. Eur., 27–38.
- P. Mengozzi, "Il principio dell'investitore in una economia di mercato e i valori del diritto comunitario", 35 Riv. Dir. Eur., 19–25.
- S. Micossi, "Nouvelles orientations de la politique industrielle dans l'Union européenne", (1996) RMC, 158–164.
- W. Möschel, "Anpassung des GWB an das europäische Wettbewerbsrecht", 6 EuZW, 817–821.
- N. Moussis, "Une politique industrielle sous-jacente à d'autres politiques communautaires", (1996) RMC, 198–207.
- O. d'Ormesson and A. Wachsmann, "Contrôle des concentrations français et communautaire: Rivalité ou complémentarité?", 31 RTDE, 743–769.
- G.A. Petraccone, "Imprese a finalità sociali e norme sulla concorrenza", 35 Riv. Dir. Eur., 77–86.
- J. Pierson, "Airbus industrie: Les succès d'une coopération européenne", (1996) RMC, 251–257.
- P. Piras, "Sulla compatibilità della società per azioni a partecipazione comunale con l'ordinamento comunitario", 4 RIDPC, 1217–1233.
- A. Pliakos, "La protection des droits de la défense et les pouvoirs de vérification de la Commission des Communautés européennes: Une issue heureuse?", 31 RTDE, 449–469.
- R. Polley, "Die Konkurrentenklage im Europäischen Beihilfenrecht: Klagebefugnis und Rückforderung bei rechtswidrig gewährten Beihilfen", 7 EuZW, 300–305.
- H.-J. Priess, "Recovery of illegal state aid: An overview of recent developments in the case law", 33 CML Rev., 69–91.
- N. Rangone, "Les limitations du pouvoir des États membres à création des monopoles de service public", 4 RIDPC, 349–388.

- P. Reinert, "Industrial supply contracts under EC competition law", 17 ECLR, 6–23.
- A. Rigozzi, "L'art. 85 du traité CE devant le juge civil suisse: Les contrats de distribution à l'égard de l'art. 19 LDIP et de la nouvelle loi fédérale sur les cartels", (1996 no.2) SPEI, 8–60.
- G. Salimbeni, "Gli aiuti pubblici alle imprese: Profili generali", 35 Riv. Dir. Eur., 13–18.
- L. de Sena Plunkett, "Il sindacato di legittimità degli aiuti di stato", 35 Riv. Dir. Eur., 65–75.
- T. Soames, "An analysis of the principle of concerted practice and collective dominance: A distinction without a difference?", 17 ECLR, 24–39.
- J. Steenbergen, "Het House of Lords en de handhaving van het mededingingsrecht", 44 SEW, 97–98.
- R. Toulemon, "Les malentendus autour de la politique industrielle", (1996) RMC, 165–169.
- D. Triantafyllou, "Les règles de la concurrence et l'activité étatique y compris les marchés publics", 32 RTDE, 57–76.
- E. Vacca, "Commissione e aiuti di stato", 35 Riv. Dir. Eur., 107–109.
- M. Vacca, "Gli aiuti di stato alle imprese: Considerazioni introduttive", 35 Riv. Dir. Eur., 5–12.

## 8. *Consumer policy*

## 9. *Cooperation on justice and home affairs*

- House of Lords, Select Committee on the European Communities, Session 1994–95, 10th report: "Europol".
- P. Shah, "Refugees and safe third countries: United Kingdom, European and International aspects", 1 EPL, 259–288.

## 10. *Court of justice; judicial protection*

- W. Alexander, "La recevabilité des renvois préjudiciels dans la perspective de la réforme institutionnelle de 1996", 31 CDE, 561–576.
- F. Capelli and M. Migliazza, "Recours en indemnité et protection des intérêts individuels: Quels sont les changements possibles et souhaitables?", 31 CDE, 585–640.
- D. Comijs, "Individual legal protection under the structural funds", 2 MJ, 187–195.
- M. Darmon, "Réflexions sur le recours préjudiciel", 31 CDE, 577–584.

