

## INDEX VOLUME 51

### I. SUBJECTS<sup>1</sup>

#### **Agriculture and fisheries**

##### *Book Reviewed*

J. Hartig Danielsen, *EU Agricultural Law* (A. Tosato), 1307–1308

#### **Citizenship**

##### *Book Reviewed*

M. Dougan, N. Nic Shuibhne and E. Spaventa (Eds.), *Empowerment and Disempowerment of the European Citizen* (S. Iglesias Sánchez), 322–323

#### **Commercial Policy**

##### *Articles*

A. Dimopoulos, The involvement of the EU in investor-state dispute settlement: A question of responsibilities, 1671–1720

A. Semertzi, The preclusion of direct effect in the recently concluded EU free trade agreements, 1125–1158

#### **Common Foreign and Security Policy**

##### *Article*

C. Eckes, EU restrictive measures against natural and legal persons: From counterterrorist to third country sanctions, 869–905

##### *Book Reviewed*

P. Koutrakos, *The EU Common Security and Defence Policy* (F. Castillo de la Torre), 1544–1548

#### **Competition policy and law**

##### *Articles*

K. Cseres and J. Mendes, Consumers' access to EU competition law procedures: Outer and inner limits, 483–521

P. Ibáñez Colomo, Exclusionary discrimination under Article 102 TFEU, 141–163

O. Odudu and D. Bailey, The single economic entity doctrine in EU competition law, 1721–1758

P. Van Cleynenbreugel, Article 101 TFEU and the EU Courts: Adapting legal form to the realities of modernization?, 1381–1435

C. Volpin, *The ball is in your court*: Evidential burden of proof and proof-proximity principle in EU competition law, 1093–1124

##### *Editorials*

One bird in the hand... The Directive on damages actions for breach of the competition rules, 1333–1342

1. For reasons of space, only some of the books reviewed throughout the year are included in the subjects section.

*Case Law*

- Case C-17/10, *Toshiba Corporation and others v. Urad pro ochranu hospodárske souteže*, with annotation by G. Monti (Managing decentralized antitrust enforcement), 261–279
- Case C-457/10 P, *AstraZeneca AB and AstraZeneca plc v. European Commission*, with annotation by R. Podszun (Can competition law repair patent law and administrative procedures?), 281–294
- Case C-681/11, *Bundeswettbewerbshörde, Bundeskartellanwalt v. Schenker and Others*, with annotation by S. B. Völcker (*Ignorantia legis non excusat* and the demise of national procedural autonomy in the application of the EU competition rules), 1497–1519
- Case T-79/12, *Cisco Systems Inc. and Messagenet SpA v. Commission*, with annotation by I. Graef (Sneak preview of the future application of European competition law on the Internet?), 1263–1279
- Case C-557/12, *Kone AG and Others v. ÖBB-Infrastruktur AG*, with annotation by N. Dunne (It never rains but it pours? Liability for “umbrella effects” under EU competition law in *Kone*), 1813–1828

**Consumer policy***Article*

- H.-W. Micklitz and N. Reich, The Court and Sleeping Beauty: The revival of the Unfair Contract Terms Directive (UCTD), 771–808

*Case Law*

- Case C-415/11, *Mohamed Aziz v. Catalunyaacaixa*, with annotation by S. Iglesias Sánchez (Unfair terms in mortgage loans and protection of housing in times of economic crisis), 955–974

**Cooperation in the field of Justice and Home Affairs and Cooperation on criminal matters***Case Law*

- Case C-212/11, *Jyske Bank Gibraltar Ltd v. Administración del Estado*, with annotation by T. Incalza (National anti-money laundering legislation in a unified Europe), 1829–1850

**Court of Justice; judicial protection***Articles*

- A. Alemanno and O. Stefan, Openness at the Court of Justice of the European Union: Toppling a taboo, 97–139
- C. Anderson, Contrasting models of EU administration in judicial review of risk regulation, 425–454
- G. Davies, Legislative control of the European Court of Justice, 1579–1608
- T. Dumbrovský, B. Petkova and M. Van Der Sluis, Judicial appointments: The Article 255 TFEU advisory panel and selection procedures in the Member States, 455–482
- C. Eckes, EU restrictive measures against natural and legal persons: From counterterrorist to third country sanctions, 869–905

*Editorial*

- An unintended side-effect of Draghi’s bazooka: An opportunity to establish a more balanced relationship between the ECJ and Member States’ highest courts’, 375–387

*Case Law*

- Joined Cases C-584, 593 & 595/10 P, *Commission, United Kingdom and Council v. Yassin Abdullah Kadi (Kadi II)*, with annotation by A. Cuyvers (“Give me one good reason”: The unified standard of review for sanctions after *Kadi II*), 1759–1788
- Case C-300/11, *ZZ v. Secretary of State for the Home Department*, with annotation by N. de Boer (Secret evidence and due process rights under EU law), 1235–1262
- Case C-583/11 P, *Inuit Tapiriit Kanatami and Others v. Parliament and Council*, with annotation by P.-A. Van Malleghem and N. Baeten (Before the law stands a gatekeeper – Or, what is a “regulatory act” in Article 263(4) TFEU?), 1187–1216
- Case C-579/12 RX-II, *Strack v. Commission*, with annotation by X. Tracol (The new rules of procedure on the review procedure and the application of general principles in EU civil service law and litigation), 993–1014

