

Self-assessment report 2009 – 2015

The Legitimacy and Effectiveness of Law & Governance in a World of Multilevel Jurisdictions

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1. Introduction: Legitimacy and Effectiveness of Law & Governance In a World of Multilevel Jurisdictions

Life in our kind of modern society – a liberal democracy – is more than ever controlled by law. Relationships between parties in markets and society are determined by law to a major extent; our government applies law as a steering instrument on an unprecedented scale. We seem to need law as never before, and are becoming increasingly dependent on it. To have an anchor at our disposal in turbulent times, to be able to live together peacefully with those unfamiliar to us, to be able to trade on a global scale, and in particular to be able to live according to our own choices and preferences: pursuing happiness on our own terms.

This increased inclination towards law coincides with developments in which the rule of law and the formation of law no longer generally only occur within the nation state. These days we live in multilevel jurisdictions, certainly the case here in the Netherlands. Much of our law is established by the institutions of the European Union, the Council of Europe. Law is also increasingly laid down in conventions and treaties. This is all the result of deliberate and justifiable steps taken on a case-by-case basis. However, the end result of this increasing dependence on law in combination with an increase in laws, law formation and governance from non-national sources is causing tension and giving rise to fundamental questions. For example, what about the democratic legitimacy of law established by non-national sources? What say did those subject to the law have in that? How do we ensure that such supranational law is implemented and observed? What is the consequence if – as witnessed – parts of that supranational law are not or cannot be implemented or observed? These kinds of questions about the legitimacy of the supranational formation of law, its application, and the policy and governance based on it are surfacing more than ever at this point in time. Classical concepts of legitimacy for the acceptance of control by law, such as the assumption of state sovereignty, the rule of law and democracy, no longer seem to be supported automatically. But it is this very support that is the key to implementing law: too little support leads to non-observance which in turn merely serves to perpetuate non-observance. And law which is not observed, ceases to be law. These kinds of important questions concerning the legitimacy and effectiveness of law, law formation, control and governance using law in the dynamic world of multilevel jurisdictions in the 21st century form the core of this research programme.

Questions on legitimacy and effectiveness as new challenges

The programme '*The Legitimacy and Effectiveness of Law & Governance in a World of Multilevel Jurisdictions*' (hereafter: LELG) (2015–....) is not actually a new programme, but a continuation of the previous research programme with the addition of certain emphases. The LELG programme carried on from the subprogramme *Trias Europea* (2003-2015) of the research programme *Securing the Rule of Law in a World of Multilevel Jurisdictions* (hereafter: MLJ). *Trias Europea* looked at institutional relationships and the balance between official powers in the relationship between the Netherlands and the EU and among EU institutions. In recent years (2009-2014) this research has demonstrated how problems in the EU are increasingly solved or defused using law and in particular transnational law. Other MLJ subprogrammes also revealed a similar trend in other areas of supranational law. Here again, an increasing national and transnational dependence on law was detected. Various deeper lying reasons can be given for this, ranging from globalisation and greater individualisation, to less obvious explanations like 'standard' steering instruments (political persuasion, financial motives, etc.) in the transnational sphere. An increased dependence on law and a corresponding increase in the volume of laws can be seen all around us. The financial crisis in the EU, for example, was tackled with treaties, regulations and directives. Those seeking justice in the Netherlands prefer to rely on ECHR rights in national proceedings (instead of Dutch

fundamental rights)¹ and ultimately many people rely on multilevel jurisdictions because of the trans-national protection offered, or on the European Court of Human Rights for human rights remedies, or the Court of Justice in Luxembourg. Economic policy is largely dependent on international trade agreements, issues regarding the climate, the environment, migration and peace and security are largely addressed at a transnational level. This increase in the volume of laws in the transnational sphere also has a knock-on effect on national law. Transnational law must then be applied and integrated in national law, then implemented, executed and upheld. The Trias Europea programme illustrated not only the blessings of an increased reliance on law, but also revealed the construction errors, gaps and dilemmas in the design of multilevel jurisdictions.

The first crucial question that arises is whether law has the capacity to resolve the major issues of our time; a task that has been assigned to it. Secondly, and perhaps more importantly, questions exist that were touched on above, pertaining to the acceptability of steering society in this way and with this intensity using law in multilevel jurisdictions. The legitimacy of law and the governance that is based on it are on international and national level under fire. This is visible in the recurring discussion about the democratic deficit in the EU, the issue of what the EU can or cannot deal with, the scope of national sovereignty, the acceptance of international treaties (e.g. on climate, trade, the environment, aviation, security and defence), and the recent penchant for referenda on EU issues.

These analyses and issues were the reason for the Trias Europea research group to take the next step, encouraged by recommendations from assessment committees and the mid-term review to bring a clearer focus to the research (see Section 7).

New research programme 2015 Legitimacy and effectiveness of law and governance in multilevel jurisdictions (LELG)

On the basis of previously acquired insights from Trias Europea, from 2015 onwards the focus of the programme shifted to questions regarding the legitimacy and effectiveness of law and governance in multilevel jurisdictions. We are chiefly interested in the way in which legitimacy and effectiveness of law in such multilevel jurisdictions affect one another. Attention is paid in particular to the interaction between national and transnational law formation and the governance based on this, and especially the relationship between the Netherlands/Europe (EU and ECHR).

The LELG research programme has two central related questions:

- a) Is it true that the **legitimacy of law and governance in multilevel jurisdictions is on the decline?**

What evidence is there of this? How can it be measured? What is the theoretical framework for measuring or assessing this question?²

- b) **What is the significance of a diminishing legitimacy in terms of the effectiveness of the law?**

How do we see this and what are the consequences? How can the legitimacy and effectiveness of the law be increased, in particular when law is developed in concert by international organisations, such as the EU? Does effectiveness of law represent its own value? What methods are applied to try to increase the legitimacy of law and governance in multilevel jurisdictions and with what result?

1 See J. H. Gerards, W. Voermans et al. *Juridische betekenis en reikwijdte van het begrip ‘rechtsstaat’ in de jurisprudentie en legisprudentie van de Raad van State*. [The legal significance and scope of the concept of ‘rule of law’ in the case law and legisprudence of the Council of State]. Research Report. The Hague/Leiden 2011.

2 We also make use of the legitimacy research carried out in Leiden within the profile area *Political Legitimacy* by political scientists, public administration experts, historians and other arts and humanities scholars. In particular we apply the theoretical framework offered by authors such as David Beetham, Pierre Rosanvallon and Fritz Scharpf.

These are major issues that are difficult to investigate and hard to answer. Perhaps this is the reason why in legal science these kinds of questions concerning legitimacy have somewhat faded into the background in recent decades. Legitimacy of law and governance is, we were sometimes told, not something that can be studied using the limited toolkit that the legal scholar has at his or her disposal. But recent research on legitimacy by Beetham³, for example, shows that questions regarding legitimacy indeed arise at the interface between morality, normativity and faith – confirmed or otherwise – in the effect of norms and rules. Legal scholars in particular are accustomed to these kinds of issues – though issues concerning legitimacy are certainly not easy to measure using methods from the social sciences. This also makes legal scholars equipped to perform research on aspects of legitimacy issues.

Partly for this reason, the research in the programme is carried out mainly by researchers from the Institute of Public Law (in particular the departments Constitutional and Administrative Law, and European Law) together with researchers from the Institute of the Interdisciplinary Study of Law (in particular the departments Jurisprudence and the Philosophy of Law) and researchers trained in social sciences from the wider scope of the Leiden profile area Political Legitimacy (public administration experts, general and political philosophers, historians and political scientists). The groups from various institutes at Leiden Law School have built up a high level of expertise and a reputation in the field of multilevel EU law formation (Department of Constitutional and Administrative Law) on the one hand, and in the field of legal theoretical and philosophical insights in the legitimacy of law and that of European law, in particular, on the other hand. The groups from Leiden Law School therefore complement one another. The core group of researchers from the Department of Constitutional and Administrative Law has had a long-term association in precisely this field of research. For more than twelve years they have bundled their expertise on constitutional and administrative law, conducted joint research and shared their results with each other. By articulating and discussing the *learning curves* from individual and joint research, they have built on the synergy of the strength of the research and its outcomes. In this way the researchers have been able to give each other a ‘leg up’ as it were in order to progress further.

Profile areas

Within the research programme, staff can make use of the collaborations and insights from two Leiden profile areas: Political Legitimacy (of which Professor W. Voermans is one of the three leaders) and Interaction between Legal Systems. In particular the research that is carried out in Political Legitimacy (a collaboration between the faculties of law, humanities, social sciences and governance & global affairs of Leiden University) forms a rich source of material as well as an inspiring institutional environment for research in the LELG programme. This collaboration prides itself on a young tradition: efforts have now been combined for more than five years.⁴

³ See David Beetham, *The Legitimation of Power*. Palgrave Macmillan 1991.

⁴ Joint conferences are organised (Political Legitimacy, January 2014), there are joint publications (see e.g. the key publication – in section 9 – by Voermans, Hartmann, Kaeding, *The Quest for Legitimacy in EU Secondary Legislation, The Theory and Practice of Legislation* 2(1): 5-32 2015 and Ingrid van Biezen, Hans-Martien Ten Napel, *Regulating Political Parties*. Leiden University Press 2014), joint PhD supervision (Hartmann). Also bi-monthly meetings on the progress of research and meetings of PhD students. In addition, the profile area organises Honours Classes (In 2014 1 x The importance of EP candidates and in 2015-2016 2 x ‘Gewicht in de schaal’ [Balancing the Scales] where students calculate the effect of the use of parliamentary instruments such as parliamentary questions, motions, initiatives, etc.). There is also the polls monitor of Tom Louwerse and in the near future a Lorentz workshop entitled ‘Trust(ing) the law’ will be organised.

2. Organisation, leadership and reputation

Working together on major challenging issues with different groups, each with its own background, requires good coordination and administrative organisation. Much is invested in this area in the programme, not just in the achievement of joint research results, but also against the background of one of the core ambitions of the programme: training junior researchers.

Ambition and strategy of the research programme

The organisation of the LELG programme can thus only be understood against the background of the overall ambition and related strategy of the programme. This *ambition* has five pillars:

- a. working towards a **better understanding** of the dynamics of law formation in multilevel jurisdictions, the role of institutions and the rule of law, as well as the issues concerning legitimacy that arise from this, **taking a broad perspective**. This broad perspective does not mean that the group is limited to its own disciplinary and multidisciplinary research, but where possible, is certainly open to research insights from other disciplines (in particular from the field of social sciences) and from international colleagues.
- b. performing research **through outreach and seeking exchange**: sharing insights and questions with other academics (national and international), professionals (learning from the problems and obstacles they encounter), students and junior researchers, but also with society (through professional publications, annotations).
- c. based on **learning from research** i.e. learning as much as possible from the outcomes of other research and building on these while seeking out new challenges (*plotting learning curves*). The results of the research are reinvested in new lines of research, so that longer learning curves can be achieved. Learning also entails learning from international research and the related research insights.
- e. **remaining focussed**. When deploying limited research capacity, priority is given to research that contributes to answering the research questions. This basically entails that research performed with contract funding is only accepted and performed if it somehow contributes to the questions in the research programmes. In the case of organising or attending conferences, this means that we check to see whether there is a connection to the programme.
- d. **investing all research results (including content, financial, teaching and supervision potential)** in the training of **young researchers**. We are quick to recruit specific research talent from the bachelor and master programmes at Leiden and other universities, we invest a lot of funding from contract research in trainee researchers/PhD students (who we call 'O&O' employees, for research and teaching) who we train, and we have an aggressive strategy for acquiring research council funding (and also contract and EU funding). The research in the programme – from a 'business' point of view – is aimed at giving young talent the opportunity to develop further academically.

Steering: coordination and administrative organisation

The research programme is led by a Programme Coordinator (Professor Voermans), who has close contact with the main research groups in the departments of Constitutional and Administrative Law and European Law at the Institute of Public Law, and the departments Jurisprudence and Philosophy of Law at the Institute of the Interdisciplinary Study of Law. The collaboration with the profile area Political Legitimacy is safeguarded through Professor Voermans' combined position as Director of the Institute of Public Law, as well as leader of that profile area.

There are frequent meetings to discuss the research and deployment of staff. At least once a week (on Tuesday mornings) the professors and certain senior lecturers in the Department of Constitutional and Administrative Law meet to discuss current issues regarding management, research and teaching. In the

case of the Institute of Public Law (Director and department heads) and the profile area Political Legitimacy (the three leaders Te Velde, Koole and Voermans), this type of meeting is normally held once a month. The meeting between the programme coordinator and the management of the Institute of the Interdisciplinary Study of Law is also held once a month in the context of the meeting between the Directors of the institutes and the Faculty Board. In addition to these meetings, there are monthly meetings of the Research Board of the faculty, attended by all research programme coordinators. So a great deal of time is spent consulting with each other, but this is necessary in view of the nature of the collaborative activities. However, by combining these types of meetings, the time spent on such activities is kept to an acceptable level.

Researchers and collaborations

The core group of researchers in the LELG programme worked on the programme *Trias Europea*. This group came mainly from the Department of Constitutional and Administrative Law at Leiden Law School, with support from staff at the Department of European Law and the departments Jurisprudence and Philosophy of Law at the Institute of the Interdisciplinary Study of Law. Staff deployment for research in the group during 2009 and 2011 amounted to around 7,5 FTE in total. From the beginning it was clear that in view of the ambitions of the LELG programme and the necessary expertise to achieve them, the programme would require a broad research group. From 2012 onwards therefore – in the run up to the LELG programme – the groups were expanded in stages with experienced theoretical and philosophical legal researchers and jurisprudence scholars from the Institute of the Interdisciplinary Study of Law, a research group with insights and expertise precisely in the area of issues concerning legitimacy.⁵ This resulted in a major increase in the total research capacity (11.7 FTE in 2015). The number of researchers almost doubled between 2009 and 2015 (from 22 to 34). We do not consider it desirable to have an even larger group from the viewpoint of cohesion and the management of the collaborative activities. We value the regular discussions and the daily contact and exchange of ideas between the researchers. With the current composition of the group, it is still possible to set up normal contact opportunities (e.g. lunches) and lectures, and to involve the students in our research. Again, this is something we believe to be desirable. This is currently done by organising current affairs debates in Leiden which are well attended and which also give rise to much relevant discussion.⁶ As a group, we are also active in teaching in the Honours Classwhere current research and outcomes of research (including the dilemmas) are shared with students. This also occurs in the teaching in the master programme – one of the breeding grounds for future research talent.

As a consequence of the ambition of the research group, a particular focus is placed on the work of *young* researchers and achieving, sharing, discussing and passing on research results and insights – *together*. This ambition is reflected in the staffing of the LELG research group which, calculated over the whole period 2009 – 2015, consisted of 11.1 FTE Professors, 4.4 FTE Associate Professors, 11.4 FTE, 11.4 FTE Assistant Professors and 41.0 FTE mainly PhD students and a few Postdocs. As a result of this strategy, the research group has also been greatly rejuvenated. The average age of the researchers in 2009 was 39,1 years. By 2015 this has dropped to 35.8 years (-8%).

5 See in this regard also the book, published just outside the report period (but written in the report period) by P. Cliteur, A. Ellian, *Legaliteit en legitimiteit; de grondslagen van het recht*. [Legality and Legitimacy: the principles of law]. Leiden University Press 2016.

6 It would be going too far to list everything here. To give an impression: in the past year debates were organised on topics including the position of the Dutch Senate, the Intelligence and Securities Services Act, the Greek budget crisis, procedural justice (with Tom Tyler as guest speaker), the future of the EU, the referendum on the EU-Ukraine association agreement, the role of the monarchy, etc.

Employment arrangements in the research group

The LELG researchers are a group of lively young people who are employed mainly by the department of Constitutional and Administrative Law, or the departments of Legal Philosophy and Jurisprudence at the Institute of the Interdisciplinary Study of Law. They are in contact with each other not just in the course of conducting their research but also when teaching. Most researchers, including the PhD students, also have teaching duties.

The researchers from Trias Europea – currently the LELG researchers – from the department of Constitutional and Administrative Law, form a close-knit group of professionals who also share their daily ups and downs with each other. They meet every week for a *case law lunch* to discuss literature, case law and current affairs, and once a month on Fridays for what is called the *horizon lunch* when a particular PhD research project is put in the spotlight (each PhD student presents their research at least three times during their research period) or another large research project is discussed.

One special activity, known as the *Department Project*, is organised where possible once per 2 years by the department of Constitutional and Administrative Law. In principle, the project entails that all researchers from this department working together around a theme that lies at the heart of the Trias Europea research programme or Fundamental Rights (from MLJ) and now LELG, organise a conference that will lead to a book with contributions written mainly by researchers from the department. In this way, we focus on our research in more depth and we consult with others in our network. One example of this type of project is '*The Powers that Be*' which developed in various stages starting in 2012⁷. It marked the conclusion of the Trias Europea research programme.

The LELG researchers attach great value to their contacts in and outside the faculty. There is a great deal of cooperation in the Netherlands between the various professional associations: Nederlandse Juristenvereniging (NVJ) [Dutch Lawyers Association],⁸ Vereniging voor bestuursrecht (VAR) [Administrative Law Association],⁹ Vereniging voor wetgeving en wetgevingsbeleid [Association for Legislation and Legislative Policy], Nederlandse Vereniging voor Europees Recht¹⁰ (NVER) [Dutch Association for European Law], Staatsrechtkring [Constitutional Law Association], Nederlandse Vereniging voor Rechtsvergelijking (NVVR) [Dutch Association for Comparative Law],¹¹ Vereniging voor Bouwrecht

7 Napel H.M.T.D. ten, Voermans W.J.M. (red.) *The Powers That Be. Rethinking the Separation of Powers*. A Leiden Response to Möllers. Leiden: Leiden University Press 2015.

8 In 2011 Voermans wrote the preliminary report for the NVJ [Dutch Lawyers Association]. Voermans W.J.M. (2011), Legaliteit als middel tot een doel [Legality as a means to an end]. In: *Controverses rondom legaliteit en legitimatie* [Controversies surrounding legality and legitimacy]; handelingen NJV 141e jaargang Handelingen Nederlandse Juristen Vereniging. Deventer: Kluwer. 1-101. One year later, Uzman and Boogaard for Jonge NVJ [Dutch Young Lawyers Association]. Boogaard G. & Uzman J. (2012), "Wie zijn zij, dat zij dit mogen doen?" [Who are they, that they can do this?] about the legitimacy of case law from Strasbourg. In: Preliminary Report for the Constitutional Law Day for young lawyers in 2012.