- P. Duffy, "Quelles réformes pour le recours en annulation?", 31 CDE, 553–560.
- D. Edward, "How the Court of Justice works", 20 EL Rev., 539–558.
- C. Gröpl, "Individualrechtsschutz gegen EG-Verordnungen: Rechtsschutzlücken im Konkurrenzverhältnis des Vorabentscheidungsverfahrens", 22 EuGRZ, 583–589.
- M. Hedemann-Robinson, "Article 173 EC, general community measures and *locus standi* for private persons: Still a cause for individual concern?", 2 EPL, 127–156.
- N. Hyland, "Temporal limitation of the effects of judgments of the Court of Justice: A review of recent case-law", 4 IJEL, 208–233.
- G. Mancini, "Crosscurrents and the tide at the European Court of Justice", 4 IJEL, 120–133.
- N. Neuwahl, "Article 173 paragraph 4 EC: Past, present and possible future", 21 EL Rev., 17–31.
- I. Pernice, "Le recours en indemnité", 31 CDE, 641–660.
- F. Schockweiler, "Die richterliche Kontrollfunktion: Umfang und Grenzen in Bezug auf den Europäischen Gerichtshof", 30 EuR, 191–201.
- R. Streinz, "Anmerkungen zu dem EuGH-Urteil in der Rechtssache *Brasserie du Pêcheur* und *Factortame*", 7 EuZW, 201–204.
- S. Turner, "Challenging EC law before a national court: a further restriction of the rights of natural and legal persons?", 4 IJEL, 68–87.
- G. Vandersanden, "Pour un élargissement du droit des particuliers d'agir en annulation contre des actes autres que les décisions qui leur sont adressées", 31 CDE, 535–552.

## 11. *Economic and monetary policy*

- I.J. Arnold, "Een geldhoeveelheidsbeleid in de EMU?", 81 ESB, 233–236.
- S. Bienvenu, C. Plichou and P. Simon, "Les enjeux concrets du passage à l'union économique et monétaire", (1996) RMC, 287–295.
- S. Brakman and J.H. Garretsen, "Zijn de economische en de monetaire unie strijdig?", 81 ESB, 112–116.
- L.A. Geelhoed, "1996: Geloofwaardigheid en vertrouwen", 81 ESB, 4–9.
- C. Goybet, "L'Union met le cap sur l'Euro", (1996) RMC, 5–7.
- P. de Grauwe, "De Nederlandsche Bank, de EMU en het tekort van de overheid", 81 ESB, 408–409.
- U. Häde, "Ein Stabilitätspakt für Europa? Zur Zulässigkeit völkerrechtlicher Verträge zwischen den Mitgliedstaaten der EU", 7 EuZW, 138–143.

- U. Hartmann, "Öffentliche Finanzpolitik in der EU: Rechtlicher Rahmen und dessen Diskussion im Vorfeld der Regierungskonferenz 1996", 7 *EuZW*, 133–137.
- M. Miscali, "Il monopolio dell'oro al vaglio della normativa comunitaria", 4 *RIDPC*, 619–631.
- M. O'Connell, "The Maastricht Treaty and aspects of monetary union", 4 *IJEL*, 5–17.
- E. Steindorff, "Währungsunion, Beitritt, Finanzausgleich und Maastricht II", 7 *EuZW*, 6–8.

## 12. *Energy policy*

## 13. *Environmental policy*

- S. Bär, "Die Einflußmöglichkeiten von Umweltverbänden in den Politikprozessen der EU", (1996 no.3) *SPEI*, 9–73.
- F. Giampietro, "Responsabilità per danno all'ambiente: L'Italia tra la convenzione di Lugano e il libro verde dell'Unione Europea", 4 *RIDPC*, 605–617.
- M. Gola, "Il marchio di qualità come strumento di tutela ambientale", 4 *RIDPC*, 895–933.
- G. Küpper, "Welchen Einfluß haben Haftung und Versicherung auf die Investitionstätigkeit der Unternehmen im Umweltbereich?", 51 *BB*, 541–544.
- M. di Lecce, "L'incidenza del diritto comunitario in materia di sicurezza ed igiene del lavoro ed ambiente", 34 *Dir. com. scambi. int.*, 509–516.
- A. Matteoli, "Politica ambientale, investimenti pubblici e risorse nazionali", 35 *Riv. Dir. Eur.*, 111–115.