*Book Reviewed*

- M. de Visser, *Constitutional Review in Europe. A Comparative Analysis* (S. Bardutzky), 1852–1854

**Economic and Monetary policy***Articles*

- N. Moloney, European Banking Union: Assessing its risks and resilience, 1609–1670
- M. Schwarz, A Memorandum of misunderstanding – The doomed road of the European Stability Mechanism and a possible way out: Enhanced cooperation, 389–423
- B. Wolfers and T. Voland, Level the playing field: The new supervision of credit institutions by the European Central Bank, 1463–1495

*Case Law*

- Case E-16/11, *EFTA Surveillance Authority v. Iceland (Icesave)*, with annotation by M. Hanten and M. Plaschke (EU law impact on deposit protection in the financial crisis), 295–309

**Education***Case Law*

- Case C-20/12, *Elodie Giersch v. État du Grand-Duché de Luxembourg*, with annotation by S. O’Leary (The curious case of frontier workers and study finance), 601–622

**Environmental policy***Case Law*

- Joined Cases C-566/11, C-567/11, C-580/11, C-591/11, C-620/11 & C-640/11, *Iberdrola and others v. Administración del Estado*, with annotation by D. Pérez Rodríguez (Absorbing EUETS windfall profits and the principle of free allowances), 679–695

*Books Reviewed*

- L. Bergkamp and B. Goldsmith (Eds.), *The EU Environmental Liability Directive* (L. Krämer), 1300–1302
- N. de Sadeleer, *EU Environmental Law and the Internal Market* (P. Oliver), 1873–1875

**External relations; association and development***Case Law*

Case C-221/11, *Leyla Ecem Demirkan v. Bundesrepublik Deutschland*, with annotation by V. Hatzopoulos (Turkish service recipients under the EU-Turkey Association Agreement), 647–664

**Free movement of goods and customs union***Article*

M. Jansson and H. Kalimo, *De minimis* meets ‘market access’: Transformations in the substance – and the syntax – of EU free movement law?, 523–558

**Free movement of persons; migration and asylum***Articles*

G. Cornelisse, What’s wrong with Schengen? Border disputes and the nature of integration in the area without internal borders, 741–770

E. Drywood, Who’s in and who’s out? The Court’s emerging case law on the definition of a refugee, 1093–1124

*Editorial*

The free movement of persons in the European Union: Salvaging the dream while explaining the nightmare, 729–739

*Case Law*

Case C-20/12, *Elodie Giersch v. État du Grand-Duché de Luxembourg*, with annotation by S. O’Leary (The curious case of frontier workers and study finance), 601–622

Joined Cases C-199-201/12, *Minister voor Immigratie en Asiel v. X* (C-199/12) and *Y* (C-200/12) and *Z v. Minister voor Immigratie en Asiel* (C-201/12), with annotation by M. den Heijer (Persecution for reason of sexual orientation), 1217–1234

**Free movement of services and freedom of establishment***Articles*

N. Moloney, European Banking Union: Assessing its risks and resilience, 1609–1670

B. Wolfers and T. Volland, Level the playing field: The new supervision of credit institutions by the European Central Bank, 1463–1495

*Case Law*

Case C-212/11, *Jyske Bank Gibraltar Ltd v. Administración del Estado*, with annotation by T. Incalza (National anti-money laundering legislation in a unified Europe), 1829–1850

Case C-221/11, *Leyla Ecem Demirkan v. Bundesrepublik Deutschland*, with annotation by V. Hatzopoulos (Turkish service recipients under the EU-Turkey Association Agreement), 647–664

Case C-283/11, *Sky Österreich GmbH v. Österreichischer Rundfunk*, with annotation by W. Hins (The freedom to conduct a business and the right to receive information for free), 665–677

Case C-20/12, *Elodie Giersch v. État du Grand-Duché de Luxembourg*, with annotation by S. O’Leary (The curious case of frontier workers and study finance), 601–622

Case C-57/12, *Fédération des maisons de repos privées de Belgique (Femarbel) ASBL v. Commission communautaire commune de Bruxelles-Capitale*; Case C-539/11, *Ottica New Line di Accardi Vincenzo v. Commune di Campobello di Mazara*, with annotation by

R. Zahn (The regulation of healthcare in the European Union: Member States' discretion or a widening of EU law?), 1521–1538

#### *Book Reviewed*

V. Hatzopoulos, *Regulating Services in the European Union* (A. P. van der Mei), 708–709

### **Fundamental Rights**

#### *Articles*

R. Barents, EU procedural law and effective legal protection, 1437–1461

P. Gragl, A giant leap for European Human Rights? The Final Agreement on the European Union's accession to the European Convention on Human Rights, 13–58

E. Muir, The fundamental rights implications of EU legislation: Some constitutional challenges, 219–245

#### *Case Law*

Joined Cases C-584, 593 & 595/10 P, *Commission, United Kingdom and Council v. Yassin Abdullah Kadi (Kadi II)*, with annotation by A. Cuyvers ("Give me one good reason": The unified standard of review for sanctions after *Kadi II*), 1759–1788

Case C-300/11, *ZZ v. Secretary of State for the Home Department*, with annotation by N. de Boer (Secret evidence and due process rights under EU law), 1235–1262