9 Emmerik M.L. van & Saris C.M. (2014), *Preliminary Report VAR: Evenredige bestuurlijke boetes* [Proportionate administrative fines]. In: *Boetes en andere bestraffende sancties, een nieuw perspectief?* [Fines and other punitive sanctions: a new perspective?], Preliminary reports VAR, VAR series 152 no. 152. The Hague: BJU. And in 2012 Van den Brink did the same for the Jonge VAR Brink J.E. van den (2010), *Europese grenzen aan het rechtszekerheids- en vertrouwensbeginsel* [European limits to the principle of legal certainty and legitimate expectations]. In: Verhoeven M.J.M., Brink J.E. van den, Drahmann A. (Red.) *Europes offensief tegen nationale beginselen? Over legaliteit, rechtszekerheid, vertrouwen en transparantie* [European offensive against national principles? On legality, legal certainty, legitimate expectations and transparency]. Preliminary Reports Jonge VAR-reeks. Den Haag: Boom Juridische uitgevers. 63-141 and L.F.M. Verheij, *Staatsrechtelijke reflectie op vijf jaar staatkundige hervorming in het Koninkrijk* [Reflections on five years' reform of constitutional law in the Netherlands]. Constitutional Law Conference 2015.

10 J.E. van den Brink was and E. van Dam is member of the board.

11 Y.E. Schuurmans (2010), *Legitimatie van machtsuitoefening* [Legitimacy of the exercise of power], in: *Bewijsrecht: het bewijs geregeld?*, Preliminary Reports NVVR no. 69, Nijmegen: Wolf legal publishers 2010

[Construction Law Association],¹² Nederlandse Vereniging voor Procesrecht (NVvP) [Dutch Association for Procedural Law]¹³. Leiden professors in the LELG programme serve on the boards of professional associations and are also members of the editorial staff of various scholarly journals in the field of law (Nederlands Juristenblad, AB, JBplus, Netherlands Administrative Law Library (NALL), Tijdschrift voor constitutioneel recht, Overheid & Aansprakelijkheid, RegelMaat, NJCM-bulletin, etc.). There is also increasing international collaboration via academic professional associations and journals (e.g. International association of legislation, Review of European Administrative Law, Netherlands Administrative Law Library, European Group of Public Administration).

Collaboration and synergy

The core group of researchers are mostly trained lawyers from the discipline of law, but the overall character of the group remains multidisciplinary. The programme's ambition to be open to other disciplines does not just entail involvement in projects with other disciplines (in particular in contract-funded research).¹⁴

Being multidisciplinary involves a lot more than that. For this kind of research, our research group believes that it is not just about personal cooperation between members from different disciplines, but also about making a real effort to understand each other's mode of approach. So taking a look over the fence, as it were. This is why researchers in the research group are actively encouraged to also become acquainted with non-legal literature (as discussed at the case law lectures, for example), and to compare the various insights from different disciplines on the same research topic or theme to see how the design, approach and outcomes are related (e.g. the Political Legitimacy workshops). A good example of this is the project *Fit for the Future* in which, in the context of the Dutch Presidency of the EU Council, researchers on the EU from various disciplines at Leiden consider the immediate and future challenges for the EU.¹⁵

This multidisciplinary nature is also reflected in the background of the staff members. A number of them took a degree not only in law, but in another subject as well (e.g. Van Dam, Hartmann, Leijten, Den Ouden, Hendriks, Ten Napel, Tjepkema, Uzman, and Westerweel), usually political science. As a result, they can build bridges as it were between the disciplines. This multidisciplinary approach is seen as an added value when recruiting young research talent.

Funding

The programme is largely funded with government funding, but other sources of funding – Research Council funding or contract funding – are also actively sought. The strategy to invest revenue from the programme in young researchers can be described as the pursuit of a multiplier effect. Considering the expertise and reputation of the research group, there are ample opportunities for contract research (and thus funding). Requests for proposals are regularly received, though we remain selective in our choices. This type of research is only carried out if it falls within the topics of the government funded programme (previously Trias Europea, now LELG). By working in this way, no senior capacity from government funding is lost to areas outside the research programme and the revenue from contract funding is actually

12 M. Tjepkema recently wrote the preliminary report, *De reikwijdte en rechtsgrondslag van naadeelcompensatie in het omgevingsrecht* [The scope and legal basis of compensation for loss resulting from administrative acts in environmental law] for the Vereniging van Bouwrecht [Construction Law Association].

13 Y.E. Schuurmans (2010), *Naar een volwassen bestuursrechtelijk bewijsrecht* [Towards a fully developed administrative law of evidence]. In: *Bewijsrecht* Preliminary Reports NVvP, no. 23, The Hague: Boom Juridische uitgevers 2010.

14 See e.g. Steunenberg B., Beerkens M., Berg C.F. van den, Hartmann J.M.R., Ruiter R. de & Voermans W.J.M. (2012), *'Wir machen das so': Studie zu den Grenzeffecten der europäischen Politik* [A study of the limits on the effects of European Politics]. The Hague: Leiden University.

15 See B. Steunenberg, S. Van den Bogaert, W. Voermans, *Fit for the future*. Boom. The Hague 2016.

'profit'. This profit is almost exclusively used to attract young research talent. In some cases, the profit can fully cover the cost of a four-year PhD position, but mostly it is used to pay for short-term contracts for what is known as 'O&O' positions, which allow us to recruit talented students who have recently graduated. These O&O employees teach and perform research for one year in a department. They are requested to develop their own research proposal under the LELG programme and to compete in open competitions for PhD grants from the Netherlands Research Council (NWO Talent grants), internally (Meijers grants), or in the Leiden profile areas (Political Legitimacy or Interaction between Legal Systems). Senior staff members supervise the O&O staff on how to structure research proposals and write and submit grant applications. In this way, talented young researchers are trained within a short space of time while being given the chance to get to know their academic environment. Serving the bachelor programme with staff on O&O contracts was successful for all parties concerned over the past six years. It led to relatively better results in allocation competitions (more expertise, better proposals due to longer preparation, more funds, more opportunities) and better anchoring in the research group and the programme. For the person involved, it is also an opportunity to see if they are suited to research and teaching, and if that is the case, what would be a good research topic. In the event that no external funding is acquired, the project could possibly still be funded independently by the department using revenue from contract-funded research.

Researchers who have recently obtained their doctorate are also helped in this way to acquire VENI grants, though the chances of being successful are slim considering the number of applications and competition from other academic disciplines.

The chosen strategy can be said to be successful considering the relatively high revenues from externally-funded PhD positions in relation to the number of research FTEs in the programme. Between 2009 and 2015 various NWO grants were acquired in the LELG research programme (and its predecessor Trias Europea) for PhD studies which were carried out within the framework of the NWO talent programme (e.g. Van den Brink,¹⁶ Leijten, Passchier, Van Dam, Mohammad) and within the framework of the profile areas (e.g. grants for Diamant,¹⁷ Metselaar, Hartmann).

Through the recently established *Political Legitimacy Expertise Centre* we actively try to track down research assignments in the 'market' that lie at the heart of our research programme. More generally speaking, the profile area Political Legitimacy, just like the profile area Interactions between Legal Systems, is a source which can be tapped into for funding the research in the programme.

Reputation

The researchers on the LELG research programme all have outstanding reputations. They are often asked to serve in positions such as board member, editor, annotator, speaker or author at renowned academic associations and scholarly journals, both national and international. They are also often asked to teach on post-graduate courses and on contract-funded projects. This reputation is also confirmed by the number of prizes and the many assignments received for contract research and the high quantity of preliminary reports which members of the research group have written in recent years. Contributions were written for NVJ [Dutch Lawyers Association] by Voermans, jonge NVJ [Young Dutch Lawyers Association] by Uzman and Boogaard), VAR [Association of Administrative Lawyers] by Van Emmerik, jonge VAR [Association of Young Administrative Lawyers] by Van den Brink, the Association for the Comparative Study of Law in Belgium and the Netherlands by Groothuis, Construction Law Association by Tjepkema and the Constitutional Law Conference by Verheij. Another indication of the size of our reputation is our presence in the public debate. As a result of a conscious media strategy (see also Section 3 and annex E/F),

¹⁶ The NWO grant was awarded in 2007.

¹⁷ In this case, half of the funding came from the profile area, the other half was 'matched' using department funds.

LELG researchers regularly present insights from their research in the form of lectures, contributions in newspapers, appearances on radio and television, advice to civic organisations or political bodies, etc. This all arises from the group's desire to contribute and where necessary to participate in the public debate.

Prizes

Our reputation is also demonstrated by the prizes that have been awarded to members of the (still relatively young) research group. Prize winners include Ymre Schuurmans (VAR Prize 2009), Willemien den Ouden (AB Annotation Prize 2010), Willemien den Ouden and Michiel Tjepkema (AB Prize 2011), Hans-Martien Ten Napel (research fellowship at Princeton 2014) and Ali Mohammad (Mentink Award of the Dutch Association for Education Law in 2014).

3. Publication strategy and quality indicators

In line with the overall ambition of the programme (sharing insights nationally and internationally), a hybrid publication strategy is observed. On the one hand we believe that – as part of our dialogue with the international research community – we should have the insights from the programme assessed and published in peer-reviewed journals. In the recent period, though this is not always easy for legal scholars, we have been increasingly successful in this regard. In 2009 36% of the scholarly publications was non-Dutch; by 2015 this had risen to 42% – 7% of which was peer-reviewed.

Though our research group recognises that peer-review can be of great importance for the quality of research and for reputation (if published), as well as the opportunity to be heard and read outside the Netherlands, the publication of contributions from LELG research in peer-reviewed international journals is not an objective in itself. It is a spin-off from our ambition to share and discuss insights from our research in an international forum, to be ‘open’, and – on the basis of the opportunities for discussion arising from this – to enrich the research. So it is not an objective in itself, but a means. Considering the research question and the ambitions, our research is not only for the international academic debate, but also for professional practice. In our publication strategy, we have chosen – in the light of the ambition to have open dissemination – to keep switching between the academic – national and international – debate and the problems and obstacles facing the profession. This entails that we actively follow court judgments, to remain fully abreast of developments and to add our comments to these from the academic perspective. By doing this longitudinally, we will know not only what time it is in the evolution of law, but also where we stand relative to that. We are selective in this process; we choose to follow the development of case law that lies at the heart of the themes of our programme. Researchers in the Trias Europea, or LELG group, who write case notes, usually do not just write isolated short impressions or give comments on individual cases, but do so by following a complete dossier i.e. long-term developments in case law, and consider what we can learn from this from the perspective of the development of law and theory. A good example of this is the recurrent theme of the recovery of EU subsidies by Dutch administrative authorities, which was triggered by an initial sign from the administrative law department of the Council of State in certain judgments that led to more research in the programme (through scholarly articles, inaugural lectures, doctoral theses etc.) and ultimately to central and crucial findings in the Trias Europea programme (concerning the mismatch between how the Member States – and in this case, the Netherlands – understand the implementation of EU law and its governance).¹⁸

Keeping a finger on the pulse of professional practice in order to follow and interpret developments in law has another additional advantage. We have a better overview of the development of law in its context (a kind of legal empiricism), and we help legal practice with our interpretation and scholarly insights concerning these developments. Valorisation while performing research, as it were.

None of this stands in the way of researchers, in line with national and faculty policy, being actively encouraged to publish *internationally* under the programme. We are aiming here at journals which, in view of their profile (topic), are well-suited to achieve this and have a double-blind peer-review editorial policy. The following journals lie in our target group: The International Journal of Constitutional Law (Icon), The Journal for the Theory and Practice of Legislation, the European Constitutional Law Review, Statute Law Review, European Public Law, The Netherlands Journal of Legal Philosophy, Netherlands Administrative

¹⁸ One of the publications at the heart of this common theme is the PhD thesis, included as a key publication, written by Jacobine van den Brink, ‘De uitvoering van Europese subsidieregelingen in Nederland. Juridische knelpunten en uitdagingen’ [The Implementation of European Subsidy Schemes in the Netherlands. Legal problems and challenges]. (Dissertation, Leiden Law School, Leiden University 2012).

Law Library, Review of European Administrative Law, Common Market Law Review (not actually peer-reviewed, but with significant status and impact), European State Aid Law Quarterly, European Law Journal, and published in the Netherlands, web-based international journals such as Utrecht Law Review and Erasmus Law Review.

The Institute of Public Law also provides support in the form of translation and editing services to help staff with international publications. PhD candidates are actively encouraged to have their doctoral thesis published in English. After obtaining the doctorate, we sometimes also help to have the book published as a monograph with a renowned international publisher. Contributing to the *Leiden Law Blog* is also encouraged. Researchers are stimulated to actively share their research using relevant open-access international research networks of which the most well-known are the *Social Sciences Research Network* and *Research Gate* (and to a lesser extent Google Scholar). Although these fora are not commonly known in the legal academic world in the Netherlands and the impact scores of research which is included there are not entirely in line with all objective measurements which may and should be required of such, as an indicator they are certainly useful. These online fora indicate that the work of LELG researchers is certainly valued in international circles, as demonstrated by both the number of downloads and the citation and impact scores. Performing research ‘bottom-up’, i.e. with input taken from professional practice, is not – as we have recently seen – incompatible with searching for links to international fora and groups of academics, as is sometimes thought. As already mentioned, the number of international publications in renowned journals has significantly increased in the research period. It appears that it is perfectly possible for LELG researchers to be leading in Dutch publications which also serve the professional and social national market, while playing a major role on the international stage. It is certainly helpful in this regard that the current generation of young researchers is more at home in this international arena than perhaps their older colleagues.

Media strategy

One aspect of the group’s publication strategy concerns the media. LELG researchers take an active part in the public debate. A great deal is published on the insights arising from our research in newspapers and popular magazines and journals. Members of the research group also give many lectures at national and international events. Radio and television appearances are also part of this strategy. These contributions to the debate – lectures, articles in newspapers and magazines, and radio and television appearances – can however be a double-edged sword. They can contribute to the valorisation of our research as results and insights are shared with a broad public. And they also contribute to our reputation. Our research group has successfully projected its identity using this strategy for a number of years in relation to other comparable research groups throughout the country. However, our media presence is the subject of discussion within the research group. It does hold certain risks. It can undermine the energy needed for research and there is the risk that our message is misrepresented. This risk must always be weighed against the advantages. One of the principles when making this decision, is only to seek out non-academic media if this will contribute in some way to highlighting the insights that have been acquired in our research. The connection with the content of the programme must be safeguarded as far as possible. In essence, it is the same connection that we keep in mind as a group when writing for professional journals and annotations (see annex E/F).

4. Academic results

Result 1: What have we learnt from our research?

As mentioned above, in this research programme we believe in long learning curves. The curve for the LELG programme started in 2003 with the Trias Europea programme, which focussed on the relatively stormy developments in the institutional relationships within the EU. In particular it looked at the balance, or otherwise, in the rule of law, and its lawfulness, between the powers of the government in the Netherlands-EU relationship and between the EU institutions themselves. The research into the changes in the EU institutions demonstrated that – while EU treaties up till 2010 had been a patchwork of institutions and powers – after Lisbon a fairly clear, consistent and constitutional institutional structure was established in the EU. This new structure brought about clarity but did not solve all the problems. In particular, questions regarding the allocation of authority/powers/competence and the related issues concerning legitimacy, remained unanswered. Can and may the Union go as far as is permitted by the Treaty of Lisbon, is a question that was dealt with in several publications.¹⁹ On the other hand, the Treaty does not provide the flexibility needed to solve the problems the Union is confronted with. These questions became more pressing after the recent continual stream of crises (financial, budget and debt after 2009 and the refugee crisis in 2013). Questions arose about the acceptability of the European Stability Mechanism, the allocation of refugees, support for Greece, border controls, the EU-Ukraine Association Agreement and the role that national parliament (still) plays.²⁰ The Brexit serves as a good example. More in general, the democratic legitimacy of policy and the decision-making of the Union remains a matter of contention, certainly against the background of increased legal dependence on policy and governance in the Union.²¹ The debate about the democratic legitimacy of EU decisions has many sides to it. One of these areas concerns the institutions themselves. After Lisbon a battle broke out between the European Parliament, which became more powerful after the Treaty, and the Council of Ministers, about which matters in EU legislation could be delegated and who had control over the delegated legislation, as well as the future of the system of comitology that existed up until then. Various studies in the programme showed that the actions of the European Parliament, just like other parliaments in the EU, are becoming increasingly assertive towards

19 Cuyvers, A. (2011). *Een soeverein hof bewaakt de soevereine staat om het sovereine volk te behoeden voor een soverein Europa: Het Lisbon Urteil als these en antithese voor de verhouding van Nederland tot de EU* [A sovereign court monitors the sovereign state to protect the sovereign people from a sovereign Europe: The Lisbon Urteil as thesis and antithesis for the relationship between the Netherlands and the EU]. In J.M.J. Rijn van Alkemade & J. Uzman (Eds.), *Soevereiniteit of pluralisme? Nederland en Europa na het Lissabon-Urteil*. Nijmegen: Wolf Legal Publishers, pp. 49-93; Uzman, J. & Rijn van Alkemade, J.M.J. van (2011). Nederlands en Europees staatsrecht in een integrerend Europa - Pluralisme of principe, of pluralisme als principe? [Dutch and European constitutional law in an integrating Europe - Pluralism or principle, or pluralism as a principle?]. In Rijn van Alkemade & Uzman 2011, pp. 3-17; Eijsbouts, W.T. (2011). 'Courts, People, Citizens. Understanding EU's Constitutional Democracy with the Help of the Lisbon Treaty and the Lissabon Urteil.'. In J.M. Beneyto & I. Pernice (Eds.), *Europe's Constitutional Challenges in the Light of the Recent Case Law of National Constitutional Courts*. Baden Baden: Nomos, pp. 189-201.