## 14. *External relations; association and development*

- O. Dörr, "Die Entwicklung der ungeschriebenen Außenkompetenzen der EG", 7 *EuZW*, 39–43.
- House of Lords, Select Committee on the European Communities, Session 1994–95, 11th report: "Relations between the EU and the Maghreb countries".
- V. Kronenberger, "Does the EFTA Court interpret the EEA Agreement as if it were the EC Treaty? Some questions raised by the *Restamark* judgment", 45 *ICLQ*, 198–212.
- M. Maresceau and E. Montaguti, "The relations between the European Union and Central and Eastern Europe: A legal appraisal", 32 *CML Rev.*, 1327–1367.

J.M. Zijlmans, "The (exclusive) external competence of the European Community", 2 MJ, 405–419.

### 15. *Finance*

I. Harden, F. White and K. Donnelly, "The Court of Auditors and financial control and accountability in the European Community", 1 EPL, 599–632.

### 16. *Free movement of goods and customs union*

F. Capelli, "Le contrôle des produits alimentaires sur le Marché unique européen et la responsabilité des contrôleurs", (1996) RMC, 90–103.

C. Goybet, "Les zones de libre-échange: Nouveau sujet de tension entre les Quinze", (1996) RMC, 77–80.

C. Koenig and C. Sander, "Bleibt der EuGH dem Keck'schen Telos treu?", 7 EuZW, 8–13.

F.F. Olbertz, "Zollrechtsprechung des EuGH im Jahre 1995", 7 EuZW, 37–38.

M. Pechstein, "Nettoprinzip zulässig!", 7 EuZW, 109–111.

### 17. *Free movement of persons*

R.J. van Arum, "De vliegende brigades: Controles op luchthavens en de commissievoorstellen betreffende het vrij verkeer van personen in de Europese Unie", 44 SEW, 12–22.

D. Chambovey, "L'impact potentiel de la libre circulation des personnes avec les pays de l'Espace économique européen sur les flux migratoires en Suisse", (1996 no.4) SPEI, 37–73.

P. Deknop and I. Raes, "Schengen, mars '95: Ébauche d'une libre circulation en Europe", (1996) RMC, 282–286.

R. Flükiger, "Die Stellung der Auslandschweizer in den EU-Staaten: Grundlagen und praktische Probleme", (1996 no.4) SPEI, 75–87.

P. Garrone, "La libre circulation des personnes en droit communautaire: Effets potentiels en droit suisse", (1996 no.4) SPEI, 89–105.

J.F. Mogg, "Free movement of persons in EU: Swiss relations", (1996 no.4) SPEI, 5–12.

T. Straubhaar, "Die Auswirkungen des freien Personenverkehrs auf die Migration in Westeuropa", (1996 no.4) SPEI, 13–36.

B. Wilkinson, "Towards European citizenship? Nationality, discrimination and free movement of workers in the European Union", 1 EPL, 417–437.

18. *Free movement of capital and freedom to provide services*

- F. Coleman and S. McMurtrie, "Red Hot Television: Domestic and International legal aspects of the regulation of satellite television", 1 EPL, 201–214.
- P. Grassi, "Limiti ai controlli nazionali sulle esportazioni di valuta", 34 Dir. com. scambi. int., 645–660.
- House of Lords, Select Committee on the European Communities, Session 1994–95, 12th report: "Cross-border credit transfers".
- House of Lords, Select Committee on the European Communities, Session 1994–95, 8th report: "European film and television industry".
- A. Sciortino, "Qualche osservazione sulla nozione di pubblica amministrazione nell'ordinamento comunitario (art.48, par.4, Trattato CEE)", 4 RIDPC, 389–406.
- P.A. Wackie Eysten, "Het ontwerp voor een richtlijn Vestigingsrecht Advocaten", 43 SEW, 743–758.