Case C-176/12, *Association de médiation sociale v. Union locale des syndicats CGT and Others*, with annotation by N. Lazzarini ((Some of) the fundamental rights granted by the Charter may be a source of obligations for private parties), 907–933

Joined Cases C-199-201/12, *Minister voor Immigratie en Asiel v. X* (C-199/12) and *Y* (C-200/12) and *Z v. Minister voor Immigratie en Asiel* (C-201/12), with annotation by M. den Heijer (Persecution for reason of sexual orientation), 1217–1234

Joined Cases C-293 & 594/12, *Digital Rights Ireland Ltd and Seitlinger and Others*, with annotation by O. Lynskey (The Data Retention Directive is incompatible with the rights to privacy and data protection and is invalid in its entirety), 1789–1812

#### *Book Reviewed*

P. Gragl, *The Accession of the European Union to the European Convention on Human Rights* (J. Larik), 1542–1544

### **General**

#### *Articles*

J. Scott, The new EU 'extraterritoriality', 1343–1380

A. von Bogdandy and M. Ioannidis, Systemic deficiency in the rule of law: What it is, what has been done, what can be done, 59–96

#### *Editorials*

After the European elections: Parliamentary games and gambles, 1047–1055

Union membership in times of crisis, 1–11

#### *Case Law*

Case E-16/11, *EFTA Surveillance Authority v. Iceland (Icesave)*, with annotation by M. Hanten and M. Plaschke (EU law impact on deposit protection in the financial crisis), 295–309

Joined Cases C-274 & 295/11, *Kingdom of Spain and Italian Republic v. Council of the European Union*, with annotation by E. Pistoia (Enhanced cooperation as a tool to...enhance integration?), 247–260

Case C-431/11, *United Kingdom v. Council (EEA)*, with annotation by N. Rennuy and P. van Elsuwege (Integration without membership and the dynamic development of EU law), 935–954

*Books Reviewed*

G. Helleringer and K. Purnhagen (Eds.), *Towards a European Legal Culture* (S. Weatherill), 1851–1852

J. Neyer, *The Justification of Europe. A Political Theory of Supranational Integration* (M. Avbelj), 313–314

L. van Middelaar, *The Passage to Europe trans. from Dutch, by L. Waters* (L. Azoulai and E. Jaeger), 311–313

**Harmonization**

*Book Reviewed*

I. Maletic, *The Law And Policy Of Harmonisation In Europe's Internal Market* (M. Möstl), 1015–1016

**Institutions**

*Editorial*

A new Commission takes office: On the relevance of Union law and the emergence of constitutional conventions, 1571–1578

*Books Reviewed*

S. Andersen, *The Enforcement of EU Law. The Role of the European Commission* (R. Mastroianni), 1854–1855

J. Auvret-Finck, *Le Parlement européen après l'entrée en vigueur du traité de Lisbonne* (K. Kowalik-Bańczyk), 1021–1023

M. Busuioc, *European Agencies. Law and Practice of Accountability* (G. Lo Schiavo), 1023–1025

**Intellectual property**

*Article*

M. Leistner, Europe's copyright law decade: Recent case law of the European Court of Justice and policy perspectives, 559–600

*Case Law*

Case C-457/10 P, *AstraZeneca AB and AstraZeneca plc v. European Commission*, with annotation by R. Podszun (Can competition law repair patent law and administrative procedures?), 281–294

*Books Reviewed*

B. Farrand, *Networks of Power in Digital Copyright Law and Policy. Political Salience, Expertise and Legislative Process* (E. Linklater), 1864–1866

C. Geiger (Ed.), *Constructing European Intellectual Property. Achievements and New Perspectives* (H. Ullrich), 1860–1864

**Internal market***Article*

- F. Ferretti, Data protection and the legitimate interest of data controllers: Much ado about nothing or the winter of rights?, 843–868

*Case Law*

- Case C-202/11, *Anton Las v. Psa Antwerp NV*, with annotation by E. Cloots (Respecting linguistic identity within the EU's internal market), 623–645

*Books Reviewed*

- I. Maletic, *The Law And Policy Of Harmonisation In Europe's Internal Market* (M. Möstl), 1015–1016
- G. Skovgaard Ølykke, C. Risvig Hansen and C.D. Tvarnø (Eds.), *EU Public Procurement: Modernisation, Growth and Innovation. Discussions on the 2011 Proposals for Public Procurement Directives* (R. Caranta), 1018–1021
- P. Syrpis (Ed.), *The Judiciary, the Legislature and the EU Internal Market* (A. Iliopoulou-Penot), 707–708

**Jurisdiction and recognition of judgments***Article*

- J. Scott, The new EU 'extraterritoriality', 1343–1380

**Private Law***Article*

- G. Wagner, Private law enforcement through ADR: Wonder drug or snake oil?, 165–194

**Relationship between EU law and national law: judicial cooperation***Articles*

- R. Bieber and F. Maiani, Enhancing centralized enforcement of EU law: Pandora's toolbox?, 1057–1092
- A. Kornezov, *Res judicata* of national judgments incompatible with EU law: Time for a major rethink?, 809–842
- F.-X. Millet, How much lenience for how much cooperation? On the first preliminary reference of the French Constitutional Council to the Court of Justice, 195–218