20 Diamant, M & Emmerik, M.L. van (2012). *Verplicht begrotingsevenwicht in Nederlandse (Grond)wet naar buitenlands voorbeeld?* [Compulsory balanced budget in Dutch Constitution following example abroad?] NJB, 2024-2031.

21 Rijpkema, B.R. (2012). Popper's Paradox of Democracy. *Think. Philosophy for everyone*, 11(32), 93-96; Burg, F.H. van der & Voermans, W.J.M. (2015). *Unierecht in de nationale rechtsorde* [Union Law in the National Legal Order] (Master-monografieën staats- en bestuursrecht, 9). Deventer: Kluwer; Voermans, W.J.M. (2012). Van Europa voor de burger naar Europa door de burger. Hoe de Nederlandse kiezer komt meepraten over Europa. [From Europe for the citizen, to Europe by the citizen. How the Dutch voter has a say in Europe] In: C. van Baalen, H. Goslinga, A. van Kessel, J. van Merriënboer, J. Ramakers & J. Turpijn (Eds.), *De Verenigde Staten van Europa* [The United States of Europe] (Jaarboek Parlementaire Geschiedenis 2012). Den Haag: Boom, pp. 83-96.

the administration (in the present case the complex Commission Council).²² Whether this direction taken by the Member States is convincing as proof of democratic legitimacy is questionable. In the second area of Trias Europea we looked at developments in the relationships between EU institutions and the national institutions. Changes in the EU have significant and very diverse consequences for the national relationships and in particular for Dutch constitutional and administrative law. Dutch authorities have more than ever become end-of-the-line EU posts for exercising EU government tasks such as the administration of justice, administration and legislation, even though they are not always adequately equipped for these tasks. In particular, concerning the administrative tasks, interesting changes are taking place which – besides individual studies – have also been studied in a series of group projects (including *Bestuursrecht harmoniseren; 15 jaar Awb* [Harmonisation of administrative law; 15 years of the General Administrative Law Act] in 2010 which in particular looked at how Dutch administrative law is becoming more European and the consequences of EU policy as experienced by the Dutch administrative authorities in their work,²³ the showcase to be discussed *Schaarse publiek rechten* [Limited public rights] in 2011-2016, the project *Coulant compenseren* [Generous compensation] 2012 and another showcase project to be discussed ‘The Powers that Be’ 2012-2015. Five lines of preliminary outcomes came from these studies. First, the developments surrounding the increase in legal dependence on law and governance in the EU (and outside/beyond), and the questions and tensions concerning effectiveness and legitimacy as a result. A second line shows that the margins for national policy and decision-making by administrative authorities are becoming more restricted and the standards to be applied to administrative acts are increasingly dictated by the EU.²⁴ There is a degree of *institutional mismatch* partly because responsibilities for the formation of law and its implementation have been set up asymmetrically. This gives rise to challenges, for example, when it comes to unity in national administrative law and procedural administrative law.²⁵ A third line in the research is closely connected to this; the dynamics of more control and new demands on national administrative authorities within the framework of the implementation of EU standards and policy²⁶ (in particular in the area of EU subsidies). There has been a tremendous proliferation of instruments to steer these administrative authorities (soft law, circulars, etc.) – instruments that are not easy to fit into national systems. This leads, as a fourth line, to complications in procedural administrative law and as a result new (mainly legal) requirements for the increasingly Europeanised administration.²⁷ A fifth line of research shows the developments in liabilities for the authorities themselves (in particular concerning the performance of authorities, the authorities that allocate EU subsidies and the authorities that compensate). There seems to be a kind of European steering mechanism using increasingly evolving liability standards.

22 Voermans, W.J.M. (2011). Delegation is a Matter of Confidence: The New Delegation System Under the Lisbon Treaty. *European Public Law*, 17(2), 313-330..

23 Barkhuyzen, T., Ouden, W. den & Polak, J.E.M. (Eds.). (2010). *Bestuursrecht harmoniseren: 15 jaar Awb*. The Hague: Boom Juridische uitgevers.

24 E.g. Rijpma, J.J. (2012). Hybrid agencification in the Area of Freedom, Security and Justice and its inherent tensions: the case of Frontex. In M. Busuioc, M. Groenleer & J. Trondal (Eds.), *The agency phenomenon in the European Union: Emergence, institutionalisation and everyday decision-making* (pp. 84-102). Manchester: Manchester University Press.

25 Barkhuyzen, T. (2011). The Influence of European Law on the Unity of Dutch Administrative Law. In: T. Baumé & et al. (Eds.), *Today's Multilayered Legal Order: Current Issues and Perspectives* (pp. 17-38). Zutphen: Uitgeverij Paris bv.

26 Napel, H.M.Th.D. ten (2012). De politiek-bestuurlijke instituties [Political administrative institutions]. In: G.E. Breeman, W.J. van Noort & M.R. Rutgers (Eds.), *De bestuurlijke kaart van Nederland. Het openbaar bestuur en zijn omgeving in nationaal en internationaal perspectief* (pp. 35-57). Bussum: Coutinho.

27 E.g. Polak, J.E.M. (2010). Europese inspiratie bij overheidsaansprakelijkheid: processuele inbedding van Europese normen [European inspiration in government liability: the procedural integration of European standards]. In M.V. Polak (Ed.), *Inbedding van Europese procesrechtelijke normen in de Nederlandse rechtsorde* (pp. 25-58). Nijmegen: Ars Aequi libri; Voermans, W.J.M. & Schuurmans, Y.E. (2011). Better Regulation by Appeal. *European Public Law*, 17(3), 507-525.

Result 2: publications

The results of the Trias Europea and LELG research included in the annex H – the results of the academic research – form a rich harvest of insights, types of publications and publication and presentation fora. Making a selection from these is certainly an injustice to what has been achieved and the way in which staff have worked together. Referring to annex H, we would like to bring to your attention certain academic achievements as key publications. To us, key publications are not the *most important* publications, but they have been the most significant in terms of determining the direction of the research programme.

If we consider the results, then the increase (from 2009 onwards) in the number of publications (from 82 in 2009 to 153 in 2015 – an increase of 87%) is striking, as is the increase in the number of scholarly publications and the increase in the number of international publications that this includes (from 36% of the total in 2009, to 42% of the total 2015) and the increase in peer-reviewed articles and books included in this figure (now 14%). In the period 2009-2015, in spite of what could be expected considering the shift in emphasis in the programme and the influx of new researchers, there was also a small increase in the publication productivity for each FTE (of 12.3 to 13).

Also striking is the number of preliminary reports and inaugural lectures²⁸ and reports from the results of research in 2009-2015. We are particularly proud of the number of doctorates obtained (a total of 27 throughout this period).

Doctoral Theses

Doctoral research in this programme is not, as in other academic disciplines, a straight-line process (researcher a studies a given subject, which researcher b then takes as a starting point for further research), but rather it is a parallel process which looks at aspects of the impact of the rule of law in multilevel jurisdictions. In the first key publication by Jacobine van den Brink, the doctoral thesis '*De uitvoering van Europese subsidieverordeningen in Nederland*' [The implementation of European Subsidy Regulations in the Netherlands], a question is addressed which was previously raised at the inaugural lecture of Den Ouden in 2008.²⁹ The research clearly demonstrates how the EU, with limited finance at its disposal, attempts to steer and has to do so with the limited overriding authority of the institutions (and the types of soft law looked for to steer with) and the partial mismatch between the EU system of administrative law and national administrative law. Van den Brink showed how legal top-down steering places inherent limitations on the formation of law. Recently, Van den Brink was appointed Professor of Administrative Law at the University of Maastricht. The second doctoral thesis included as a key publication shows the opposite process of the bottom-up impact in the formation of law in the area of compensation for loss resulting from administrative acts (*nadeelcompensatie*). Our autonomous national law – loss compensation remains one area which is not internationalised or Europeanised – is affected, inspired and also influenced in the multilevel jurisdiction by that of other legal systems (in particular that of France) and the European legal order. Tjepkema outlined not only the development and significance of loss compensation law at national level, but also showed how administrative authorities have to choose between the lesser of two evils when applying loss compensation law : on the one hand they have to adhere to the – not always clear – requirements arising from Article 1 EP ECHR (the 'lower limit') but on the other hand the administrative authorities must give no higher compensation than what they are legally required to give, so they are not in conflict with state aid law (the 'upper limit'). Michiel Tjepkema was awarded a *cum laude* doctoral degree for his thesis entitled

28 E.g. by Eijsbouts, Van den Bogaert, Verheij, Cohen and Schuurmans.

29 Ouden W. den (11 April 2008), *De terugvordering van Europese subsidies in Nederland: Over legaliteit, rechtszekerheid en het vertrouwensbeginsel* [Recovery of European subsidies in the Netherlands: On legality, legal certainty and the principle of legitimate expectations] (Inaugural lecture). Alphen aan den Rijn: Kluwer.

'Nadeelcompensatie op basis van het égalitébeginsel : een onderzoek naar nationaal, Frans en Europees recht' [Loss compensation on the basis of the principle of equality: a study of national, French and European law].

Key publications on legitimacy

The third key publication demonstrates how the EU legal order, since the Treaty of Lisbon, has been wrestling with the legitimacy of law formation in EU legislation. In particular in the case of the technical delegates and the implementation methods of EU legislation, this is becoming a problem to an increasing extent: Member States are protesting more and more against the method of these technical interventions which lead to much legislation. EU institutions are forced to do so to make progress in solving issues that cannot be postponed. The key publication 'The Quest for Legitimacy in EU Secondary Legislation'³⁰ was the outcome of a large international conference which was organised by staff from the profile area Political Legitimacy in January 2013. One of the conference workshops dealt with this subject. The special issue of the Journal for the Theory and Practice of Legislation of July 2014 focussed on the subject of the legitimacy of secondary EU legislation. Voermans and Hartmann edited the edition which contained a number of the selected contributions by international authors (EU and US) for the workshop in January 2013.

Key publications 4 'Schaarse publieke rechten' [Limited public rights] and 5 'The Powers that Be' can also be found under the *showcases* included in Section 6. These publications were the result of joint efforts by the research group. They provide not only academic insights and results, but also illustrate how the group works.

Impact

As mentioned above, in the study of law in the Netherlands, there are no fixed methods by which the effect or impact of academic research can be measured. Having said this, impact indicators on relevant open-access fora and harvesters (SSRN, Google and Research Gate, as well as download figures kept by Leiden University on research made available for open access) show that the work of Leiden researchers is well read and cited. Certain researchers from the programme are even listed among the high scorers. Section 5 provides more information about the impact in the form of relevance to society.

³⁰ W. Voermans, J. Hartmann, M. Kaeding, The Quest for Legitimacy in EU Secondary Legislation, *The Journal for the Theory and Practice of Legislation*, Vol 2, No 1, p. 5-33.

5. Socially relevant results

The research of the LELG programme lies at the heart of the major social and in particular political issues of our times. How far does the arm of the law reach, of which so much is expected in solving these major issues? And do these solutions receive lasting support? It is no wonder that we feel that it is not enough just to provide academic commentary on these developments, but that we also want to actually contribute to the debate and to the solutions. We certainly perceive this to be one of our tasks.

A relatively large number of the LELG researchers, in addition to their academic position, also perform ancillary activities which have social relevance. To name just a few positions held by members of the research group: judge (e.g. Schuurmans, Den Ouden, Polak, Van Emmerik, Tjepkema), State Councillor (Verheij), member of review committees (Van den Brink, Tjepkema), member of the Referendum Committee (Den Ouden), lawyer (Barkhuysen) and so on. Members of the research group therefore hold key positions in the legal profession. We also serve this profession through many professional publications and in particular case notes written by members of the research group. We also teach post-academic courses to lawyers, judges, civil servants and law graduates now working in other sectors. LELG researchers remain in touch with the professional practice, respond to the issues occurring there and in return give their considered academic opinion. Also included in this professional cycle are the advice and evaluations (often in the form of reports) which are given and implemented by the research group. Preliminary reports – initiatives to position academic/professional associations – also play a role in this cycle and are therefore valued by the research group.

Contributions to the social debate by members of the research group also take the form of lectures, contributions to newspapers and journals, and appearances on radio and television. Annex E/F entitled: *Contributions to the public debate by members of the LELG research group* show that the research group is certainly successful in this regard.

6. Showcases

We would like to highlight two showcases in this internal evaluation which illustrate collaborative work carried out by researchers from the programme with researchers from outside the research group.

Showcase 1: From a constitutional law conference to an international book (2012-2015 *The Powers that be*)

The researchers in the Trias Europea project (subprogramme MLJ) had already decided in 2005 that they would conclude the project – which looked at the lawfulness of the relative balance between EU institutions and in their relation to Dutch institutions – with a final publication in which key insights from ten years of research would be given a platform. This would be done in two stages: first we wanted to discuss the results on the occasion of the Constitutional Law Conference in 2012 with our (mainly) Dutch colleagues. This happened, and we then took this to form the basis of a publication (Dutch Association of Constitutional Law 2013) which we then used – in a second stage – in discussions, via seminars, with leading international academic colleagues to produce a concluding international publication in the form of a peer-reviewed book in which our researchers highlighted various aspects of the research in Trias Europea .

The research in the Trias Europea programme (2003-2014) indicated that domestic constitutional principles and democracy cannot be readily transplanted to the European level or other realms of transnational lawmaking or multilevel jurisdictions. However, that does not mean that these concepts in themselves are not apt for evolution in a multilevel setting. Both democratic legitimacy and the separation of powers, as concepts, have very much evolved alongside the state and over the past decades the state has been giving up ground to other power holders, particularly international (and even supranational) actors. This brings up the question of whether the combination of these concepts is still viable outside a traditional state context, and if so, in what form? This is the central question we, as researchers of the Institute of Public Law at Leiden Law School, encountered during the past decade when dealing with the questions of our research programme Trias Europea, part of one of Leiden Law School's overarching research programmes *Securing the Rule of Law in a World of Multilevel Jurisdiction* (2004-2014). In Trias Europea we monitored and researched the long and winding road of the developing constitutional law of the EU (including the case law) and the many conundrums this throws up during the search for and debate on the proper balance of governmental powers in the relationship between the EU and its Member States and among EU institutions themselves: A contested, contingent and controversial issue. In the last ten years constitutional developments have succeeded one another with breakneck speed, from the Laeken declaration to the European Convention, via the lapsed Constitutional Treaty to the Treaty of Lisbon and the rapidly evolving case law of the Court of Justice and the new institutional dynamics of the EU in its wake. Those who only follow the fast-moving seconds hand of the clock risk overlooking the hand indicating the hours. The big questions here not only concern what the principles of democracy and rule of law stipulate as regards the institutional design of the EU, but also how the debate at the EU level is, or is not, typical (and therefore inspirational) for the institutional dynamics of the interplay between national and international organisations that is becoming increasingly important every day for our lives, welfare and liberties in our globalising world. Two core issues kept reappearing during our research: first of all – a lack of contemporary constitutional theory to understand the new dynamics of institutional balance between national, EU and international organisations and the demands the concept of democracy and rule of law set in this respect in our day and age. Secondly: most of the debates on the proper institutional balance between the national, EU and international institutions nowadays do not seem to centre on constitutional principles derived from the concept of the rule law, or the concept of liberal democracies, but on much wider legitimacy issues than are covered by the theory underlying the rule of law concept or that of liberal democracy.

To discuss these topical questions, in December 2012 we organised a conference on the theme of '*The Powers that be; in search of new checks and balances in the relation between the legislature, administration (executive), judiciary and media in multilevel jurisdictions*'. The conference, partly the initiative of the Dutch Association of Constitutional Law (Staatsrechtkring), invited constitutional scholars from the Netherlands, UK, Germany and Belgium, as well as top-level practitioners in the field (including the then President of the Dutch Supreme Court, the Vice-President of the Dutch Council of State and a former Justice of the Strasbourg Court) to reflect on the outcomes of our research in the programme Trias Europea and ask them what to their mind the big questions are to be researched in the near future (i.e. for this book). The conference proceedings, including the questions, were published in a 2013 volume under the title 'The Powers that Be,' and form the agenda for the current book.³¹

As good fortune would have it, 2013 (the year our proceedings were published) also saw the launch of Christoph Möllers' monograph, *The Three Branches; A Comparative Model of Separation of Powers* (Oxford University Press). The book tied in wonderfully with the agenda we had been handed by our conference; Möllers' book was spot-on for what we had found to be a missing element: contemporary constitutional theory on the separation of powers. How and to what extent were vintage theories on the separation of powers still useful and valid to be able to understand the new dynamics of interplay of law (and policy) making institutions in a multilevel setting. Möllers' analysis touches the heart of the matter. In his book he develops a contemporary normative model justifying the constitutional principle of the separation of powers grounded in a liberal theory. He highlights the complexities, limitations and constraints of the traditional model of the separation of powers in the context of international organisations like the EU and WTO and – subsequently – draws on comparative constitutional analysis to present a more jurisdictionally-neutral model for power separation. This inspirational book led to the idea to pitch it against both our agenda (resulting from the 2012 conference) and our own insights, as well as that of fellow travellers in the field. What resulted was a seminar early in the summer of 2014 where, together with Möllers, we discussed the intersections of his theory and our research and insights and this book. In addition, we discussed a new research programme where we take up the second challenge (besides the challenge of a tailored theory): that of legitimacy. In the years to come we will look into the *Legitimacy and Efficacy of Law and Governance in a World of Multilevel Jurisdiction* together with our research group. But before we do that, it is time to return to the subject at hand: developments with regard to the separation, or rather the interplay, of powers in our World of (increasingly) Multilevel Jurisdictions.

Comment by the leading scholar in the area of Europe, Armin von Bogdandy, Director of the Max Planck Institute for Comparative Public Law and International Law in Heidelberg and Professor of Public Law at Goethe University Frankfurt:

“This work exemplifies the approach European legal scholarship should take: theoretically ambitious, deeply comparative, discursive but pluralistic, and embedded in the challenges of our time.”

³¹ M. Diamant, M.L. van Emmerik, J.P. Loof & W.J.M. Voermans (eds.), *The Powers that Be. Op zoek naar nieuwe checks and balances in de verhouding tussen wetgever, bestuur, rechter en media in de veellagige rechtsorde*, [The Powers that Be. Looking for new checks and balances in the relationship between the legislature, administrative authorities, courts and the media in the multilevel jurisdiction]. Publication of the Dutch Association of Constitutional Law 17, Oisterwijk: Wolf legal Publishers 2013.