19. *Harmonization*

- E. Brambilla, "Un aspetto dell'armonizzazione comunitaria in materia di enti creditizi: La tutela dei consumatori", 34 Dir. com. scambi. int., 497–508.
- G. Hogan, "The *Meagher* Case and the executive implementation of European directives in Ireland", 2 MJ, 174–186.
- R. Imperiali d'Afflitto, "La direttiva comunitaria sulla *privacy* informatica", 34 Dir. com. scambi. int., 569–588.
- F. Valette, "Le juge communautaire et l'harmonisation des législations nationales relatives aux médicaments à usage humain", 32 RTDE, 25–55.
- H. Ullrich, "Harmonisation within the European Union", 17 ECLR, 178–184.
- C. Zschocke, "Harmonisierung der Fusionskontrolle aus der Sicht des Praktik-ers", 46 WuW, 85–91.

20. *Industrial policy and technology*

- J.A. Garcia-Durán, "Rattrapage et politique industrielle", (1996) RMC, 208–210.
- A. Jacquemin, "Les enjeux de la compétitivité européenne et la politique industrielle communautaire en matière d'innovation", (1996) RMC, 175–181.
- X. Lebacqz, "Coopération technologique et industries de défense", (1996) RMC, 244–250.
- J.F. Marchipont, "Politique industrielle et société de l'information", (1996) RMC, 182–197.

- A. Robertson, "Technology transfer agreements: An overview of how regulation 240/96 changes the law", 17 ECLR, 157–162.

### 21. *Institutions*

- C. Blumann, "Le Parlement européen et la comitologie: Une complication pour la conférence intergouvernementale de 1996", 32 RTDE, 1–24.
- G. Cogliandro, "Les responsabilités des fonctionnaires chargés de la gestion des deniers publics dans l'Union européenne", 34 Dir. com. scamb. int., 811–832.
- L. Gormley and J. de Haan, "The democratic deficit of the European Central Bank", 21 EL Rev., 97–112.
- R. Mastroianni, "The enforcement procedure under Article 169 of the EC Treaty and the powers of the Commission *Quis custodiet custodes?*", 1 EPL, 535–539.
- M.P. van Schendelen, "'De Raad beslist'. Beslist de Raad?: Verslag van een onderzoek naar besluitvorming door de EG landbouwrap", 43 SEW, 706–721.
- M. Silvestro, "Le Parlement européen et les droits de l'homme", (1996) RMC, 36–39.
- R. Smits, "The European Central Bank: Institutional aspects", 45 ICLQ, 319–342.

### 22. *Intellectual property*

- P. Garrone, "La nouvelle loi suisse sur les marques et le droit communautaire", (1996) RMC, 104–108.
- E. Malagoni, "Il noleggio delle opere dell'ingegno secondo la normativa e la giurisprudenza in Italia e nella Comunità europea", 34 Dir. com. scamb. int., 693–701.
- C.F. Walker, "The impact of EC law on the exercise of national intellectual property rights: Recent developments", 4 IJEL, 173–194.

### 23. *Internal market*

- N. Bernard, "Discrimination and free movement in EC law", 45 ICLQ, 82–108.
- F. Capelli, "I controlli dei prodotti alimentari nel mercato unico europeo e la responsabilità dei controllori (funzionari pubblici, certificatori, imprenditori, analisti)", 34 Dir. com. scamb. int., 387–429.



- J. Fronia, "Transparenz und Vermeidung von Handelshemmnissen bei Produktspezifikationen im Binnenmarkt: Das Kontrollverfahren für technische Vorschriften gemäß der geänderten Richtlinie 83/189/ EWG", 7 EuZW, 101–109.
- H.D. Jarass, "Elemente einer Dogmatik der Grundfreiheiten", 30 EuR, 202–226.
- J. Repussard, "Les normes techniques au service de la construction européenne", (1996) RMC, 222–227.

#### *24. Jurisdiction and recognition of judgments*

- C. Forsyth and P. Moser, "The impact of the applicable law of contract on the law of jurisdiction under the European Conventions", 45 ICLQ, 190–197.