*Editorial*

- An unintended side-effect of Draghi's bazooka: An opportunity to establish a more balanced relationship between the ECJ and Member States' highest courts', 375–387

*Case Law*

- Case C-202/11, *Anton Las v. Psa Antwerp NV*, with annotation by E. Cloots (Respecting linguistic identity within the EU's internal market), 623–645

*Books Reviewed*

- M. de Visser, *Constitutional Review in Europe. A Comparative Analysis* (S. Bardutzky), 1852–1854
- T. Ewert, *Grenzüberschreitende Mediation in Zivil- und Handelssachen: Die Richtlinie 2008/52/EG: Entstehung, Inhalt und Bedeutung für das deutsche Recht* (F. Wendenburg), 1281–1283

R.A. Wessel and S. Blockmans (Eds.), *Between Autonomy and Dependence. The EU Legal Order under the Influence of International Organizations* (J. Schmidt), 697–699

### **Social policy**

#### *Books Reviewed*

B. Cantillon, H. Verschueren and P. Ploscar (Eds.), *Social Inclusion and Social Protection in the EU: Interactions between Law and Policy* (D. Schiek), 1283–1286

A. Numhauser-Henning and M. Rönömar (Eds.), *Normative Patterns and Legal Developments in the Social Dimension of the EU* (S. Bekker), 1286–1287

### **State Aid**

#### *Book Reviewed*

L. Rubini, *The Definition of Subsidy and State Aid: WTO and EC Law in Comparative Perspective* (J. Winter), 1039–1042

## **II. CASE LAW**

### **Court of Justice**

Case C-17/10, *Toshiba Corporation and others v. Urad pro ochranu hospodárske souteže*, with annotation by G. Monti (Managing decentralized antitrust enforcement), 261–279

Case C-457/10 P, *AstraZeneca AB and AstraZeneca plc v. European Commission*, with annotation by R. Podszun (Can competition law repair patent law and administrative procedures?), 281–294

Joined Cases C-584, 593 & 595/10 P, *Commission, United Kingdom and Council v. Yassin Abdullah Kadi (Kadi II)*, with annotation by A. Cuyvers (“Give me one good reason”: The unified standard of review for sanctions after *Kadi II*), 1759–1788

Case C-202/11, *Anton Las v. Psa Antwerp NV*, with annotation by E. Cloots (Respecting linguistic identity within the EU’s internal market), 623–645

Case C-212/11, *Jyske Bank Gibraltar Ltd v. Administración del Estado*, with annotation by T. Incalza (National anti-money laundering legislation in a unified Europe), 1829–1850

Case C-221/11, *Leyla Ecem Demirkan v. Bundesrepublik Deutschland*, with annotation by V. Hatzopoulos (Turkish service recipients under the EU-Turkey Association Agreement), 647–664

Joined Cases C-274 & 295/11, *Kingdom of Spain and Italian Republic v. Council of the European Union*, with annotation by E. Pistoia (Enhanced cooperation as a tool to...enhance integration?), 247–260

Case C-283/11, *Sky Österreich GmbH v. Österreichischer Rundfunk*, with annotation by W. Hins (The freedom to conduct a business and the right to receive information for free), 665–677

Case C-300/11, *ZZ v. Secretary of State for the Home Department*, with annotation by N. de Boer (Secret evidence and due process rights under EU law), 1235–1262

Case C-415/11, *Mohamed Aziz v. Catalunya Caixa*, with annotation by S. Iglesias Sánchez (Unfair terms in mortgage loans and protection of housing in times of economic crisis), 955–974

Case C-431/11, *United Kingdom v. Council (EEA)*, with annotation by N. Rennuy and P. van Elsuwege (Integration without membership and the dynamic development of EU law), 935–954



- Case C-539/11, *Ottica New Line di Accardi Vincenzo v. Commune di Campobello di Mazara*, with annotation by R. Zahn (The regulation of healthcare in the European Union: Member States' discretion or a widening of EU law?), 1521–1538
- Joined Cases C-566/11, C-567/11, C-580/11, C-591/11, C-620/11 & C-640/11, *Iberdrola and others v. Administración del Estado*, with annotation by D. Pérez Rodríguez (Absorbing EUETS windfall profits and the principle of free allowances), 679–695
- Case C-583/11 P, *Inuit Tapiriit Kanatami and Others v. Parliament and Council*, with annotation by P.-A. Van Malleghem and N. Baeten (Before the law stands a gatekeeper – Or, what is a “regulatory act” in Article 263(4) TFEU?), 1187–1216
- Case C-681/11, *Bundeswettbewerbshörde, Bundeskartellanwalt v. Schenker and Others*, with annotation by S. B. Völcker (*Ignorantia legis non excusat* and the demise of national procedural autonomy in the application of the EU competition rules), 1497–1519
- Case C-20/12, *Elodie Giersch v. État du Grand-Duché de Luxembourg*, with annotation by S. O'Leary (The curious case of frontier workers and study finance), 601–622
- Case C-57/12, *Fédération des maisons de repos privées de Belgique (Femarbel) ASBL v. Commission communautaire commune de Bruxelles-Capitale*, with annotation by R. Zahn (The regulation of healthcare in the European Union: Member States' discretion or a widening of EU law?), 1521–1538
- Case C-176/12, *Association de médiation sociale v. Union locale des syndicats CGT and Others*, with annotation by N. Lazzarini ((Some of) the fundamental rights granted by the Charter may be a source of obligations for private parties), 907–933
- Joined Cases C-199 to C-201/12, *Minister voor Immigratie en Asiel v. X* (C-199/12) and *Y* (C-200/12) and *Z v. Minister voor Immigratie en Asiel* (C-201/12), with annotation by M. den Heijer (Persecution for reason of sexual orientation), 1217–1234
- Joined Cases C-293 & 594/12, *Digital Rights Ireland Ltd and Seitlinger and Others*, with annotation by O. Lynskey (The Data Retention Directive is incompatible with the rights to privacy and data protection and is invalid in its entirety), 1789–1812
- Case C-557/12, *Kone AG and Others v. ÖBB-Infrastruktur AG*, with annotation by N. Dunne (It never rains but it pours? Liability for “umbrella effects” under EU competition law in *Kone*), 1813–1828
- Case C-579/12 RX-II, *Strack v. Commission*, with annotation by X. Tracol (The new rules of procedure on the review procedure and the application of general principles in EU civil service law and litigation), 993–1014