Showcase 2: Limited public rights, the search for a general doctrine

In 2011 a book was published called *Schaarse publieke rechten* [Limited public rights]³² (such as licences, subsidies and concessions), initiated by members of the LELG research group under the leadership of Professor Den Ouden. It was the end product of a collaboration between the administrative law departments of Leiden University and VU University Amsterdam. In previous years researchers had noticed that links existed between the part of the VU research that focussed on the limited licence, and the research done by Leiden University related to financial administrative law (in particular in the area of EU and national subsidies, state aid, concessions and administrative pecuniary debts). Public funds are also limited as a rule, and certainly in the area of financial administrative law, the impact of EU law in the allocation of limited resources by national administrative authorities was known, for example, the impact of state aid law. By combining their efforts, a broad research project could be set up on a legal doctrine concerning limited public rights, in which Dutch administrative law and the relevant EU law aspects were considered. Contributions for the book came from 21 authors (nine from Leiden, six from Amsterdam and the remainder from other universities). As a result, the collection brought together various topics of administrative law research that had been carried out up to that point. To set this in motion, an expert meeting was arranged with the authors who were to perform the research. The study of limited public rights in the broadest sense, from radio frequencies and betting licences to water rights and subsidies, demonstrated that there are many common issues between the various substantive fields of law and that EU law plays an important and often complex role in many areas. These insights were combined in a volume '*Schaarse publieke rechten*'³³ [Limited public rights] and reached a wide audience through a publication in NJB [Netherlands Law Journal].³⁴ The acquired insights formed the basis for a second, this time international, expert meeting in Leiden in 2012.³⁵ The aim was to gain insights into the policy on limited public rights in other Member States and the role of EU law. The organisers wanted to establish building blocks for a general legal theory on limited public rights. The expert meeting also gave rise to a book entitled '*Scarcity and the State*' which was published by Intersentia in March 2016, combining the work of researchers from more than ten Member States in the field of limited rights.³⁶

Konrad Schiemann, a former Judge of the Court of Justice of the European Union, wrote in his introduction to the book '*Scarcity and the State*': "This is an important, ambitious and timely book in an area of huge economic importance. It is directed to legislators, administrators and the courts. Its subject is one which has not, so far as I know, been comprehensively covered by any other ... The book does not walk again down well-trodden paths but rather exposes and discusses a collection of often overlapping and at times conflicting Treaty provisions, Directives, Regulations, legal decisions and economic and political desiderata. It seeks to identify tools which will help to construct something orderly. ..."

As a former judge of the Court of Justice of the European Union who has had to try with his colleagues to find a path through inconsistent case law and concepts it was a joy on being asked whether I would write this preface, to come across – alas too late – a draft of this book. It should help my successors to find a conceptually coherent approach to drafting judgments in a particular field so that they do not conflict

32 F.J. van Ommeren, W. den Ouden and C.J. Wolswinkel, *Schaarse publieke rechten*, BJU: The Hague 2011, pp. 1-435.

33 <http://law.leidenuniv.nl/org/publiekrecht/sbrecht/nieuws/boek-over-schaarse-publieke-rechten-aangeboden-aan-president-cbb.html>

34 F.J. van Ommeren, W. den Ouden and C.J. Wolswinkel, 'Schaarse publieke rechten - Wat Bard, Betfair en BNR met elkaar gemeen hebben' [Limited public rights – What Bard, Betfair and BNR have in common] NJB 2011, p. 1858 – 1866.

35 See: <http://law.leidenuniv.nl/org/publiekrecht/sbrecht/nieuws/internationale-expert-meeting-over-verdeling-vanschaarse-vergunningen-en-subsidies.html>

36 P.C. Adriaanse, F.J. van Ommeren, W. den Ouden and C.J. Wolswinkel, *Scarcity and the State*, Intersentia: Antwerpen 2016.

with other judgments in overlapping fields. The law is currently being developed and is still sufficiently flexible and uncrystallised for this book to be in a position to make a significant contribution to that development.”

This main line of research which started with case notes³⁷ and later also articles³⁸ on the allocation of limited subsidies and the complex issues which arose concerning this in the years 2008, 2009 and 2010, thus culminated in various combined publications in which researchers from Leiden and elsewhere worked together to produce a doctrine for administrative law. This is a broad line of research which had many offshoots within the administrative law research group. Separate questions concerning limited rights have now led to doctoral research and a number of completed doctoral theses dealing with, for example, European subsidies,³⁹ the principle of transparency⁴⁰ limited public rights and legal protection⁴¹ and on the position of the competitor in administrative law.⁴² In 2015 Ali Mohammad obtained a (very scarce) NWO talent grant to perform research in the area of academic entrepreneurship where again limited public rights (the right to funding) play an important role.⁴³ The main issue here is how funding can be allocated so that the level playing field in the world of education remains as even as possible. Besides doctoral research, Leiden researchers are still publishing a great deal on the topic of limited public rights⁴⁴ and there are frequent (well-attended) conferences organised to share our knowledge on this subject with the outside world. For example, in September 2015 a conference was held on ‘subsidies: new style’ which focussed on a new form of subsidies (revolving funding) with 120 participants.⁴⁵ In addition, staff are active in promoting the research through valorisation in the field by continuing to write case notes on the topic.

37 See e.g. ABRvS 24 March 2010, AB 2010/137, with commentary Den Ouden (Theatercompagnie).

38 See e.g. M.J. Jacobs and W. den Ouden, *Eerlijk zullen wij alles delen... Ontwikkelingen in de jurisprudentie over de verdeling van de subsidiepot [One for you, one for me ... Developments in case law on the allocation of subsidies]*, JB Plus 2011, p. 36–58.

39 J.E. van den Brink, ‘De Uitvoering van Europese subsidies in Nederland’ [The implementation of European subsidies in the Netherlands], Deventer: Kluwer 2012.

40 A. Drahmann, *Transparante en eerlijke verdeling van schaarse besluiten - een onderzoek naar de toegevoegde waarde van een transparantieverplichting bij de verdeling van schaarse besluiten in het Nederlandse bestuursrecht*, [Transparent and fair allocation of limited authorisations - a study of the added value of a transparency obligation in the allocation of limited authorisations in Dutch administrative law] Kluwer: Deventer 2015.

41 J.M.J. van Rijn van Alkemade, *Effectieve rechtsbescherming bij de verdeling van schaarse publieke rechten*, [Effective legal protection in the allocation of limited public rights] approved by PhD supervisors, PhD defence planned for mid 2016.

42 Current PhD research by J. Wieland, who has already published certain research results, see e.g.: J. Wieland, ‘De concurrent in het bestuursrecht: de relevante markt ruim afgebakend’, [The competitor in administrative law: the relevant market well demarcated] NTB 2013/17.

43 See <http://www.law.leidenuniv.nl/org/publiekrecht/sbrecht/nieuws/nwo-mohammad.html>

44 Some are prize-winning publications, see e.g. A. Mohammad, ‘Instellingen voor hoger onderwijs op de markt’ [Higher education institutions in the market], NTOR 2013, no. 3, for which the author received the NVOR/Mentink award in 2014, see also <https://www.universiteitleiden.nl/nieuws/2014/12/ali-mohammad-ontvangt-nvor-mentink-award>

45 <http://www.law.leidenuniv.nl/org/publiekrecht/sbrecht/nieuws/congres-subsidie-nieuwe-stijl.html>

7. Sustainability

In 2007 the Vanistendael research review committee observed that the programme Securing the Rule of Law in a World of Multilevel Jurisdictions – which the subprogramme Trias Europea belonged to – “(covers) a broad area of research, while at the same time has a number of clear recognisable points of focus.”⁴⁶ The MLJ research concerns areas in which, according to the committee, “Leiden not just in the Netherlands, but also very much abroad, has a clear expertise” ... “The research output is very strong, not just in quantity, but also in its quality. The research programme has a good international reputation”.... The committee stated that it was a programme “with a future through the relevance of the research topics which will remain topical for a long time to come, on the one hand, and through the fact that the relatively young researchers form the crux of the research programme, on the other.”⁴⁷ The national external review committee on research at the faculty of law (2003-2008) agreed with this positive assessment in the area of quality and the reputation of the research and research staff of the MLJ programme, but did note that cohesion and collaboration, as well as retaining focus and sufficient investments, against the background of the substantial size of the MLJ programme, constituted a risk with regard to sustainability.⁴⁸ In the mid-term review in 2014 the MLJ research was also positively assessed. All this could have prompted us just to continue in the same vein with the whole MLJ programme and in reality this is what we are doing. The change of direction the MLJ programme underwent in 2015 is no more than splitting the five subprogrammes that had existed since 2014. In this way the point of concern mentioned by the review committee has been addressed: the size of the research group and the related collaboration and cohesion within it.

By giving the Trias Europea programme a new lease of life, its strengths, experience, reputation and tradition from the old programme have been retained while opportunities for collaboration and cohesion have been enhanced. The administrative cohesion, leadership and coordination is more consistent than with a smaller group and it will become simpler to respond directly to the challenging issues. The financial basis for the research in the programme is clearly positive. The research capacity in comparison to the subprogramme Trias Europea has doubled. In addition, the number of PhD candidates and the expected number of PhD theses to be defended (already high) is positive. With a small, young and enthusiastic group it is expected that it will be even easier to achieve the ambitions of the programme. Reinvesting money in young talented researchers and their training will have a – quality enhancing – knock-on effect.

An increasing number of excellent young trainee researchers have joined the programme in recent years. This has resulted in innovative research output and fresh ambitions. Our young scholars are trained according to the broadly oriented research tradition of the programme, and are able to deliver a contribution relatively quickly. So the prognosis for the programme’s sustainability can therefore be described as good.

⁴⁶ See Assessment of the research E.M. Meijers Institute, Leiden Law School and Criminology Leiden University 2009 (in Dutch), p. 32-33.

⁴⁷ p. 33 and 34.

⁴⁸ Rapport van Evaluatiecommissie Rechtswetenschappelijk Onderzoek, Kwaliteit en Diversiteit; Rechtswetenschappelijk onderzoek in Nederland [Report by the Evaluation Committee Legal Research, Quality and Diversity; Legal research in the Netherlands]. Amsterdam 2009, pp. 219-220

8. SWOT analysis and benchmark

Strengths

- The research is topical and of relevance to society.
- On the basis of research practice and experience, a young and unified core group of researchers is studying new questions that are a logical extension of previously acquired results. This group is characterised by a high level of expertise and a broad disciplinary and international orientation, and is highly ambitious and energetic.
- As a result of a comprehensive publication profile, sustained internationalisation (a fourfold increase since 2009) and a targeted media strategy, the researchers are highly visible in both national and international dialogue, as well as in public debate. The researchers are capable of switching between all these fora and in this way converting academic insights into social issues.
- The LELG research group as a result has a strong national reputation and a growing international reputation.
- The almost natural collaboration and synergy between the constitutional and administrative law research is clearly connected to collaboration with other academic disciplines. The close cooperation between constitutional and administrative law scholars, legal philosophers and theorists, and researchers with a background in social sciences, is essential in view of the ambitions of the research programme: the subject of the research can be positioned somewhere in between the areas of focus of the disciplines. This multidisciplinary orientation and cooperation within the programme is not just a strength, it is also a necessity. One great advantage of the programme is that the required disciplines are close at hand and can be found within the institutes of the Leiden faculties where collaborative activities already occur in the profile area Political Legitimacy. The programme can draw on the resources and expertise of interfaculty networks that already exist. This multidisciplinary nature of the programme in dialogue with other disciplines in a single project is by no means a lip service. It can actually be observed in action. There are multidisciplinary contract-funded projects, doctoral theses, articles and books which demonstrate this. A relatively large number of members in the research group also have a background in two disciplines.
- The research output of the programme is high, and there are a large number of trainee researchers (PhD students) – in line with the ambition of the programme – as well PhD theses (27). The strategy to re-direct financial revenue acquired from research to train young talent and to then ask these young researchers to apply for research grants is paying off (the multiplier effect).
- A sound financial basis exists upon which research is performed, partly due to the active strategy pursued to acquire funding. Where previously the programme was chiefly dependent on government funding, during the period of this assessment it was increasingly possible to acquire research council funding (NWO) and contract funding.
- The prospects for the forthcoming period are good, both from a financial and a staffing perspective.
- The administrative management of the programme works well as a result of staff combining responsibility for the research programme coordination, the management of the profile area Political Legitimacy, the management of the Public Law Institute and the management of the Department of Constitutional and Administrative Law.

Weaknesses and points for improvement

- The coordination of the multidisciplinary collaboration and use of resources from the available expertise within the various departments and institutes to produce a continual dialogue and exchange with the programme platform. It is important to invest in time and attention to achieve this, even when it does not directly lead to actual research results.

- Increasing focus even further by giving better direction to the limited energy and containing the research enthusiasm by producing a long-term programme strategy which clearly sets out the intermediate and end results for all researchers.
- Further expansion of the international academic dialogue, reputation and the international network.
- Preventing energy ebbing away by making joint agreements about individual performance and a division of tasks and work within the programme. Not all researchers have to do exactly the same within the programme. When steering the programme, sometimes it will be necessary to take a ‘less is more’ approach in the case of individual researchers.
- Working towards increased awareness of the research questions and results of the (still young) programme by researchers, the departments and institutes of the faculty and university, academic circles at home and abroad and the wider environment of society.
- More focus on discovering young research talent and attracting external PhD candidates, with particular focus on attracting talent with bi-cultural backgrounds and talents in the field of administrative law.
- More efforts with regard to attracting/securing female senior and other researchers in the group.

Opportunities

- The LELG programme has a very promising future. The ambition and strategy of the programme are in alignment with each other and offer opportunities to train young researchers in the long term, to enable us to keep pace with developments in society.
- The developments and public issues in the field of legitimacy and effectiveness of law and governance in multilevel jurisdictions provide an encouraging and fertile research perspective for the coming years.
- Considering the potential in the group, the momentum in place and the issues addressed by the programme, there are certainly opportunities to perform high quality research which can link up well to important international research and the leading researchers in the field. A step in this direction is the organisation of a Lorentz Workshop entitled *Trust(ing) the Law*, a seminar which will attract leading academics to Leiden to discuss this subject with researchers from the research programmes Coherent Private Law, LELG and Criminal Justice: Legitimacy, Accountability and Effectivity.
- The Leiden research environment also offers great opportunities to set up links between the profile areas. It is important to achieve the full potential of this.

Threats

In view of the available resources and capacity, the ambitions of the programme are extremely high. This can lead to risks if the emphasis is put in the wrong places. The ambition and strategy of the LELG programme entails that a balance has to be found between the guiding principles of the research. In particular, balancing the academic in-depth research – with a strong international focus – with the needs of national legal practice, is a constant balancing act. The most important risks are:

- Raising ambitions such that too much pressure is placed on staff, focus becomes lost and the dynamism in the research diminishes.
- Too much haste in performing research.
- Not being able to shape the cooperation between researchers with different backgrounds and working environments.
- Becoming disconnected from the national debate.
- The expiry of the profile areas and investments at the end of the term.
- Problems with recruiting young talent (particularly in the area of administrative law).
- The loss of highly talented researchers with a doctoral degree, partly because we are unable to offer them employment prospects.
- If the EU becomes so unstable that certain developments we have been following end abruptly and we can no longer fall back on the insights it has taken us years to achieve.

Benchmark

Recommendation Professor Ferdinand Wollenschläger

'Starting with a comparative research project on the allocation of scarce goods beginning in the year 2011, I had the chance to get involved with Leiden Law School and its Public Law Department in various contexts: I was guest professor in the academic year 2012/2013, attended conferences, held lectures and have been continuously teaching in the faculty's master class in EU administrative law. On these occasions, I have got an excellent impression of the administrative and constitutional law research group. It does not only conduct research on a high level, but is also a friendly, active and inspiring academic community fostering exchange between all levels of researchers, i.e. Ph.D. students, postdoctoral researchers and professors. I have also profited very much from the variety of perspectives on public law present in Leiden, be it an empirical, a comparative or a European focus or one oriented towards the foundations of law; moreover, the practical dimension and the interaction between public law and the other disciplines of law are not lost out of sight. Leiden public law research is also very much dedicated to the emerging European Administrative Law. An excellent example for all this is the research project on allocating scarce goods in which I have participated: Starting from allocation conflicts having become manifest in various areas of (national) law (like subsidies, telecommunication or public procurement), a research programme embracing these diverse areas has been formulated and examined in a comparative and European perspective; this approach allowed making a step forward in developing European administrative law – one core issue of current Administrative Law.'

Ferdinand Wollenschläger,

Chair for Public Law, European Law and Public Economic Law, University of Augsburg

Annex Self-assessment report 2009 – 2015

The Legitimacy and Effectiveness of Law & Governance in a World of Multilevel Jurisdictions

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A. Key figures and lists of key publications

A1. Key figures research team

	2009	2010	2011	2012	2013	2014	2015	2009-2015	average
Funding x € 1000	453	478	607	726	786	759	779	4,587	655
FTE research	6.7	6.7	9.1	11.0	11.6	11.1	11.7	68.0	9.7
1st money flow *	4.7	5.0	6.5	8.3	9.1	8.2	7.4	49.0	7.0
Other money flow	2.0	1.7	2.7	2.7	2.5	2.9	4.4	18.9	2.7
Percentage 1st money flow	70%	74%	71%	75%	78%	74%	63%	72%	
#Researchers	22	24	28	32	33	31	34	47	29
#Scholarly publications	55	39	66	47	45	51	65	368	52.6
– refereed	6	0	7	5	4	6	14	42	6.0
– doctoral theses	1	1	3	7	5	6	4	27	3.9
– other	48	38	56	35	36	39	47	299	42.7
% Scholarly publications English	36%	21%	39%	38%	33%	35%	42%		36%
#Professional publications	27	51	63	51	49	71	88	400	57.1
#Total publications	82	90	129	98	94	122	153	768	109.7
#Databases									
Output per research FTE									
– scholarly publications	8.3	5.8	7.2	4.3	3.9	4.6	5.5		5.4
– professional publications	4.1	7.6	6.9	4.6	4.2	6.4	7.5		5.9
– total publications	12.3	13.4	14.1	8.9	8.1	11.0	13.0		11.3
Average age	39.1	38.6	36.2	35.9	35.3	36.2	35.8		36.5
Labour cost per publication	5,519	5,311	4,709	7,406	8,356	6,218	5,089		5,972

* government funding

** research council funding or contract funding

A2. List of key publications

1. *Doctoral thesis* – Brink J.E. van den (13 December 2012), *De uitvoering van Europese subsidieregelingen in Nederland. Juridische knelpunten en uitdagingen* [The implementation of European subsidy regulations in the Netherlands. Legal issues and challenges] (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s) and Co-supervisor(s): Ouden W. den, Adriaanse P.C.
2. *Doctoral thesis* – Tjepkema M.K.G. (16 June 2010), *Nadeelcompensatie op basis van het égalitébeginsel. Een onderzoek naar nationaal, Frans en Europees recht* [Loss compensation on the basis of the principle of equality: a study of national, French and European law] (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s) and Co-supervisor(s): Barkhuysen T., Polak J.E.M.
3. *International publication in academic journal, refereed* – Voermans W.J.M., Hartmann J.M. & Kaeding M. (2014), The Quest for Legitimacy in EU Secondary Legislation, *The Theory and Practice of Legislation* 2(1): 5-32.