#### *25. Regional policy*

- B. Bowring, "The Committee of the Regions: Europe and British local government", 1 EPL, 395–416
- C.E. Baldi, "L'adeguamento del sistema agevolativo nazionale ai 'parametri' comunitari", 34 Dir. com. scambi. int., 547–567.
- R. Rivello, "Il ruolo delle Regioni nel diritto comunitario e nel diritto internazionale: Considerazioni sulla normativa vigente e sui progetti di revisione costituzionale", 34 Dir. com. scambi. int., 255–308.

#### *26. Relationship between national and community law*

- A. Adinolfi, "I principi generali nella giurisprudenza comunitaria e la loro influenza sugli ordinamenti degli stati membri", 4 RIDPC, 521–578.
- J. Barnes, "El principio de subsidiariedad en el Tratado de Maastricht y su impacto sobre las regiones europeas", 4 RIDPC, 823–862.
- Ph. Brouwers and H. Simonart, "Le conflit entre la Constitution et le droit international conventionnel dans la jurisprudence de la Cour d'arbitrage de Belgique", 31 CDE, 7–22.
- C. Calliess, "Der Schlüsselbegriff der 'ausschließlichen Zuständigkeit' im Subsidiaritätsprinzip des Art. 3 b II EGV", 6 EuZW, 693–700.
- J. Candela Castillo, "Les infractions au droit communautaire commises par les États membres: Quelques apports clés de la jurisprudence récente de la Cour de justice en matière de manquement", (1996) RMC, 51–58.
- E. Cannizzaro, "Principi fondamentali della Costituzione e Unione europea: A proposito della sentenza della Corte costituzionale tedesca del 12 ottobre 1993", 4 RIDPC, 1171–1188.

- M. van Damme, "Het Europees gemeenschapsrecht in de adviespraktijk van de afdeling wetgeving van de Belgische Raad van State", 44 SEW, 47–68.
- N. Dantonel-Cor, "La mise en jeu de la responsabilité de l'Etat français pour violation du droit communautaire", 31 RTDE, 471–507.
- E. Deards, "Indirect effect after *Webb v. Emo Air Cargo (UK) Ltd*: How must national law be interpreted to comply with a directive?", 2 EPL, 71–79.
- N. Emiliou, "Taking subsidiarity seriously? The view from Britain", 1 EPL, 563–597.
- P.A. Feral, "Le principe de subsidiarité dans l'Union européenne", (1996) RDP, 203–240.
- B.P. Francis, "Subsidiarity and antitrust: The enforcement of European competition law in the national courts of Member States", 27 *Law and Policy in International Business*, 247–276.
- V. Harrison, "Subsidiarity in article 3b of the EC Treaty: Gobbledegook or justiciable principle?", 45 ICLQ, 431–439.
- M. Herdegen, "After the TV judgment of the German Constitutional Court: Decision-making within the EU Council and the German *Länder*", 32 CML Rev., 1369–1384.
- H.-D. Kuschel, "Die EG-Bananenmarktordnung vor deutschen Gerichten", 6 EuZW, 689–692.
- K.-H. Ladeur, "Supra- und transnationale Tendenzen in der Europäisierung des Verwaltungsrechts – eine Skizze", 30 EuR, 227–246.
- J.-V. Louis, "La primauté, une valeur relative?", 31 CDE, 23–28.
- R. Mehdi, "Le droit communautaire et les pouvoirs du juge national de l'urgence (quelques enseignements d'une jurisprudence récente)", 32 RTDE, 77–100.
- A. Sherlock, "Self-executing provisions in EC law and under the Irish constitution", 2 EPL, 103–125.
- C.F. Walker, "The principle of subsidiarity", 4 IJEL, 30–47.
- B. de Witte, "Sovereignty and European Integration: The weight of legal tradition", 2 MJ, 145–173.