### General Court

- Case T-79/12, *Cisco Systems Inc. and Messagenet SpA v. Commission*, with annotation by I. Graef (Sneak preview of the future application of European competition law on the Internet?), 1263–1279

### EFTA Court

- Case E-16/11, *EFTA Surveillance Authority v. Iceland (Icesave)*, with annotation by M. Hanten and M. Plaschke (EU law impact on deposit protection in the financial crisis), 295–309

## III. ARTICLES

A. Alemanno and O. Stefan	Openness at the Court of Justice of the European Union: Toppling a taboo	97–139
C. Anderson	Contrasting models of EU administration in judicial review of risk regulation	425–454
R. Barents	EU procedural law and effective legal protection	1437–1461
R. Bieber and F. Maiani	Enhancing centralized enforcement of EU law: Pandora's toolbox?	1057–1092
G. Cornelisse	What's wrong with Schengen? Border disputes and the nature of integration in the area without internal borders	741–770
K. Cseres and J. Mendes	Consumers' access to EU competition law procedures: Outer and inner limits	483–521
G. Davies	Legislative control of the European Court of Justice	1579–1608
A. Dimopoulos	The involvement of the EU in investor-state dispute settlement: A question of responsibilities	1671–1720
E. Drywood	Who's in and who's out? The Court's emerging case law on the definition of a refugee	1093–1124
T. Dumbrovský, B. Petkova and M. Van Der Sluis	Judicial appointments: The Article 255 TFEU advisory panel and selection procedures in the Member States	455–482
C. Eckes	EU restrictive measures against natural and legal persons: From counterterrorist to third country sanctions	869–905
F. Ferretti	Data protection and the legitimate interest of data controllers: Much ado about nothing or the winter of rights?	843–868
P. Gragl	A giant leap for European Human Rights? The Final Agreement on the European Union's accession to the European Convention on Human Rights	13–58
P. Ibáñez Colomo	Exclusionary discrimination under Article 102 TFEU	141–163
M. Jansson and H. Kalimo	<i>De minimis</i> meets 'market access': Transformations in the substance – and the syntax – of EU free movement law?	523–558
A. Kornezov	<i>Res judicata</i> of national judgments incompatible with EU law: Time for a major rethink?	809–842
M. Leistner	Europe's copyright law decade: Recent case law of the European Court of Justice and policy perspectives	559–600
H.-W. Micklitz and N. Reich	The Court and Sleeping Beauty: The revival of the Unfair Contract Terms Directive (UCTD)	771–808
F.-X. Millet	How much lenience for how much cooperation? On the first preliminary reference of the French Constitutional Council to the Court of Justice	195–218
N. Moloney	European Banking Union: Assessing its risks and resilience	1609–1670
E. Muir	The fundamental rights implications of EU legislation: Some constitutional challenges	219–245

O. Odudu and D. Bailey	The single economic entity doctrine in EU competition law	1721–1758
M. Schwarz	A Memorandum of misunderstanding – The doomed road of the European Stability Mechanism and a possible way out: Enhanced cooperation	389–423
J. Scott	The new EU ‘extraterritoriality’	1343–1380
A. Semertzi	The preclusion of direct effect in the recently concluded EU free trade agreements	1125–1158
P. Van Cleyenbreugel	Article 101 TFEU and the EU Courts: Adapting legal form to the realities of modernization?	1381–1435
C. Volpin	<i>The ball is in your court</i> : Evidential burden of proof and proof-proximity principle in EU competition law	1093–1124
A. von Bogdandy and M. Ioannidis	Systemic deficiency in the rule of law: What it is, what has been done, what can be done	59–96
G. Wagner	Private law enforcement through ADR: Wonder drug or snake oil?	165–194
B. Wolfers and T. Voland	Level the playing field: The new supervision of credit institutions by the European Central Bank	1463–1495