4. *Publication in academic book* – F.J. van Ommeren, W. den Ouden en C.J. Wolswinkel (2011) (eds.), *Schaarse publieke rechten* [Limited public rights]. BJU: The Hague 2011, pp. 1-435.
5. *Edited volume/Book – international publication, refereed* – Ten Napel, H.-M. Th., and Voermans W.J.M. (2015) (eds.) *The Powers that Be; Rethinking the Separation of Powers, A Leiden Response to Möllers*. Leiden: Leiden University Press.

B. Inaugural lectures, doctoral theses and doctorates awarded

Inaugural lectures

- Schuurmans Y.E. (20 November 2015), *Van bestuursrechtelijke detailhandel naar maakindustrie* [From retail trade under administrative law towards manufacturing industry] (Inaugural lecture, Leiden Law School, Leiden University). Leiden: Leiden University.
- Cohen, J. (9 January 2015), *De vierde D* [The fourth D] (Inaugural lecture, Leiden Law School, Leiden University). Open access via Leiden University Repository.
- Verheij, L. (14 January 2014), *De constitutionele conventie: een lacune in ons staatsrecht* [The constitutional convention: a lacuna in our constitution] (Inaugural lecture, Leiden Law School, Leiden University).

Doctoral theses and doctorates awarded

- Rijkema B.R. (12 December 2015), *Weerbare democratie: de grenzen van democratische tolerantie* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s) and Co-supervisor(s): Cliteur P.B.
- Zee M. (1 December 2015), *Choosing Sharia? Multiculturalism, Islamic Fundamentalism and British Sharia Councils* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series. S.l.: s.n. Supervisor(s)en Co-supervisor(s): Cliteur P.B.
- Eskens E.B. (23 September 2015), *Een beestachtige geschiedenis van de filosofie* (Doctoral thesis, Leiden Law School, Leiden University). Leusden: ISVW Uitgevers. Supervisor(s) and Co-supervisor(s): Cliteur P.B.
- Drahmann A. (5 February 2015), *Transparante en eerlijke verdeling van schaarse besluiten: een onderzoek naar de toegevoegde waarde van een transparantieverplichting bij de verdeling van schaarse besluiten in het Nederlandse bestuursrecht* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series no. 241. Deventer: Kluwer. Supervisor(s) and Co-supervisor(s): Barkhuysen T., Ouden W. den.
- Loon O. van (4 December 2014), *Binding van rechters aan elkaars uitspraken in bestuursrechterlijk perspectief* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series no. MI 235. The Hague: Boom Legal Publishers. Supervisor(s)en Co-supervisor(s): Barkhuysen T., Ouden T. den.
- Awesta A.G. (27 November 2014), *Freedom of expression in a pluralistic world order* (Doctoral thesis, Faculty of Law, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Ellian A.
- Raijmakers L.M. (27 November 2014), *Leidende motieven bij decentralisatie. Discours, doelstelling en daad in het Huis van Thorbecke* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series no. 236. Deventer: Uitgevrij Kluwer BV. Supervisor(s)en Co-supervisor(s): Voermans W.J.M.
- Somos M. (27 May 2014), *Varieties of secularisation in English and Dutch public and international law* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Cliteur P.B., Wijffels A.A.
- Doomen J. (21 May 2014), *Freedom and Equality as Necessary Constituents of a Liberal Democratic State* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Ellian A.

- Di Bella L. (23 January 2014), *De toepassing van de vereisten van causaliteit, relativiteit en toerekening bij de onrechtmatige overheidsdaad* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series no. 225. Deventer: Kluwer. Supervisor(s)en Co-supervisor(s): Barkhuysen T, Polak J.E.M.
- Rodrigues A.F.G. (18 December 2013), *The Referendum in the Portuguese Constitutional Experience* (Doctoral thesis, Leiden Law School, Leiden University). Leiden: Leiden University Press. Supervisor(s) en Co-supervisor(s): Lock G.E., Bettencourt da Câmara J.
- Uzman J. (5 December 2013), *Constitutionele remedies bij schending van grondrechten* (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s)en Co-supervisor(s): Barkhuysen T, Emmerik M.L.
- Guiora A.N. (16 October 2013), *Tolerating Extremism: To What Extent Should Intolerance be Tolerated* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Cliteur P.B.
- Humphrey-Jenner M.L. (16 April 2013), *Establishing an Effective Dialog between Courts and Agencies* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Voermans W.J.M., Caminada C.L.J.
- Lochem P.J.P.M. van (8 January 2013), *Rechtsrelativering: een verkenning op het terrein van het overheidshandelen* (Doctoral thesis, Leiden Law School, Leiden University) Meijers Series no. 211. The Hague: Boom Legal Publishers. Supervisor(s)en Co-supervisor(s): Voermans W.J.M., Muller E.R.
- Brink J.E. van den (13 December 2012), *De uitvoering van Europese subsidieregelingen in Nederland. Juridische knelpunten en uitdagingen* (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s)en Co-supervisor(s): Ouden W. den, Adriaanse P.C.
- Szazi E. (13 December 2012), *NGOS: legitimate subjects of international law* (Doctoral thesis, Leiden Law School, Leiden University). Leiden: Leiden University Press. Supervisor(s)en Co-supervisor(s): Lock G.E.
- Kruif C. de (4 December 2012), *Onderlinge overheidsaansprakelijkheid voor schendingen van Europees recht. De complexiteit van het adagium 'de veroorzaker betaalt' in een veellagige rechtsorde* (Doctoral thesis, Leiden Law School, Leiden University). Apeldoorn: Maklu-Uitgevers. Supervisor(s)en Co-supervisor(s): Ouden W. den, Barkhuysen T.
- Schild A.J.P. (6 November 2012), *De invloed van het EVRM op het ondernemingsrecht* (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s)en Co-supervisor(s): Barkhuysen T., Timmerman L.
- Suurland D.A.J. (27 September 2012), *Secular totalitarian and Islamist legal-political philosophy* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Ellian A.
- Krijtenburg G. (11 September 2012), *Schuman's Europe. His frame of reference* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Cliteur P.B.
- Kaaij M. van der (31 May 2012), *Een eenzaam staatsman. Dirk de Geer, 1870 – 1960* (Doctoral thesis, Leiden Law School, Leiden University). Hilversum: Uitgeverij Verloren. Supervisor(s)en Co-supervisor(s): Berg J.T.J. van den.
- Allewijn D. (27 August 2011), *Tussen partijen is in geschil. De bestuursrechter als geschilbeslechter* (Doctoral thesis, Leiden Law School, Leiden University). The Hague: SDU Uitgevers. Supervisor(s)en Co-supervisor(s): Brenninkmeijer A.F.M.
- Sluysmans J.A.M.A. (28 June 2011), *De vitaliteit van het schadeloosstellingsrecht in onteigeningszaken* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Barkhuysen T, Wijmen P.C.E.
- Berg F. van den (14 April 2011), *Harming others. Universal Subjectivism and the Expanding Moral Circle* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Cliteur P.B.

- Tjepkema M.K.G. (16 June 2010), *Nadeelcompensatie op basis van het égalitébeginsel. Een onderzoek naar nationaal, Frans en Europees recht* (Doctoral thesis, Leiden Law School, Leiden University). Deventer: Kluwer. Supervisor(s)en Co-supervisor(s): Barkhuysen T., Polak J.E.M.
- Audenaerde R.F.C. (18 November 2009), *Secretaris der Natuur. De Franse conservatieve denker Louis de Bonald en zijn Theorie van de Macht* (Doctoral thesis, Leiden Law School, Leiden University). S.l.: s.n. Supervisor(s)en Co-supervisor(s): Kinneging A.A.M.

C. Databases

Not applicable

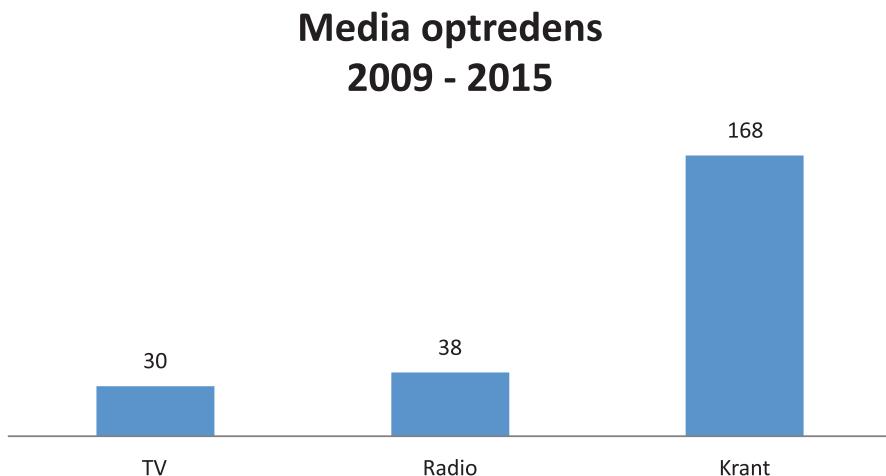
D. Research grants acquired

Type subsidie / Subsidienaam	2009	2010	2011	2012	2013	2014	2015	aantal jaren actief	aantal actieve subsidies
EU									2
PR EU LEGSA			1	1				2	
PR FP7 CARE	1							1	
EU	1		1	1				3	
N.W.O.									6
PR NWO MaGW 400-04-278	1							1	
PR NWO MaGW 400-06-035	1	1	1					3	
PR NWO MaGW 400-07-087	1	1	1	1				4	
PR NWO MaGW 400-09-357			1	1	1	1	1	5	
PR NWO MaGW 404-10-140			1	1	1	1	1	5	
PR NWO MaGW 406-15-099							1	1	
N.W.O.	3	2	4	3	2			14	
Totaal aantal subsidies actief per jaar	4	2	5	4	2	2	3		
Totaal aantal active subsidies 2009-2015									8

N.W.O. Tjepkema
 N.W.O. vd Brink
 N.W.O. Uzman
 N.W.O. De Jong
 N.W.O. Passchier (vd Hulle)
 N.W.O. Mohammad
 PR EU LEGSA Adriaanse, P.C.
 PR FP7 CARE Voermans, W.J.M.

E/F. Other indicators of academic reputation

This annex includes a number of indicators of academic reputation including memberships and ancillary positions. The emphasis is on contributions by researchers of the LELG programme to the public debate and includes appearances in the media (television, radio, non-specialist journals and newspapers), as well as significant lectures, ancillary positions that are important and relevant for the research and other contributions in the shape of advice, commentary and responses of any significance. The list merely serves to provide an impression of these activities since researchers have not been accustomed to systematically registering such information.



Professor T. Barkhuysen



Television

- KRO/NCRV *De Monitor* (online) on the consequences of falsely registering place of residence, 13 March 2016
- *RTL Nieuws* (online) on the government being taken to court for its failing energy policy

Radio

- *NOS Radio 1 Journaal* on ROCs (technical colleges) that get into problems because of an amendment to legislation, 14 November 2012
- *BNR Nieuwsradio* on the dual role of the Council of State and online search behaviour as evidence, 1 July 2014

Lectures

- 16 June 2009, Annual meeting of the Vereniging voor Huurrecht Advocaten (VHA), *Het EVRM als integraal onderdeel van het Nederlandse (huur)recht*
- 26 June 2009, One-day seminar VAR (Vereniging voor bestuursrecht), *Schadevergoeding bij schending van de redelijke termijn in het bestuursrecht*
- Den Bosch 19 April 2013, Kenniscentrum gezondheid en recht van de rechterlijke macht in Den Bosch, *Omgevingsrecht en gezondheid*
- The Hague 24 March 2015, *De bescherming van grondrechten in het bestuursrecht* (organised by ProDemos), with Jan-Peter Loof

Professor P.B. Cliteur



Television

- *Buitenhof* on the limits of freedom of speech, a debate with Paul Cliteur, Kustaw Bessems and Otto Volgenant, 9 November 2014
- *Schepper & Co* (NCRV), Paul Cliteur and André Rouvoet on the relationship between religion and violence, 29 November 2010
- *Het Hoogste Woord* (NCRV) on Numeri 25, 30 March 2014

Radio

- *OBA Live*, Paul Cliteur and Bastiaan Rijpkema about their book 'George van den Bergh: de democratische staat en de niet-democratische partijen', 12 December 2014
- *BNR Nieuwsradio*, on the flow of refugees in Europe, 29 October 2015
- *NPO Radio 1 De Ochtend*, on the religious motives of terrorists, 31 March 2016
- *NPO Radio 1*, about his book 'Het monotheïstische dilemma', 12 November 2010

Newspapers/journals

- *De Volkskrant*, Paul Cliteur: 'Dit kan de eeuw van de godsdienstoorlogen worden', 2 October 2015
- *Trouw*, 'Kierkegaard was ideoloog van het theo-terorisme', 23 October 2013
- *NRC*, Kwaad op terroristen? Wees maar wat bozer op de staat, 31 March 2016
- *NRC*, Kritiek op Saoedi-Arabië wordt juist plicht, 1 July 2014
- "Terror has already lead to self-restraint", in: *The New York Times*, The Opinion Pages, 10 2015.
- "How does democracy function as a tool for multicultural Europe?", in: *The Helsinki Times*, 8 May 2014.
- "Go Ghost", in: *The Critique*, 7, 2016, in: <http://www.thecritique.com/articles/critique-magazine-exclusives-model-28/>
- "The lost years: the state has failed to combat terrorism" (April 4, 2016), in: <http://www.investigativeproject.org/5267/the-lost-years-the-state-has-failed-to-combat>

- With Zee, Machteld, “The Burqa Challenge to Europe”, in: The Middle East Quarterly, Spring 2016, pp. 1-8.
- With Zee, Machteld, “Advocates Are Fighting For A Burqa-Free Europe. Will They Get It?”, in: Independent Journal Review, April 14, 2016, pp. 1-2

Lectures

- Amsterdam 3 April 2016, Socrates Lecture: *Humanisme in tijden van radicale religie* (organised by the Humanistisch Verbond)
- Utrecht 21 March 2016, *Artikel 120 Grondwet Event, Constitutionele toetsing en democratie*
- Brussel 7 April 2011, *Vrijdenken: verlichting over de verlichting* (Week van de verlichting)
- Utrecht 28 May 2015, The future of human rights and freedom of speech (organised by Utrecht University)
- Rhenen 20 September 2015, about freedom of expression and threats to this by terror
- Gent 8 October 2014, John Rawls Lecture about ‘Political Liberalism’ and ‘The Law of Peoples’ (organised by De Vrije Gedachte)

Professor M.J. Cohen



Television

- *Nieuwsuur* – can municipalities deal with intimidating protests against asylum seekers’ centres?
18 December 2015
- *Nieuwsuur* – on refugee issues and EU solutions 27 August 2015
- *AvondGasten* (Limburg1) – on democracy and Maastricht, 4 June 2015
- *Buitenhof* 26 April 2015 – on the refugee crisis

Radio

- NPO Radio 1 De Ochtend, about angry citizens and the do’s and don’ts for the authorities, 4 January 2016

Newspapers/journals

- Het Parool, ‘Democratie houdt niet op bij verkiezingen’, 15 August 2015
- AD, ‘We moeten af van de diploma-democratie’, 10 January 2015

Ancillary positions

- Chairman Vereniging van Organisaties die Intellectueel eigendom Collectief Exploiteren (VOICE)
- Chairman Cedris: Vereniging van Sociale Werkvoorzieningen
- Chairman Raad van Toezicht Wageningen UR
- Chairman Raad van Toezicht Vfonds: Fonds voor Vrede, Vrijheid en Veteranenzorg
- Chairman Raad van Toezicht Openbare Bibliotheek Amsterdam

- Chairman Stichting voor Vluchtelings-Studenten UAF
- Chairman Amsterdams 4-5 mei comité
- Chairman Curatorium VNG
- Vice-chairman Politie Onderwijs Raad
- Chairman Commissie Kennis en Onderzoek
- Chairman Adviescommissie Grondrechten Functie-uitoefening Ambtenaren
- Chairman Stichting Co-Ex: Denktank voor preventie van radicalisering
- Chairman Bart Tromp Stichting
- Chairman Stichting Dr J.M. Den Uyl-lezing
- Chairman Stichting Cello Oeuvreprijs
- Board Member MS Nederland
- Member Curatorium leerstoel Onderwijsrecht aan de VU
- Member Curatorium leerstoel Vfonds Tilburg Law School

Professor A. Ellian



- Publishes a blog every two days in *Elsevier*
- Wrote a column for newspaper *NRC* for 8 years
- Awarded the Pim Fortuyn Prize in 2015 for consequently defending freedom of speech

Professor A.C. Hendriks



Television

- *Nieuwsuur* on hunger strikes, 21 May 2013
- *Eenvandaag* on euthanasia and dementia, 22 August 2015

Radio

- Interview by Astrid Fichser *Radio Danmark*, 7 September 2009, on registration of ethnicity in health care
- *AVRO Radio 1*, 9 September 2009, on whether the non-resuscitation certificate is binding