## 27. *Social policy*

- N. Bamforth, "The treatment of pregnancy under European Community sex discrimination law", 1 EPL, 59–68.
- N. Colneric, "Frauenquoten auf dem Prüfstand der EG-Rechts", 51 BB, 265–269.
- M. Cousins, "Equal treatment in Social Welfare: The final round?", 4 IJEL, 195–207.

- H. Fenwick, "Indirect discrimination in equal pay claims: Backward steps in the European Court of Justice?", 1 EPL, 331–338.
- G.J. Heerma van Voss, "The Directive on European works councils in Community-scale undertakings: The introduction of 'double subsidiarity' in European labour law", 2 MJ, 339–358.
- I. Higgins, "Equal treatment and national procedural rules: One step forward, two steps back", 4 IJEL, 18–29.
- L. Marini, "Occupazione e riduzione dell'orario di lavoro in Europa", 34 Dir. com. scamb. int., 715–728.
- E. Meehan and E. Collins, "Women, the European Union and Britain", 49 *Parliamentary Affairs*, 221–234.
- F. von Prondzynski and W. Richards, "Equal opportunities in the labour market: Tackling indirect sex discrimination", 1 EPL, 117–135.
- H.H. Wohlgemuth, "Auswirkungen der EG-Datenschutzrichtlinie auf den Arbeitnehmer-Datenschutz", 51 BB, 690–695.

## 28. Taxation

- C. Amand, "Cross-Border warehousing", 5 *EC Tax Review*, 28–32.
- J.F. Avery Jones, "Carry on discriminating", 36 *European Taxation*, 46–49.
- M. Hedemann-Robinson, "Indirect discrimination: Article 95(1) EC back to front and inside out?", 1 EPL, 439–468.
- H. van den Hurk, "Dutch direct taxes and EC law, more compatibility required?", 5 *EC Tax Review*, 12–28.
- E. Keeling and A. Shipwright, "Some taxing problems concerning non-discrimination and the EC Treaty", 20 *EL Rev.*, 580–596.
- J. Malherbe, "L'égalité en matière fiscale dans la jurisprudence de la Cour de justice des Communautés européennes", 4 *RIDPC*, 883–893.
- J. Malherbe and D. Berlin, "Conventions fiscales bilatérales et droit communautaire", 31 *RTDE*, 509–537.
- J. Malherbe and O. Delattre, "Compatibility of limitation on benefits provisions with EC law", 36 *European Taxation*, 12–20.
- D. Richard, "Bilan de 25 ans d'harmonisation des impôts indirect frappant les rassemblements de capitaux", 32 *CDE*, 31–72.
- R.A. Sommerhalder, "Approaches to thin capitalization", 36 *European Taxation*, 82–95.
- L.G. Stevens, "Dual income tax systems: A European challenge?", 5 *EC Tax Review*, 6–12.
- P. Vandendriessche, "Proof of Intracommunity supply of goods: Achilles' heel of the VAT transitory regime", 5 *EC Tax Review*, 33–38.

- F. Vanistendael, "The consequences of *Schumacker* and *Wielockx*: Two steps forward in the tax procession of Echternach", 33 CML Rev., 255–269.
- P. Wattel, "The EC Court's attempts to reconcile the Treaty freedoms with international tax law", 33 CML Rev., 223–254.
- P. Wattel, "Home neutrality in an Internal Market", 36 *European Taxation*, 159–162.

## 29. *Transport*

- J. Balfour, "European external aviation relations: The question of competence", 21 *Air and Space Law*, 2–9.
- S. Cheti and P.H. Tuinder, "European space policy: Institutional developments", 21 *Air and Space Law*, 48–61.
- B.J. Crans, "Liberalization of Airports", 21 *Air and Space Law*, 10–16.
- B. Crans and O. Rijdsdijk, "EC aviation scene: Commission decisions in *Swissair/Sabena*", 21 *Air and Space Law*, 33–39.
- P.J. Slot, "Het Europese luchtvervoerbeleid: Eindelijk los van de grond?", 43 SEW, 683–705.
- H. Wassenbergh, "De-regulation of competition in international air transport", 21 *Air and Space Law*, 80–89.