## IV. LIST OF AUTHORS

A. Alemanno, 97–139	H. Kalimo, 523–558
C. Anderson, 425–454	A. Kornezov, 809–842
N. Baeten, 1187–1216	N. Lazzzerini, 907–933
D. Bailey, 1721–1758	M. Leistner, 559–600
R. Barents, 1437–1461	O. Lynskey, 1789–1812
R. Bieber, 1057–1092	F. Maiani, 1057–1092
E. Cloots, 623–645	J. Mendes, 483–521
G. Cornelisse, 741–770	H.-W. Micklitz, 771–808
K. Cseres, 483–521	F.-X. Millet, 195–218
A. Cuyvers, 1759–1788	N. Moloney, 1609–1670
G. Davies, 1579–1608	G. Monti, 261–279
N. de Boer, 1235–1262	E. Muir, 219–245
M. den Heijer, 1217–1234	O. Odudu, 1721–1758
A. Dimopoulos, 1671–1720	S. O’Leary, 601–622
E. Drywood, 1093–1124	D. Pérez Rodríguez, 679–695
T. Dumbrovský, 455–482	B. Petkova, 455–482
N. Dunne, 1813–1828	E. Pistoia, 247–260
C. Eckes, 869–905	M. Plaschke, 295–313
F. Ferretti, 843–868	R. Podszun, 281–294
I. Graef, 1263–1279	N. Reich, 771–808
P. Gragl, 13–58	N. Rennuy, 935–954
M. Hanten, 295–313	M. Schwarz, 389–423
V. Hatzopoulos, 647–664	J. Scott, 1343–1380
W. Hins, 665–677	A. Semertzi, 1125–1158
P. Ibáñez Colomo, 141–163	O. Stefan, 97–139
T. Incalza, 1829–1850	X. Tracol, 993–1014
M. Ioannidis, 59–96	P. Van Cleyenbreugel, 1381–1435
S. Jansen, 975–991	M. Van Der Sluis, 455–482
M. Jansson, 523–558	P. van Elsuwege, 935–954

P.-A. Van Malleghem, 1187–1216  
 T. Voland, 1463–1495  
 C. Volpin, 1093–1124  
 A. von Bogdandy, 59–96

G. Wagner, 165–194  
 B. Wolfers, 1463–1495  
 R. Zahn, 1521–1538

## V. BOOK REVIEWS

Author/Editor	Title	Reviewer	Pages
M. Adams and J. Bomhoff	<i>Practice and Theory in Comparative Law</i>	S. Roy	725–726
E. Ales (Ed.)	<i>Health and Safety At Work. European and Comparative Perspective</i>	R. Zahn	1875–1877
S. Andersen	<i>The Enforcement of EU Law. The Role of the European Commission</i>	R. Mastroianni	1854–1855
J. Auvret-Finck	<i>Le Parlement européen après l'entrée en vigueur du traité de Lisbonne</i>	K. Kowalik-Bańczyk	1021–1023
S. Bekker	<i>Flexicurity: The Emergence of a European Concept</i>	R. Zahn	715–717
I. Benöhr	<i>EU Consumer Law and Human Rights</i>	S. Jansen and S. Somers	1554–1555
F. S. Benyon	<i>Services and the EU Citizen</i>	N. Reich	709–710
L. Bergkamp and B. Goldsmith	<i>The EU Environmental Liability Directive</i>	L. Krämer	1300–1302
U. Bernitz, X. Groussot and F. Schulyok (Eds.)	<i>General Principles of EU Law and European Private Law</i>	A. Lenaerts	1858–1860
M. de Visser	<i>Constitutional Review in Europe. A Comparative Analysis</i>	S. Bardutzky	1852–1854
H.-J. Blanke and S. Mangiameli	<i>The European Union after Lisbon. Constitutional Basis, Economic Order and External Action</i>	G. Delledonne	1303–1305
J. Blomsma	<i>Mens rea and Defences in European Criminal Law</i>	J. ten Voorde	337–340
T. Börzel and K. Böttger	<i>Policy Change in the EU's Immediate Neighbourhood: A Sectoral Approach</i>	D. Huber	1037–1038
M. Busuioc	<i>European Agencies. Law and Practice of Accountability</i>	G. Lo Schiavo	1023–1025
P. Callens and S. Granata	<i>Introduction to the Unitary Patent and the Unified Patent Court. The (Draft) Rules of Procedure of the Unified Patent Court</i>	T. Jaeger	332–334
G.-P. Calliess	<i>Rome Regulations. Commentary on the European Rules of the Conflict of Laws</i>	X. Kramer	335–337
I. Cameron	<i>EU Sanctions: Law and Policy Issues Concerning Restrictive Measures</i>	M. Wimmer	1035–1037