- AVRO Radio 1, on damages following failed abortion, 17 May 2010
- BNR radio 18 February 2011 on hospital orders and professional confidentiality of doctors
- BNR radio, *Debat op 2*, 29 September-1 October 2011 on professional duty of confidentiality and Tristan van de V., various newspapers
- Radio 1 *De Ochtend*, 19 May 2015 Debate programme: no new public disclosure law

Newspapers/journals

- Interview *de Volkskrant*, 5 February 2009: ‘Klink maakt goede kans bij rechter’
- Commentary *NRC Handelsblad*, 10 March 2009: ‘De huisarts en de gescheiden ouders’
- Commentary *NRC Handelsblad*, 2 June 2009: ‘Mag de dokter zwijgen bij kindermoord?’
- Various newspapers and interviews following weblog *NJB* about the Council of State
- Interview *Limburgs Dagblad*, August 2009: ‘Vrije jongens in witte jas’
- ‘Ziekenhuis moet dader beschermen’ (*De Verdieping*), *Trouw* 11 December 2009
- ‘Tot in Nepal kijkt tuchtcollege mee’, *NRC Handelsblad*, 17 March 2010
- ‘Alles uit de kast voor de meisjesprijs’, *De Volkskrant*, 20 March 2010
- ‘Prettig op de divan, maar wat levert het op?; Schrappen van psychoanalyse uit basispakket van zorgverzekering is omstreden’, *NRC Handelsblad*, 7 April 2010
- ‘Een mislukte abortus’, *NRC Handelsblad*, 11 May 2009
- ‘De arts tegen het “internettribunaal”, *NRC Handelsblad*, 6 July 2010
- ‘Patiënt heeft niets te zeggen over huidskleur verzorger’, *Parool*, 28 July 2010
- ‘Tuchtrecht reikt ook over de grens’, *Medisch Contact* 2010, p. 1654-1655
- ‘Beroepsgeheim’, *NRC Handelsblad*, *Volkskrant*, *NRCNext* etc. 12 July 2011
- ‘Doktertje bashen op internet”, *NRCNext* 18 August 2011
- ‘Medisch beroepsgeheim ter discussie’, *MedNet* 2011, no. 8
- *British Medical Journal* (BMJ 2012;345:e6615) ‘Dutch Court finds gynaecologist guilty of “culpable homicide” after baby dies’
- *Zorgvisie*, ‘Zorgaanbieders zijn de grootste fraudeurs’ (*De Kwestie*) 2012, no. 49, p. 3
- Interview *Medisch Contact*, ‘Beroepsgeheim op de tocht’, 2013, p. 250-251
- Interview in various regional newspapers (*Gelderlander*, *Stentor* etc.) ‘Een kind sterft niet zomaar’/‘Artsen overtreden onbewust de wet’, 6 June 2013.
- Interview *NRC Handelsblad*, ‘Ziekenhuizen als verlengstuk van politie’, 4 July 2013, p. 4-5
- Interview Leidraad, ‘Wat is een mensenleven waard?’, *Leidraad* najaar 2013, p. 24-27
- Interview, RGDispuut 2014, (January), p. 4-8
- Interview, ‘Gebrek aan regie kan strafbaar zijn’, *Medisch Contact* 2014, p. 1314-1315
- Interview, ‘Gebrek aan regie kan strafbaar zijn’, *Medisch Contact* 2014, p. 1314-1315
- Interview, ‘Goede arts maar hij deugt niet’, *Trouw* 20 February 2015, p. 6-7 (De Verdieping)
- Interview ‘Tuchtrecht reikt steeds verder ... misschien wel te ver’, *Medisch Contact* 2015, p. 602-603
- ‘KNMG: Publiceren van naam bij berisping in onnoodig beschadigend’, interview *Tubantia*, 12 May 2015
- ‘Tuchtrechter moet arts verbeteren, niet bestraffen’, *NRC Handelsblad*, 28 May 2015
- ‘Het medisch tuchtrecht wordt strafrecht ligt’, *NRC Next*, 28 May 2015
- ‘Maak van tuchtrecht geen strafrecht!’, *MC* 2015, p. 1301

Lectures

- ‘The foetus as a patient. The international law perspective’, speech given at Winter School ‘The Foetus as a Patient’, Universität Aachen, Vaals 24 November 2015
- ‘Medical secrecy and euthanasia. A lawyer’s and a doctor’s perspective’, Cleveringa Lecture, Santiago de Chile, 17 November 2015

- ‘The meaning of confidentiality in health care: an ongoing discussion’ lecture for staff Joint Centre for Bioethics, University of Toronto, 19 November 2014
- ‘Physician assisted suicide: challenges the Dutch Euthanasia Act failed to address’ public lecture University of Toronto, 19 November 2014
- ‘Dutch Euthanasia Legislation: An Example for Canada?’ Cleveringa Lecture, Montreal, Canada, 20 November 2014
- ‘*Informed consent en medische praktijk. Met speciale aandacht voor WGBO, Voordracht medisch officieren van justitie*’, SSR, Utrecht, 18 November 2014
- ‘De voetangels en klemmen van met medisch beroepsgeheim’ presentation at training course for judges of the Court of Amsterdam, 2 October 2014
- ‘New perspectives on euthanasia following recent judgments of the European Court of Human Rights’ 20th World Congress on Medical Law, Nusa Dua, Bali, 22 August 2014
- ‘Family doctors confronted with many laws’ speech given at WONCA Europe conference, Lisbon, 4 July 2014
- ‘*El curado o el cambio de personas? Preguntas normativas derivadas de la estimulación cerebral profunda*’, presentation held at XXI Jornadas Internacionales sobre Derecho y Genoma Humano, Bilbao, 14 May 2014
- ‘*DHS en gezondheidsrecht*’, speech given at symposium ‘DHS en recht; kansen of risico’s?’ De Brakke Grond, Amsterdam, 16 January 2014
- ‘*De rechten van de cliënt*’, course for medical staff, paramedics and lawyers, SJSSN, Paramaribo, Suriname, 6-7 December 2013
- ‘*Klein leed bij kinderen. Wat mag en moet de dokter (niet) doen?*’, lecture at WAA conference ‘Klein Leed’, Media Plaza, Utrecht, 29 November 2013
- ‘*Spreken of zwijgen. Het medisch beroepsgeheim anno 2013*’, presentation held at advanced course ‘*De betekenis van het strafrecht voor het gezondheidsrecht*’, Post-graduate education (JPAO), Leiden University, 30 September 2013
- ‘*Het gezondheidsrecht in Nederland: verleden, heden en toekomst*’, presentation held at inauguration of chair in Health Care Law and Ethics, University of Antwerpen, 26 September 2013
- ‘*Geldt het beroepsgeheim onverkort tegenover familieleden?*’, symposium contribution ‘*Heeft het medisch beroepsgeheim nog toekomst*’, Radboud University, Nijmegen, 29 May 2013
- ‘*Europeesrechtelijke ontwikkelingen rond het medisch aansprakelijkheidsrecht*’, speech of chairman Vereniging voor Gezondheidsrecht, Rotterdam, 19 April 2013
- ‘*BOPZ en mensenrechten (EVRM en CPT)*’, speech given at annual meeting Vereniging Advocaten van Psychiatrische Patiënten (VAPP), Warmond 17 April 2013
- ‘*Recht van kind op gezondheid. Hoe creatief is onze nieuwe hoogleraar*’, speech at symposium ‘*Rechterlijke creativiteit en rechten van het kind*’, VU, Amsterdam, 11 October 2012
- ‘Health law and disability after the UN Convention on the Rights of Persons with Disabilities’ speech at World Congress on Medical Law, Maceió, Brazilië, 8 August 2012
- ‘The regulation of euthanasia and physician assisted suicide in the Netherlands. An example for Canada?’, speech during Health Law, Ethics and Policy Seminars Series, University of Toronto, 1 March 2012
- ‘NIPD-based prenatal screening. International (human rights) law perspective on NIPD’ speech at conference ‘Ethical aspects of non-invasive prenatal diagnosis (NIPD)’, Stockholm, 3 July 2011
- ‘Using the Right to Health to Strengthen the Position of People with Disabilities’ speech at conference ‘An Enforceable Right to Health?’, Central European University, Budapest, 10 June 2011
- ‘*Levenstestament: Een botsing van individuele en professionele autonomie?*’, presentation at symposium Levenstestament, Jaarbeurshal Utrecht, 30 May 2011

- ‘Gezondheidsrechtelijke actualiteiten’, presentation during course ‘Gezondheidsrecht’ for members of disciplinary tribunals, KNMG, Utrecht, 16 May 2011
- ‘De omgang met medische gegevens’, presentation during refresher course on tasks and responsibility of company doctors, LUMC, Leiden, 12 April 2011
- ‘Genetic Privacy and Non-Discrimination – Comments from a European Perspective’, speech at 10th Meeting UN-Interagency Committee on Bioethics, Unesco, Paris, 4 March 2011
- ‘Equality of Health Care from a Cross-Border Perspective’, speech Welma, Copenhagen University, 3 March 2011
- ‘Data Protection and Other Human Rights’, speech at conference ‘European Data Protection: In Good Health?’, CPDP, Brussel, 25 January 2011
- ‘The Regulation of Euthanasia and Physician Assisted Suicide in the Netherlands’, college University of Toronto, Toronto, 9 November 2010
- ‘Are research and care governed by blurring laws?’, speech at conference ‘Blurring boundaries of research and care: challenges for ethics’, Centre for Medical Systems Biology, Leiden, 26 May 2010
- ‘Commentary from the International Perspective’, speech at conference ‘Revisiting Genetic Discrimination Issues in 2020: Is Canada on the Right Course?’, Genome Canada, Ottawa, 16 April 2010
- ‘De bedrijfsarts doet het ook nooit goed’ Henk Dokterlezing 2010 – speech to the Association of Company Doctors in Amsterdam, AMC, 6 April 2010
- ‘Wie draagt zorg voor een veilige baarmoeder? Een mensenrechtelijke beschouwing’, speech at conference ‘De veilige baarmoeder. Waar liggen de grenzen?’, SCEM, Ede, 29 January 2009
- ‘Disfunctionerende artsen en andere gezondheidsrechtelijke actualiteiten’, Guest Lecture Antwerp University, Antwerp, 4 November 2009
- ‘Het elektronisch patiëntendossier, zijn we daar blij mee?’, lecture at faculty bachelor degree ceremony 2009, Leiden, 28 October 2009
- ‘Actuele ontwikkelingen op het terrein van het gezondheidsrecht’, lecture for USG Juristen, The Hague, 28 September 2009
- ‘Human Rights and Non-Discrimination’, teacher at two-day workshop for Turkish employees of human rights organisations, Raoul Wallenberg Institute, Istanbul, 7-8 September 2009
- ‘Ethnicity, Access to Health Care and Discrimination’, speech at seminar ‘Equal Access to Healthcare for Ethnic Minorities’, Danish Institute for Human Rights, Copenhagen, 2 September 2009
- ‘Juridische aspecten van het EPD’, speech at Jan Veltkamp symposium 2009, Leiden, 12 June 2009
- ‘Farmacologische behandeling van zedendelinkwetten vanuit EVRM-perspectief’, speech held at Adviescollege Verloftoetsing TBS, Utrecht, 27 March 2009
- ‘The Evolution of the Rights of People with Disabilities’, speech held at Third International Conference on Disability & Rehabilitation, Riyad, Saoedi Arabië, 22 March 2009

Ancillary positions

- Member of Raad van Toezicht *Stichting Singelzicht* (dak- en thuislozen jongeren), Utrecht (since 2015)
- Member of Raad van Toezicht *Erasmus MC*, Rotterdam (since 2014)
- Member of Raad van Toezicht *Zaans Medisch Centrum*, Zaanstad (since 2014)
- Deputy judge, *Rechtbank te Rotterdam*, sectoren bestuursrecht en civiel recht (since 2005)
- Chairman and board member *Vereniging voor Gezondheidsrecht*, Utrecht (2010-2016)
- Chairman Raad van Advies *Werkgroep Artsen Advocaten* (WAA) (since 2012)
- Member *Commissie Prenatale screening van Gezondheidsraad*, The Hague (since 2015)
- Member *Commissie Personalised Medicine van ZonMw*, The Hague (since 2014)
- Member *Commissie Rijvaardigheid van de Gezondheidsraad*, The Hague (since 2012)

- Member of the *Gezondheidsraad* (Commissie ethiek en -recht), The Hague (since 2002)
- Section editor health law, *Nederlands Tijdschrift voor Geneeskunde* (NTvG), Amsterdam (since 2014)
- Staff member health law *Maandblad voor Geestelijke volksgezondheid* (MGv) (since 2013)
- Staff member health law *AB – Rechtspraak Bestuursrecht* (AB) (since 2012)
- Permanent annotator *European Human Rights Law* (EHRC) (since 2012)
- Editor *Tijdschrift voor Gezondheidsrecht* (2009-2016)
- Member of editorial board *Yearbook on European Disability Law & Policy* (since 2007)
- Permanent annotator *Gezondheidszorg Jurisprudentie* (GJ) (since 2007)
- Permanent chronicler *Tijdschrift voor Gezondheidsrecht* (since 2005)
- Staff member *Nederlands Juristenblad* (NJB), on health law and previously concerning diversity and law (since 2002)

Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

- *Rapport over de implementatie van de verbetermaatregelen binnen Detentiecentrum Rotterdam naar aanleiding van het overlijden van Alexander Dolmatov*, [Report on the implementation of improvement measures following the death of Alexander Dolmatov] Report of the external audit committee, 28 October 2013 (chairman of committee of enquiry)
- *Social justice and human rights as a framework for addressing social determinants of health*, Report of cross-cutting task group ‘Equity, equality and human rights’, Amsterdam, 2012 (with K. Stronks, B. Toebees, U. Ikram & S. Venkatapuram)
- *Handel en wandel. Rapport over de kwaliteit van zorg en het declaratiegedrag / financieel handelen van de Maatschap Orthopedie Hilversum*, Hilversum, July 2010 (56 pages) (chairman of committee of inquiry)
- *Thematic Legal Study on Mental Health and Fundamental Rights, the Netherlands*, Report written for Fundamental Rights Agency, December 2009 (with J. Legemaate) (24 pages)

Professor A.A.M. Kinneging



Television

- *Pauw & Witteman* 28 February 2012 on the subject of decency
- *Pauw & Witteman* 13 November 2013 on the PVV and the Front National

Professor W. den Ouden



Television

- *Nieuwsuur* on controversial subsidy issue Vinkenslag, 14 December 2012
- *Brandpunt Reporter* on dubious provision of European subsidies, 9 October 2014

Radio

- Argos, April 2012, on checks on subsidy applications

Newspapers/journals

- *De Volkskrant*, article on the prolonged study surcharge as a good incentive, with Janneke Gerards and Wim Voermans, 23 December 2010
- Series of newspaper articles about European subsidies, spring 2013
- Various columns in *Staatscourant*, 2014: <http://www.sconline.nl/auteur/willemien-den-ouden>

Lectures

- Utrecht 16 June 2011, Nysingh Staatssteun Symposium, lecture on recovery issues and legislative proposal on the recovery of state aid
- 20 April 2012, Chairman conference Coulant Compenseren
- Riga, Letland 27 September 2012, lecture on state aid law in Dutch cases
- The Hague 12 December 2012, lecture on cutbacks in municipal subsidy policy and the legal preconditions to be observed
- Leiden 4 July 2013, (International) state aid conference
- The Hague 20 May 2014, Current affairs lecture at Council of State on subsidy law
- 19 September 2014, Chairman Thorbeckesymposium on decentralisation of youth care
- 3 September 2015, chairman of the day and speaker at conference *Subsidie nieuwe stijl*
- 17 September 2015, chairman of the day Trade and Industry Appeals Tribunal (CBb) symposium on public information and law
- 9/13 September 2015 (chairman of the day 12 September) at the European Public Law Organisation (EPLO)

Ancillary positions

- Deputy at the Trade and Industry Appeals Tribunal (CBb)
- As of 1 October 2015: Member of the National Referendum Committee
- Board member *Stichting Recht en Overheid*

Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

2012

- Study requested by the Ministry of Education, Culture and Science into the areas where legislation in education deviates from the General Administrative Law Act. The study formed the basis for the assessment in the departments whether, and if so in what manner, further adjustment to the legislation on education in the General Administrative Law Act will be beneficial for sustainability. The study will have to provide a specific list of areas where deviation is observed. In the inventory and analysis of the deviations in legislation on education, three particular problem areas were observed: funding regulations, legal protection and enforcement.

2013

- Study requested by the Ministry of Education, Culture & Science: J.A. de Boer, F.C.M.A. Michiels, W. den Ouden & P.J.J. Zoontjens, *Anders, of toch niet? Een onderzoek naar de mogelijkheden van meer Awb-conforme onderwijswetgeving (2013), n.n.g. (als vrijgegeven plaatsen op Nall)*. Outlined in article in NTOR.
- Evaluation study part 4.4. Awb WODC; draft report submitted on 23 October to monitoring committee. Outlined in an article for JB-plus.

2014

- Substantial advisory/media assignment EL&I regarding Fisheries Fund with J.E. van den Brink
- Advised the Netherlands Organization for Scientific Research (NWO) about policy rules on judicial remedy when a research proposal assessment has not been carried out correctly (with Jaap van Rijn van Alkemade);

2015

- Chair and co-organiser of annual meeting national network state aid law in The Hague in 2015; 200 participants.