## III. COUNCIL OF EUROPE

### 1. *General*

- G. Gilbert, "The Council of Europe and minority rights", 18 *Human Rights Quarterly*, 160–189.

### 2. *Human rights*

- A. Bleckmann, "Bundesverfassungsgericht versus Europäischer Gerichtshof für Menschenrechte: Innerstaatliche Rechtskraft der Urteile des EGMR und Gleichheit von Mann und Frau", 22 EuGRZ, 387–390.
- A.W. Bradley, "Administrative justice: A developing human right?", 1 EPL, 347–369.
- E.P. von Brucken Fock, "Familieleven en familierecht", 21 NJCM Bulletin, 147–170.
- B. Carolan, "The implications of the right to privacy under the European Convention on Human Rights for Irish personal injury claims", 4 IJEL, 161–172.

- G. Cohen-Jonathan, "De la Commission à la Cour européenne des droits de l'homme: Actualités 1994–1995", 31 RTDE, 723–742.
- A. Drzemczewski, "Ensuring compatibility of domestic law with the European Convention on Human Rights prior to ratification: The hungarian model / Introduction to a reference document", 16 HRLJ, 241–260.
- T. Hartlief, "Het recht op eigendom onder het EVRM", 21 NJCM Bulletin, 129–146.
- H. Hausheer, "Der Fall Burghartz – oder: Vom bisweilen garstigen Geschäft der richterlichen Rechtsharmonisierung in internationalen verhältnissen", 22 EuGRZ, 579–583.
- G.J. Heerma van Voss, "De lange, kronkelige weg naar toepassing van het EVRM in het sociale-zekerheidsrecht", 21 NJCM Bulletin, 203–218.
- A.W. Heringa, "Artikel 14 EVRM" Een achtergestelde waarborg?", 21 NJCM Bulletin, 219–228.
- A.W. Heringa, "Private life and the protection of the environment", 2 MJ, 196–204.
- G. Hogan, "The demise of the Irish Broadcasting ban", 1 EPL, 69–78.
- A. Kley-Struller, "Der Schutz der Umwelt durch die Europäische Menschenrechtskonvention", 22 EuGRZ, 507–518.
- R.A. Lawson, "Adieu les Travaux! Het afgenomen belang van de *travaux préparatoires* voor de uitleg van het EVRM", 21 NJCM Bulletin, 61–74.
- J.P. Loof, "*Amicus curiae* in Straatsburg: een rol voor ngo's binnen het EVRM toezichtmechanisme", 21 NJCM Bulletin, 13–32.
- L.C. Meijers, "Rechtsvormende taak van de rechter bij implementatie van Straatsburgse rechtspraak", 21 NJCM Bulletin, 117–128.
- B.E. Myjer, "Pro Justitia: Over verdere strafrechtelijke belevenissen van het EVRM (1990–1995)", 21 NJCM Bulletin, 171–186.
- N.F. Mol, "De openbaarheid van beslissingen van de Europese Commissie voor de Rechten van de Mens", 21 NJCM Bulletin, 33–40.
- H.G. Schermers, "Adaptation of the 11th protocol to the European Convention on Human Rights", 20 EL Rev., 559–579.
- H.G. Schermers, "Het Elfde Protocol bij het Europees Verdrag voor de Rechten van de Mens", 21 NJCM Bulletin, 53–60.
- L. Turnbull, "A victim of its own success: The reform of the European Court of Human Rights", 1 EPL, 215–225.
- L.F. Verhey, "Implementatie van het EVRM door de wetgever", 21 NJCM Bulletin, 103–116.
- K. de Vey Mestdagh, "De rol van de Nederlandse agent in Straatsburg. Enige buitenlandse zaken die in het belang zijn van een goede justitie", 21 NJCM Bulletin, 1–12.
- P.J. Wattel, "Enkele mensenrechtelijke problemen in belastingzaken", 21 NJCM Bulletin, 187–202.

A.J. Woltjer, "45 jaar EVRM: 30 jaar co-existence", 21 NJCM Bulletin, 83–100.