E. Cannizzaro, P. Palchetti and R. Wessel	<i>International Law as Law of the European Union</i>	A. D. Casteleiro	318–320
B. Cantillon, H. Verschueren and P. Ploscar	<i>Social Inclusion and Social Protection in the EU: Interactions between Law and Policy</i>	D. Schiek	1283–1286
O. Clerc	<i>La gouvernance économique de l'Union européenne. Recherches sur l'intégration par la différenciation</i>	S. de La Rosa	1560–1560
C. Closa	<i>The Politics of Ratification of EU Treaties</i>	G. Martinico	320–322
P.-H. Conac, U. Segna and L. Thévenoz	<i>Intermediated Securities. The Impact of the Geneva Securities Convention and (Eds.) the Future European Legislation</i>	L. Gullifer	1557–1559
M. Cohen-Eliya and I. Pora	<i>Proportionality and Constitutional Culture</i>	U. Belavusau	1305–1307
M. Colangelo	<i>Creating Property Rights. Law and Regulation of Secondary Trading in the European Union</i>	S. Bogojević	1866–1868
M. Danov, F. Becker and P. Beaumont	<i>Cross-Border EU Competition Law Actions</i>	M. Hulicki	1293–1295
B. Delvaux	<i>EU Law and the Development of a Sustainable, Competitive and Secure Energy Policy. Opportunities and Shortcomings</i>	T. Kerikmäe	1044–1045
J. Devenney and M. Kenny (Eds.)	<i>European Consumer Protection Theory and Practice</i>	H. Micklitz	1552–1554
N. de Sadeleer	<i>EU Environmental Law and the Internal Market</i>	P. Oliver	1873–1875
S. de Vries, U. Bernitz and S. Weatherill	<i>The Protection of Fundamental Rights in the EU After Lisbon</i>	A. Torres Pérez	1287–1290
M. Dony	<i>La dimension externe de l'espace de liberté, de sécurité et de justice au lendemain de Lisbonne et de Stockholm: un bilan à mi-parcours</i>	M. Wimmer	340–343
M. Dougan, N. Nic Shuibhne and E. Spaventa	<i>Empowerment and Disempowerment of the European Citizen</i>	S. Iglesias Sánchez	322–323
L. Dubin	<i>La légalité de la lutte contre l'immigration irrégulière par l'Union européenne</i>	P. García Andrade	324–326
A. Elbasani	<i>European Integration and Transformation in the Western Balkans. Europeanization or Business as Usual?</i>	C. Dallara	1038–1039

T. Evas	<i>Judicial Application of European Union Law in post-Communist Countries: The Cases of Estonia and Latvia</i>	M. Varju	700–703
T. Ewert	<i>Grenzüberschreitende Mediation in Zivil- und Handelssachen: Die Richtlinie 2008/52/EG: Entstehung, Inhalt und Bedeutung für das deutsche Recht</i>	F. Wendenburg	1281–1283
B. Farrand	<i>Networks of Power in Digital Copyright Law and Policy. Political Salience, Expertise and Legislative Process</i>	E. Linklater	1864–1866
M. Flear, A.-M. Farrell, T. K. Hervey and T. Murphy	<i>European Law and New Health Technologies</i>	P. Quinn	710–713
S. Flogaitis, T. Zwart and J. Fraser	<i>The European Court of Human Rights and its Discontents. Turning Criticism into Strength</i>	G. Martinico	1028–1030
J. E. Fossum and A. José Menéndez	<i>The Constitution's Gift: A Constitutional Theory for a Democratic European Union</i>	T. Eijsbouts	705–707
C. Geiger (Ed.)	<i>Constructing European Intellectual Property. Achievements and New Perspectives</i>	H. Ullrich	1860–1864
S. Gleeson	<i>International Regulation of Banking. Capital and Risk Requirements. 2nd ed.</i>	M. Schillig	328–330
P. Gragl	<i>The Accession of the European Union to the European Convention on Human Rights</i>	J. Larik	1542–1544
J. Hartig Danielsen	<i>EU Agricultural Law</i>	A. Tosato	1307–1308
T. Hartley	<i>Choice-of-court Agreements under the European and International Instruments. The Revised Brussels I Regulation, the Lugano Convention, and the Hague Convention</i>	J.-J. Kuipers	1549–1550
V. Hatzopoulos	<i>Regulating Services in the European Union</i>	A. P. van der Mei	708–709
S. Haverkort-Speekenbrink	<i>European Non-Discrimination Law: A Comparison of EU Law and the ECHR in the Field of Non-Discrimination and Freedom of Religion in Public Employment with an Emphasis on the Islamic Headscarf Issue</i>	R. Holtmaat	1032–1034
G. Helleringer and K. Purnhagen (Eds.)	<i>Towards a European Legal Culture</i>	S. Weatherill	1851–1852

D. Hoeg	<i>European Merger Remedies. Law and Policy.</i>	M. Araujo	1868–1869
K. Hopt	<i>Europäisches Übernahmerecht</i>	G. Kemperink	1043–1044
L. Hornuf	<i>Regulatory Competition in European Corporate and Capital Market Law. An Empirical Analysis</i>	K. Heine	1877–1878
M. Jacob	<i>Precedents and Case-based Reasoning in the European Court of Justice. Unfinished Business</i>	Suvi Sankari	1855–1857
A. Johnston and G. Block	<i>EU Energy Law</i>	K. Talus	727–728
S. Kingston (Ed.)	<i>European Perspectives on Environmental Law and Governance</i>	K. Kulovesi	1562–1564
A. Köhler	<i>Eingriffsnormen – Der “unfertige Teil” des europäischen IPR 2013</i>	M. Müller	1564–1566
P. Koutrakos	<i>The EU Common Security and Defence Policy</i>	F. Castillo de la Torre	1544–1548
D. Leczykiewicz and S. Weatherill (Eds.)	<i>The involvement of EU law in Private Law Relationships</i>	J. Trzaskowski	1568–1570
I. Lianos and D. Geradin (Eds.)	<i>Handbook On European Competition Law. Enforcement and Procedure</i>	G. Di Federico	1869–1872
K. Ligeti	<i>Toward a Prosecutor for the European Union</i>	T. Marguery	719–723
I. Lobočka-Poguntke	<i>The Evolution of EC Consumer Protection in the Field of Consumer Credit</i>	E. Beysen	330–331
I. Maletic	<i>The Law And Policy Of Harmonisation In Europe's Internal Market</i>	M. Möstl	1015–1016
M. Mendez	<i>The Legal Effects of EU Agreements: Maximalist Treaty Enforcement and Judicial Avoidance Techniques</i>	R. A. Wessel	1548–1549
U. Neergaard, E. Szyszczak, J.W. van de Gronden and M. Krajewski	<i>Social Services of General Interest in the EU</i>	V. Hatzopoulos	1016–1018
J. Neyer	<i>The Justification of Europe. A Political Theory of Supranational Integration</i>	M. Avbelj	313–314
L. Niglia	<i>Pluralism and European Private Law</i>	C. Mak	717–719
A. Numhauser-Henning and M. Rönning	<i>Normative Patterns and Legal Developments in the Social Dimension of the EU</i>	S. Bekker	1286–1287
E. Nykänen	<i>Fragmented State Power and Forced Migration. A Study on Non-State Actors in Refugee Law</i>	F. Ippolito	1030–1032