Professor Y.E. Schuurmans



Newspapers/journals

- NRC 'de rechtszaak', February 2015, opinion on Criminal Injuries Compensation Fund
- NRC, comment on provisional ruling on gas extraction in Groningen
- *Leidsch dagblad*, comment on abuse of Government Information (public access) Act
- *Gelderlander*, comment on abolishment of complaints advisory committee in municipality

Lectures

- 2015 Masterclass *Massale procedures*, conference 'Toekomstbestendig goed bestuur', Ministry of the Interior and Kingdom Relations
- 2015 Lecture Dag van de Bestuursrechtspraak Raad van State, *Beweisrecht in het vreemdelingenrecht*

- 2014 Lecture ‘*Misbruik van procesrecht*’, seminar VAR, vereniging voor bestuursrecht
- 2013 Lecture at the 2013 Edinburgh conference of the European Group of Public Administration, ‘Mass administrative Law Procedures’
- 2012 Opening lecture symposium on the occasion of the establishment of Noord-Holland Court, on the new Act to modify procedural administrative law
- 2012 Workshop leader ‘*NZB in hoger beroep*’, rechtspraakcongres Nieuwe Zaaksbehandeling in Spoorwegmuseum, Utrecht
- 2012 DNB, Lecture to open discussion afternoon on monitoring of pension schemes
- 2012 Invited reporter at the International Academy of Comparative Law, Taiwan 2012, author of report ‘The Codification of administrative procedure in The Netherlands’, as part of an international research group on administrative procedure, directed by Jean-Bernard Auby (Universités à Sciences Po (Paris) and Director of MDAP (Mutations de l'action publique et du droit public)). Invited member of discussion panel.
- 2010 Opening lecture annual Committee Day of the Criminal Injuries Compensation Fund (submission of evidence in sex crimes and participation of alleged offernders)
- 2010 Lecture at one-day seminar *Nederlandse Vereniging voor de Rechtsvergelijking, Bestuursrechtelijk bewijsrecht in Europa*
- 2009 Lecture at the First REALaw Research Forum, Groningen (Colloquium for researchers working in the area of European administrative law)
- 2009 Lecture at national day of the law, Council for the Judiciary, on expert knowledge and evidence (Agenda voor de rechtspraak)
- 2009 Lecture at annual conference Dutch Council for Refugees in Jaarbeurs, Evidence in asylum cases (incl. UNHCR Handbook, official notifications from Ministry of Foreign Affairs and language analyses)

Ancillary positions

- 2015-present Member *Bezwaaradviescommissie Commissariaat voor de Media*
- 2015-present Member *Raad van Advies Centrum voor Conflicthantering*
- 2010-present Board member and co-founder *VN Bestuursrecht*, women's network of experts in administrative law
- 2007- present Deputy judge Court of Amsterdam
- 2008-2011 Board member *Studiekring Deskundigen en Rechtspleging*
- 2014-present Editor journal *JB-plus (Jurisprudentie Bestuursrecht-plus)*
- 2012-present Chairman editorial staff *open access* journal ‘*NALL : Netherlands administrative law library*’

Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

- 2013 Member expert group KEI project, Ministry of Security and Justice (Review of legal action and harmonisation with procedural administrative law)
- 2013 Lid WODC Supervisory Committee Evaluation administrative cycle
- 2012 Research Report *Effectiviteit omgevingsrechtelijke procedures*, Auditing Committee Leiden
- 2011 Member NWO Pre-selection Committee Law and Governance (MaGW)

Professor W.J.M. Voermans (coordinator)



Television

- 27-09-2010 Uitgesproken AVRO/NCRV Role of the Queen in the formation of a new government
- 23-04-2012 NOS *nieuws* on the political situation following the government crisis
- 16-12-2012 *Buitenhof* VPRO on the outcomes of the European summit meeting
- 19-03-2013 Omroep Max, *Tijd voor Max* Swearing-in and taking oath during the investiture
- 25-08-2013 *Buitenhof* VPRO The Senate
- 12-02-2014 bij *Nieuwsuur* on Plasterk and the NSA affair
- 01-05-2014 in *RTL-nieuws* about the #stemfie: curtailing the use of mobile phones in voting booths
- 13-05-2014 NOS *Nieuwsuur* on the European election scales
- 05-10-2014 *Buitenhof* VPRO Damage to the King's image because of high cost of recent renovation of royal palaces
- 19-12-2014 NOS *Nieuwsuur* 'Zorgcrisis-constructie in strijd met staatsrecht' [scheme to address crisis in health – care breach of constitutional law]
- 06-05-2015 NOS *Nieuwsuur* Lese-majesty – is it permitted to curse the majesty?
- 09-06-2015 NOS *Nieuwsuur* Jobs on the side for members of the Senate 'a new folly'
- 08-10-2015 *RTL nieuws*, photos destroyed of foreign traffic speeders 'bizarre'
- 12-11-2015 NOS *Nieuwsuur* Will the leak in the Stiekem committee ever be discovered?
- 19 January 2016 NOS *Nieuwsuur* Voermans and Vandenberg critical of the upcoming outcome of the Schouten Committee
- 26-03-2016 NOS *Nieuws* Referendum on Ukraine
- 05-04-2016 NOS *Nieuwsuur* What is the future of the referendum?
- 06-04-2016 *RTL nieuws* Ukraine referendum and the electoral turnout requirement

Radio

- 14-09-2012 NPO Radio 1 *Standpunt.nl* It is good that the Queen has no role in the formation of the government
- 13-06-2013 NPO Radio 1 Public Prosecution Service investigates statements Lubbers and van Agt
- 14-11-2013 NPO Radio 1 – A new constitution?
- NPO Radio 1 – *Vraag van Vandaag*: secret for Noordeinde
- 12-02-2014 Radio 1 'Met het Oog op Morgen' Plasterk's statement on the NSA affair
- 29-03-2014 *RTL Nieuws* Constitution is out-dated
- 02-04-2014 *NTR-Met de Kennis van Nu* The forgotten constitution
- 13-10-2014 NPO Radio 1-journaal The Senate must not have the last word
- 04-12-2014 Radio 1 *Standpunt.nl* The dates of mayor Onno Hoes are a private matter
- 25-03-2015 NPO Radio 1 *Standpunt.nl* About seats in parliament
- 27-11-2015 *Wekker Wakker Omroep Max* What does the Council of State do?

- 11-12-2015 NPO Radio 1 - Politics with Frank Hendrickx – Consequences of the ‘Teeven deal’
- 02-01-2016 Wekker Wakker Omroep Max Abolition text ‘by the grace of God’
- 18-02-2016 NPO Radio 1 – The Labour party also wants full disclosure about the Golden Carriage of the Royal Family
- 18-02-2016 *Radio 1 Standpunt.nl*
- 06-04-2016 *Stand.nl*: the Ukraine referendum is a celebration of democracy
- 02-11-2015 VPRO Argos on the destruction of documents by civil servants
- 23-01-2016 VPRO Argos The missing documents of the Ministry of Public Health 13:30

Newspapers/journals

- 30 June 2015, Een hordenrace van formaat. *Staatscourant*, Staat en recht: 5.
 - 7 April 2015, De Kamer als reclamebureau. *Staatscourant*: 6.
 - 27 January 2015, ‘Senaatswet’ oplossing voor gedoe. *Staatscourant*.[
 - 20 December 2014, Kabinet bederft relatie met parlement. *De Volkskrant*.
 - 2014, Minder ontzag voor de praktijk, *Mr. (7/8)*: 21.
 - 10 June 2014, Nooit meer zulke Europese verkiezingen. *Staatscourant*: 6.
 - 17 May 2014, Het is niet zo slim om een B-team naar Brussel te sturen. *De Volkskrant*, Opinie en debat: 31. With Uzman J.
 - 25 March 2014, Viering is hinken op drie gedachten. *Staatscourant*, Staat en recht: 6.
 - De vergeten Grondwet, *De Gids* (2): 22-23.
 - 26 November 2013 Grondwet op sterven na dood. *Nederlands Dagblad*.
 - 9 November 2013, Juist nu stabiliteit zo gewenst is, hebben we niets aan de Grondwet. *De Volkskrant*, Opinie en debat.
 - 7 October 2013, Kabinet, stop die onderhandelingen. *De Volkskrant*. With Boogaard G.
 - 5 October 2013, Rutte laat je niet chanteren. *De Volkskrant*, Vonk: 11. With Boogaard G.
 - 9 September 2013, Onze senaat moet als de House of Lords worden. *NRC Handelsblad*, Opinie. With Jurgens E.
 - 22 April 2013, Wel komen, niet zweren is de chique oplossing. *De Volkskrant*, Opinie en debat. With Jurgens E.
 - 16 February 2013, De Grondwet zegt niets over eed aan de Koning. *De Volkskrant*, Opinie en debat.
 - 18 July 2012, Steun van EU aan banken kan illegaal zijn. *NRC Handelsblad*. , with Emmerik M.L. van, Metselaar A.J. & Diamant M.
 - 26 May 2012, Showproces Wilders slecht voor ons bestel. *De Volkskrant*: 30-30.
 - 11 February 2012 Metropool cruciaal in concurrentiestrijd. *De Volkskrant*.
- With J. de Vries
- 21 January 2011, Betalen! Verder zoeken ze het zelf maar uit; Zo’n kabinetplan ontbeert visie. *NRC next*: 20. With Gerards J.H., Ouden W. den
 - 23 December 2010, Boete langstuderen goede prikkel. *De Volkskrant*: 21-21. (with Janneke Gerards and Willemien den Ouden)
 - 16 October 2010, Kamer, spreek gerust over zaken die onder de rechter zijn. *De Volkskrant*.
 - 1 October 2010, Politieke wil belangrijker dan formatieopdracht. *De Volkskrant*.
 - 29 September 2010, Nieuwe wet maken? Kijk eerst naar de kosten. *Trouw*.
 - 9 September 2010, Spelregels formatie uit de tijd. *De Volkskrant*: 18-18.
 - 29 August 2010, Eerste Kamer dient zich aan rol te houden. *De Volkskrant*: 17-17.
 - 3 March 2010, De Wet dualisering heeft behoefte aan referendum. *BN DeStem*: 18.
 - 26 May 2009, We hebben een ander Europarlement nodig. *Trouw*.

Interviews newspapers

- De opkomstdrempel ligt nu onder vuur *AD/Algemeen Dagblad*, 8 April 2016, Nieuws; P. 10, 11,
- Opkomstdrempel bij referendum ‘verwarrend’ *BN/DeStem*, 8 April 2016, Algemeen; P. 8, 9,
- Maximaal haalbare na referendum is vertraging *Nederlands Dagblad*, 8 April 2016, Geen; P. 4,5,
- Niet meer welkom zijn op de apenrots is dodelijk voor lobby van oud-minister Bot Het *Financieele Dagblad*, 12 March 2016, Nieuwsweek; P. 13,
- Het is niet alles goud wat blinkt *Het Parool*, 20 February 2016, Het Hoogste Woord; P. 38,
- Kamer: uitsluisel over koets *De Telegraaf*, 18 February 2016, Binnenland; P. 005,
- Twist over kosten Gouden Koets *Trouw*, 18 February 2016 , Nederland; P. 10,
- ‘Rutte moet kosten koets wél melden’ *AD/Algemeen Dagblad*, 17 February 2016, Nieuws; P. 11,
- Dít is de vraag: schond het ‘lekk’ in commissie-stiekem staatsbelang? *NRC.NEXT*, 20 January 2016, in het nieuws,
- D66 is de favoriete partij van de top van Nederland geworden *de Volkskrant*, 19 December 2015
- Keurt de slager nu zijn eigen vlees? *Het Parool*, 13 November 2015 vrijdag, Nieuws; P. 3,
- De beroeps krijgt meer voor elkaar *de Volkskrant*, 7 November 2015, Vonk; P. 11,
- Aangifte VNL tegen kabinet *De Stentor / Nieuw Kamper Dagblad*, 2 November 2015, Algemeen; P. 7,
- Anti-tabaksclub wil ook verbod op roken op balkon en in de tuin de *Volkskrant*, 29 September 2015,
- De senaat stemt toch wel voor *NRC Handelsblad*, 21 September 2015, Binnenland; P. 6,
- ‘Inspreken Geert Wilders bijzonder’ *De Stentor / Zwolse Courant*, 2 September 2015, Algemeen; P. 2,
- Staat moet wél in hoger beroep gaan *de Volkskrant*, 28 August 2015, Opinie en Debat; P. 20, 38.
- Athene deed het 2500 jaar geleden ook al op deze manier *Noordhollands Dagblad*, 2 July 2015,
- Spectaculair vonnis houdt staat aan belofte; Klimaat Juristen vragen zich af of de verrassende uitspraak van de rechtbank over het klimaatbeleid houdbaar is; wetenschappers onderzoeken hoe Nederland aan de eis van de rechter kan voldoen *NRC Handelsblad*, 25 June 2015, In het nieuws,
- De Staat moet ervoor zorgen dat we niet verzuipen; De Staat moet het klimaat redderen. Kan dat? *NRC.NEXT*, 25 June 2015, cover; P. 1,
- Majesteitsschennis in strafwet: achterhaald of niet? *Trouw*, 8 May 2015, Vandaag,
- ‘Aanklacht tegen klimaatbeleid kansloos’ *Het Financieele Dagblad*, 15 April 2015, Economie & Politiek; P. 7,
- De provincialen komen in de senaat met twee zetels. Vier. Nee, tien *de Volkskrant*, 11 March 2015, Ten Eerste, 1689 woorden,
- Uitzending Gemist 20 jaar geleden? *de Volkskrant*, 25 February 2015, Opinie en Debat; P. 25,
- Kabinet bederft relatie met parlement *de Volkskrant*, 20 December 2014, Opinie en Debat; P. 31,
- ‘Vandalisme jegens het parlementaire bestel’ *de Volkskrant*, 20 December 2014, Ten Eerste; P. 6,
- Raad van State is uitgepraat over Zwarte Piet, de rest niet *Trouw*, 13 November 2014
- De koning verbouwt, het volk mort *Het Parool*, 11 October 2014, Het Laatste Woord; P. 49,
- Het volk mort over Oranjes *Noordhollands Dagblad*, 9 October 2014,
- Staatshoofd dreigt een waterhoofd te worden *Metro (NL)*, 8 October 2014, meningen; P. 7,
- Koningshuis wordt te duur *Noordhollands Dagblad*, 6 October 2014, Metropool,
- Hoogleraar: er is nog lang geen verbod op Zwarte Piet *Metro (NL)*, 4 July 2014, nieuws; P. 4,
- Nederland stuurt ‘groentjes’ naar Brussel *AD/Algemeen Dagblad*, 15 May 2014,
- Uitgesproken *NRC Handelsblad*, 14 May 2014, Media,
- Motorclubs verbieden ‘colours’ te dragen kan lastig worden *de Volkskrant*, 1 May 2014, Ten Eerste; P. 4,
- Pedovereniging Martijn definitief verboden *Nederlands Dagblad*, 19 April 2014,
- Wat leent zich eigenlijk voor het referendum? *NRC Handelsblad*, 15 April 2014, Binnenland,
- Aan de noodrem trekken blijft moeilijk *NRC.NEXT*, 15 April 2014, weten,
- Niet iedereen voelt liefde voor Grondwet *Nederlands Dagblad*, 29 March 2014, Politiek,

- Online klagen over grondwet *Metro* (NL), 28 March 2014, nieuws; P. 2
- ‘Grondwet liefdeloos benaderd’ *De Telegraaf*, 26 March 2014, Binnenland; P. 11,
- 200 jaar Grondwet, nou en? *Noordhollands Dagblad*, 26 March 2014, HDC,
- Staatsraden hebben nevenfuncties bij loterijen *NRC Handelsblad*, 6 March 2014, In het nieuws,
- Oordeel Duits Hof over ECB ‘slecht nieuws’ *De Telegraaf*, 8 February 2014, FinBeurs; P. 29,
- ‘Verwarring tussen twee ministeries is structureel’ *Het Financieele Dagblad*, 7 February 2014, Economie & Politiek; P. 4,
- Grondwet op sterven na dood *Nederlands Dagblad*, 26 November 2013, Opinie,
- Maar wat willen we dan met de Eerste Kamer? *NRC Handelsblad*, 5 October 2013, Weekend,
- Kom niet aan het vetorecht Eerste Kamer *NRC Handelsblad*, 21 September 2013, Opinie &
- Nu willen we ook alles weten *de Volkskrant*, 15 June 2013, Vonk,
- OM onderzoekt uitspraken oud-premiers *de Volkskrant*, 13 June 2013, Ten Eerste,
- ...zijn dus bij een inhuldiging, maar géén kroning *de Volkskrant*, 30 April 2013, Ten Eerste; P. 11,
- Inhuldiging dient om macht nieuwe koning te begrenzen *Nederlands Dagblad*, April 30, 2013
- Partij voor de Dieren heeft aan één eed genoeg *de Volkskrant*, 19 March 2013, Opinie en Debat
- Ze blijft prinses, maar we noemen haar koningin *NRC Handelsblad*, 16 February 2013, In het nieuws,
- ‘Máxima met koningin aanspreken toegestaan’ *AD/Algemeen Dagblad*, 16 February 2013, Algemeen Dagblad – Nieuwsdienst; P. 15,
- Rutte: Máxima wordt wel degelijk ‘koningin’ *De Stentor / Zwolse Courant*, 16 February 2013, binnenland 3
- ‘Koningin aanspreektitel van Máxima’ *Noordhollands Dagblad*, 16 February 2013,
- Hoe het land er een koningin bij kreeg; Rechtsdeskundigen missen wettelijke grondslag voor nieuwe titel van prinses Máxima *NRC Handelsblad*, 15 February 2013, Binnenland,
- Máxima heette te snel ‘koningin’ *NRC Handelsblad*, 15 February 2013, Front page; P. 1,
- Oranje-relletje in de Kamer *NRC Handelsblad*, 6 February 2013, In het nieuws,
- Formatie zonder koningin is vooral snel *Trouw*, 30 October 2012, Vandaag; P. 3,
- Instellingen moeten boetes voor langstudeerde gewoon blijven innen *de Volkskrant*, 5 October 2012, Binnenland; P. 12.,
- Streep door banklicentie voor ESM; Karlsruhe laat ruimte voor zaak tegen ECB; experts betwijfelen of eis snel ingewilligd kan worden *Het Financieele Dagblad*, 13 September 2012, Economie & Politiek; P. 5,
- Bankensteun is in strijd met het Europees verdrag *Het Financieele Dagblad*, 3 July 2012, Economie & Politiek; P. 5,
- Juristen: opnieuw ratificatie ESM nodig *Het Financieele Dagblad*, 2 July 2012, Front page; P. 1,
- Staat misbruikt macht bij het ESM-verdrag *de Volkskrant*, 7 June 2012, Opinie en Debat; P. 29,
- Steun voor kunstenaars voorlopig gehandhaafd; Rechter eist overgangsregeling van kabinet *NRC Handelsblad*, 4 January 2012,
- Gezocht: een nieuwe onderkoning; Deskundigen vinden Donner niet geschikt als vicevoorzitter van de Raad van State *NRC Handelsblad*, 21 September 2011, Binnenland,
- Waarom nu een jaaroverzicht? *NRC.NEXT*, 13 May 2011, Vanmorgen; P. 3
- Koninklijk Huis geeft inzicht in activiteiten *NRC Handelsblad*, 12 May 2011, Front page; P. 1,
- ‘Rechter zal 3.000 euro boete voor langstudeerde afwijzen’ *de Volkskrant*, 4 February 2011, Binnenland; P. 12.,
- Hooggeleerd verzet bij de Hofvijver; reportage honderden Hoogleraren in actie *de Volkskrant*, 22 January 2011, P. 5,
- Monarchie op de korrel bij Kamer *Metro* (NL), 17 November 2010 woensdag, P. 2,
- Geen dictatuur? Geen preamble; Zo beginnen de grondwetten van andere landen... ...en zo zou de Grondwet van Nederland moeten beginnen *NRC Handelsblad*, 11 November 2010, Binnenland; P. 2,
- Koningin kwetsbaar in hele spel, *BN/DeStem*, 9 September 2010,