A. Ohly and J. Pila (Eds.)	<i>The Europeanization of Intellectual Property Law. Towards a European Legal Methodology</i>	P. Torremans	1302–1303
L. Ortiz Blanco	<i>Market Power in EU Antitrust Law</i>	A.-C. Witt	723–724
K. Patel and H. Schweitzer	<i>The Historical Foundations of EU Competition Law</i>	C.-D. Ehlermann	326–328
B. Pirker	<i>Proportionality Analysis and Models of Judicial Review</i>	M. Smith	1292–1293
P. Popelier, A. Mazmanyany and W. Vandenbruwaene	<i>The Role of Constitutional Courts in Multilevel Governance</i>	R. Zbiral	699–700
E. Ramaekers	<i>European Union Property Law. From Fragments to a System</i>	C. S. Rupp	1550–1552
C. Risvig Hansen	<i>Contracts not covered or not fully covered by the Public Sector Directive</i>	H. Stergiou	713–715
A. Rosas and L. Armati	<i>EU Constitutional Law: An Introduction. 2nd ed.</i>	G. Delledonne	314–316
L. Rubini	<i>The Definition of Subsidy and State Aid: WTO and EC Law in Comparative Perspective</i>	J. Winter	1039–1042
C. Schmidt	<i>Grund- und Menschenrechte in Europa</i>	P. Gragl	1025–1028
G. Skovgaard Ølykke, C. Risvig Hansen and C. D. Tvarnø	<i>EU Public Procurement: Modernisation, Growth and Innovation. Discussions on the 2011 Proposals for Public Procurement Directives</i>	R. Caranta	1018–1021
P. Syrpis	<i>The Judiciary, the Legislature and the EU Internal Market</i>	A. Iliopoulou-Penot	707–708
E. Szyszczak and J. van de Gronden	<i>Financing Services of General Economic Interest Reform and Modernization</i>	C. A. Arrebola	334–335
K. Talus	<i>EU Energy Law and Policy. A Critical Account</i>	R. Karova	1560–1562
A. Tatham	<i>Central European Constitutional Courts in the Face of EU Membership. The Influence of the German Model in Hungary and Poland</i>	G. Martinico	703–705
M. Thunberg Schunke	<i>Whose Responsibility? A Study of Transnational Defence Rights and Mutual Recognition of Judicial Decisions within the EU</i>	A. Willems	1290–1292
L. van Middelaar	<i>The Passage to Europe trans. from Dutch, by L. Waters</i>	L. Azoulai and E. Jaeger	311–313
B. Van Vooren, S. Blockmans and J. Wouters	<i>The EU's Role in Global Governance: The Legal Dimension</i>	E. Denza	316–318



I. E. Wendt	<i>EU Competition Law and Liberal Professions: an Uneasy Relationship?</i>	H. Vedder	1295–1296
R. A. Wessel and S. Blockmans	<i>Between Autonomy and Dependence. The EU Legal Order under the Influence of International Organizations</i>	J. Schmidt	697–699
J. Wouters and K. Meuwissen (Eds.)	<i>National Human Rights Institutions in Europe Comparative, European and International Perspectives</i>	J. E. Goldschmidt	1555–1557
E. Wymeersch, K. Hopt and G. Ferrarini	<i>Financial Regulation and Supervision. A post-crisis analysis</i>	P. K. Staikouras	1297–1300
L. Zucca	<i>A Secular Europe. Law and Religion in the European Constitutional Landscape</i>	J. Madeley	1566–1568

## VI. EDITORIAL COMMENTS

After the European elections: Parliamentary games and gambles,	1047–1055
The free movement of persons in the European Union: Salvaging the dream while explaining the nightmare,	729–739
A new Commission takes office: On the relevance of Union law and the emergence of constitutional conventions,	1571–1578
One bird in the hand... The Directive on damages actions for breach of the competition rules,	1333–1342
An unintended side-effect of Draghi's bazooka: An opportunity to establish a more balanced relationship between the ECJ and Member States' highest courts',	375–387
Union membership in times of crisis,	1–11