- ‘Beatrix kan geen politieke trucs uithalen’ *Het Parool*, 9 September 2010, binnenland; P. 5,
- Openbaarheid adviezen maakt Beatrix kwetsbaar *Nederlands Dagblad*, September 9, 2010, P. 1,
- Verbazing over novum in staatsrecht *NRC Handelsblad*, 31 July 2010 zaterdag, Binnenland; P. 3,
- De Wet dualisering heeft behoefte aan referendum *BN/DeStem*, 3 March 2010,
- Missieloos kabinet tegenover wispelturige Kamer; Koningin gaat voorbij aan wens christelijke partijen om informateur aan te stellen *NRC Handelsblad*, 24 February 2010, Binnenland; P. 3,
- Geen minister wil kritiek Raad van State *Nederlands Dagblad*, December 7, 2009
- Machteloos tegen komst pedo’s; Gemeente kan volgens wet niets uitrichten Rechter stelt burgemeester in ongelijk *De Telegraaf*, 28 October 2009, binnenland; P. 7,
- Duitsland: Europarlement is geen vertolker volkswil; Verdrag van Lissabon Arrest van hof in Karlsruhe versterkt nationale democratie, concluderen Nederlandse rechtsgeleerden *NRC Handelsblad*, July 22, 2009, buitenland; p. 4

Lecture

- London, 14 January 2009, Conference Governing the Regulatory State. organised by the Economic and Social Research Council and University of Exeter, *The future of regulatory governance*
- Vilnius Litouwen 12 March 2009 Conference Mykolas Romeris University on ‘Interpretation of Laws; contemporary issues’, *Interpreting EU Directives: The Interplay between Judge & Legislator*
- Warsaw (Poland) 24 and 25 March 2009, Natolin Campus College of Europe, 3rd Symposium on the Internal Market, session IV Internal market and political legitimacy, *The composite European Legislature after the Lisbon Treaty*
- Antwerp 27 March 2009, University of Antwerp, Seminar on the protection of Human Rights in the Interaction between the European Courts, *Conclusions*
- Leiden 9 April 2009, Lecture series Studium Generale ‘Buitenlands beleid belicht; een serie lezingen van het Ministerie van Buitenlandse Zaken,’ Academy Building (with Secretary of State Frans Timmermans), *Nederland in een ander Europa, Europa anders in Nederland*
- Groningen 3 June, *Towards a European APA?, Real Law Research Forum* (organised by the Review of European Administrative Law), with Anne Meuwese and Ymre Schuurmans
- The Hague, 3 June *Implementatie van EU-handhavingsvoorschriften*, seminar on enforcement of EU law and regulations in practice; joint initiative of the Werkgroep Europa of the Inspection Council and the Netherlands Court of Audit
- Paramaribo (Suriname) 22-26 June, *Legislation in Suriname*
- Ankara (Turkey) 30 June-1 July *Implementing and transposing the EU's acquis in civil law countries*, Workshop on Building Capacities for Legislative Drafting in Turkey organised by the Office of the Prime Minister and SIGMA (a joint initiative of the OECD and the European Commission, principally funded by the European Commission)
- The Hague, 7 September, Instituut Clingendael, Expert symposium ‘Subsidiariteit vanuit Europees en nationaal perspectief’ [Subsidiarity from a European and national perspective] *Instemmingsrecht en behandelvoorbereeld nieuwe stijl*
- Kazakhstan programme (The Hague) 3 September – *Law Making Processes in and outside the EU*. Training programme for Kazakhstan officials organised by the Asser Institute
- Stockholm, Sweden, *Codification & Consolidation as Means to Untie Red Tape*, IRRC (International Regulatory Reform Conference) Stockholm 12 November 2009
- Frankfurt, Germany, December 7-8, Drafting with effect for the European Central Bank
- Tbilisi, Georgia workshop ‘*Different Approaches to Legislative Drafting in EU Member states*’ December 14-16, SIGMA (a joint initiative of the OECD and the European Commission, principally funded by the European Commission)

- Amman, Jordan, 7-11 , Developing Law Drafting Capacities with the Legislation Opinion Bureau in Jordan, *Improving drafting processes*, SIGMA (a joint initiative of the OECD and the European Commission, principally funded by the European Commission)
- The Hague 9 February, *Omzetten en implementeren onder het Verdrag van Lissabon*, Workshop Justitie/BZK, [Practical consequences of the new EU treaties]
- Antwerp, Belgium 26 February, *Better Regulation by Appeal*, Workshop Legal Implications of Better Regulation, Antwerp University, Centre for Global Values
- The Hague 19 May, *International dimension of risk based policies*, Day of the risk, organised by the Ministry of the Interior and Kingdom Relations
- Amman, Jordan, 7-8 June, *Professionalizing Legislative Drafting in the Netherlands* (SIGMA, a joint initiative of the OECD and the European Commission, principally funded by the European Commission)
- Lisbon 24-25 June *The Quality of EU legislation: What Kind of Problem, by What Kind of Standards*, 9th IAL conference 'Quality of legislation' Lisbon,
- London 30 June-2 July, Hart Legal Workshop 2010 Comparative Aspects on Constitutions: Theory and Practice (Institute of Advanced Legal Studies, University of London), *Covert Constitutions*
- Jakarta, Indonesia 5-6 July, IMF/Netherlands Legal Reform Program (NLRP), a. *Councils for the Judiciary in Europe* (5 July), b. *Furthering public accountability of the judiciary by transparency* (6 July)
- Amman, Jordan, *Styles of Legislation* (7 October)
- London, *Techniques & processes of implementation*, Institute for Advanced Legal Studies (18 October)
- Rotterdam Erasmus University, 13 December 2011 (with Janneke Gerards), *Meaning & scope of the concepts 'Rechtsstaat' and 'Rule of Law' in the Jurisprudence & Legisprudence of the Dutch Council of State*.
- Hyderabad, India, 8-11 February 2011 *IT induced redesign of the legislative cycle*, CALC (Commonwealth Association of Parliamentary Offices of Legislative Counsel) conference 2011
- Symposium Staatsrechtkring en Montesquieu Instituut Eerste Kamer Staten-Generaal 16 February 2011, *Kabinettsformaties – formatieregels uit de tijd?*
- Dag van de wetgeving 17 March 2011 Circustheater The Hague, *Wat kan, moet ook: Naar een ander wetgevingsproces*
- Turkey, University of Istanbul, Law Faculty 30 March 2011, *Human rights in the Legislative Process*
- Meeting Dutch Lawyers Association, Legality and legitimacy, 10 June 2011, *Legaliteit als middel tot een doel*
- OECD/Sygma Conference Zagreb, Croatia 9-10 May, *Legislative Drafting in the Netherlands and in civil law countries*
- Leiden revisited 29 September 2011: *Referenda* (Sterrenwacht Leiden)
- Juridische Tweedaagse VNG Ermelo 10 October, *Zorgen dat het werkt: zelfwerkende regelingen*
- The Hague 23 November 2011, *Training in Legislative Drafting in the Netherlands and in civil law countries*, – MATRA Training for European Cooperation (MTEC): Legislation, 21 November – 2 December 2011
- Paris 30 November 2011 Smart Regulation & The Quality of EU legislation, Congress on Smart Regulation organized by OESO, the Korean Legislation Institute, and the University Paul Cézanne of Aix en Provence
- The Hague 15 March 2012, *Economische groei loopt vast in Museum Thorbecke?*, Burgemeesterslezing 2012
- The Hague 16 March 2012, Europese crisis: overdracht van sovereiniteit, Montesquieu Instituut, for the European Youth Ambassadors Day 2012
- Changsha China 26 & 27 March 2012, *Public Participation in Legislation*, Conference organised by the National People's & UNDP & EU, Congress
- Veliky Novgorod, Russia 28 June 2012, *Implementation and compliance: standards, tools & strategies*, for the 10th Congress of the International Association of Legislation (IAL) 28 and 29 June, 'Regulatory Reforms – Implementation and Compliance'

- South Africa/Cape Town 4 & 5 July 2012, *The Use of ICT in the legislative process and its consequences*, on invitation of the African Parliamentary Knowledge Network (APKN), in cooperation with Commonwealth Association for Parliamentary Counsel (CALC) conference Building Capacity for Legislative Drafting in Africa
- Seoul South Korea 23 August, , *Regulatory impact assessment and smart regulation*, Korean Legislation Research Institute 22nd Anniversary International Conference Legislative Impact Assessment for Regulatory Reform: Achievements and Prospects
- Provinciehuis Den Bosch 4 October 2012, *Smart Regulation: innoverend regels maken*, during the conference “Regels, Compliance en Toezicht”, organised by the Rotterdam School of Management, Erasmus University and the Provincie Noord-Brabant
- Leiden University 8 October 2012, (KOG Building), *Kabinetformatie 2012*, Roundtable Cabinet Formation, profile area Political Legitimacy
- Rabat Morocco 30-31 October 2012, , *Quality criteria for legislation & drafting styles* , Seminar sur l'ingénierie Juridique , Ministère de l'Intérieur Marocaine, Sigma (OECD & European Union),
- The Hague 10 January CZW seminar, lecture of the future of the Government Information (Public Access) Act
- La Sapienza, Rome 14 February- Law Faculty. Part of the master “Global Regulation of Markets” una lezione su “Quality of regulation: the Dutch case”
- Cape Town South Africa 10 April, IAL/CALC: Workshop Common quality standards for legislation in different legal traditions as an inspiration for legal reform: *Wrap up and summary*
- The Hague 13 June, *Wetgevingsprocessen in transitie* [Legislative processes in transition] seminar Vereniging voor wetgeving en wetgevingsbeleid
- Brasilia, Brazil 30 September 2013, *Why do People obey the Law* (part of a series of lectures organised for IPEA/Universidad do Brasilia)
- Athens 15 October 2013, “*What determines the endurance of national constitutions? Indicators for and patterns of extra-constitutionality*“, The Sovereign Debt Crisis and Constitutional Reforms in Greece 15 & 16 October 2013 Goethe Institute/CECL Athene
- Leiden 12 November 2013 *De briljante Grondwet 1814*, points of contention and obstacles concerning the Constitution Grondwet 1814, Studium Generale Leiden
- Warsaw Poland 9-11 April 2014, *The interaction between courts in human rights protection in Europe*, VI International Conference on the occasion of the 55th anniversary of creation of the European Court on Human Rights and 45th anniversary of the American Convention on Human Rights Models of Protection of Human Rights: European and American, 9-11 April 2014, Sejm RP (Polish Parliament, ul. Wiejska 4/6/8, 00-902 Warsaw Poland
- Washington D.C. USA 5-6 June 2014, ‘*Quality of Legislative Drafting: What Are the Standards?*’, Second International Conference on Legislative Drafting and Law Reform, International Judicial Academy/ World Bank and American Bar Association
- Seoul, South-Korea 18-19 September 2014, *Innovation of legislative processes*, IAL-KLRI International Conference Seoul, South-Korea ‘Innovation of Legislative Processes’
- The Hague 24 November 2014, Legislation – a balancing act between politics, quality and the citizen, seminar ‘*Dilemma's in wetgeving*’, Ministry of Security and Justice (Legislation Dept.)
- Jerusalem Knesset 10-11 December 2014, Legislative Processes in Transition: a Comparative Study of the Legislative Processes in Finland, Slovenia, the United Kingdom and the Netherlands, *International Conference Legisprudence and Legislative Process: from Theory To Practice Israel*, Bar-Ilan University, Faculty of Law & The Knesset Legal Department
- Stockholm, Sweden 11-12 March 2015, *Crowdsourcing and Legislation*, International Association for Legislation, University of Stockholm, Sweden

- The Hague 28 March 2015. 200 Years Kingdom and Senate, lecture in the old House of Representative on Constitution Day, organised by the Montesquieu Instituut, ProDemos and Tilburg University
- The Hague Ministry of Foreign Affairs 3 June 2015, *Powersharing under the Dutch Constitution*, on the occasion of 200 Years Dutch Constitution in perspective, organised by International IDEA, Leiden University and the Ministry of Foreign Affairs
- The Hague Ministry of Security and Justice 17 June 2015, *Safeguarding legislative quality – policies and institutions*, seminar hosted by the Minister of Security & Justice for the Rwandan government – bilateral conference on mutual judicial cooperation The Hague (Minister Busingye and State Secretary of Security and Justice, Minister for Migration Mr Klaas Dijkhoff)
- Middelburg 24 September 2015, *Spel zonder grenzen*, (on the governance of the Flemish/Dutch Delta area as metro-area), 13th Oesterlezing Middelburg, Oesterpartij

Advice

- 28-05-2008 Round Table EU Affairs Committee House of Representatives on parliamentary scrutiny reservation, The Hague
- 07-12-2012 Round Table EU Affairs Committee House of Representatives on the EMU/interim report Van Rompuy
- 11-09-2013 Round Table EU Affairs Committee Citizen's Initiative, Make Europe Political
- 0-10-2014 EU Affairs Committee Hearing on Better Legislation

Member of evaluation committee

- 2013-2014 Member of evaluation committee Wet inlichtingen- en veiligheidsdiensten [Intelligence and Security Services Act]
- 2015 Member of evaluation committee Actal

Ancillary positions

- (200-present) Chairman Thorbecke- en Bachienestichting (awards Thorbecke and Bachiene medal)
- (2006-present) President International Association for Legislation (formerly European Association for Legislation)
- (2012-present) Chairman editorial board L. Prakke/C. Kortmann, *Constitutional Law of the EU Member States*
- (2008-present) Lecturer Academy for legislation (on method of legislation)
- (2004-present) Member of editorial staff Sdu Wettenverzameling
- (2003-present) Member of editorial staff study pockets *staats- en bestuursrecht*, after 2008 master series *staats- en bestuursrecht*, Kluwer
- (2007-present) Member of national ICT and Research Platform
- (1 July 2008 -present) Fellow Montesquieu Institute (study of European comparative parliamentary history and European constitutional developments)
- (2009-present) Leader of profile area Political Legitimacy (research)
- (2009-present) Chairman Gent-Leiden Thorbecke lecture
- (2010-present) Member of guest writer committee Leiden University
- (2010-present) Academic Director Institute of Public Law Leiden University
- (2014-present) Chairman complaints committee Professional Association Public Affairs
- (2015-present) Chairman referendum and initiatives committee Municipality of Amsterdam
- (2015-present) Board member Dutch Legislation Association

Dr. M.L. van Emmerik



Radio

- In *BNR Nieuwsradio*, panel debate on emergency powers of the mayor, 1 March 2016
- In *BNR Nieuwsradio*, on re-ratification of ESM treaty, 3 July 2012

Newspapers/journals

- *Het Parool* and *AD*, ‘Boos zijn in Nederland mag’ on the extent of the demonstration ban in Deurne, 31 March 2014
- *NRC*, ‘Steun van EU aan banken kan illegaal zijn’, on EU support to banks, with Wim Voermans, Alke Metselaar and Michal Diamant, 18 July 2012

Lectures

- The Hague 23 July 2014, seminar for the College van Beroep voor het Bedrijfsleven (CBB) and the Centrale Raad van Beroep (CRvB), ‘De rechter als bewaker van evenredige bestuurlijke boetes, mede vanuit het perspectief van artikel 6 EVRM’ [the court as guardian of proportionate administrative fines, partly from the perspective of Article 6 ECHR] with Christien Saris
- 3 March 2016, ‘Afstemming strafrechtelijk en bestuursrechtelijk handhaven’ [harmonisation of enforcement in criminal and administrative law] (organised by the Academie voor Wetgeving, the Academie voor Overheidsjuristen and the Vereniging JuristenRijk)

Dr. H.M.T.D. ten Napel



Newspapers/journals

- *Christelijk Weekblad*, Gebrek aan godsdienstvrijheid bedreigt de democratie [lack of religious freedom threatens democracy], 26 June 2015
- *Friesch Dagblad*, Vrijheid van godsdienst is onmisbaar voor de democratie [freedom of religion indispensable for democracy], 28 February 2015

- *De Hofvijver*, Over de zin van het Europees Parlement [what is the point of the European Parliament], with Joost Luiten, 19 May 2014
- *Christelijk Weekblad*, Europarlementariërs op de bres voor godsdienstvrijheid [Europa MPs standing firm for freedom of religion], 21 February 2014

Lectures

- 25 April 2013, Introductory lecture on transparency in the legislative process at meeting ‘Gij zult openbaar maken’ (on a report by the Research & Documentation Centre of the Ministry of Security and Justice (WODC))
- ‘Imaginations From the Other Side. Assessing the Juncture between Law, History and Sociology in the Study of State-Religion Interlocutions’, presentation at founding conference International Society of Public Law on ‘Rethinking the Boundaries of Public Law and Public Space’, University of Florence, 26-28 June 2014, with Leonard van ’t Hul.
- Organisation international workshop ‘The Powers That Be’, Leiden University, 24 June 2014, with W.J.M. Voermans.
- ‘Multiple Sovereignties and the Principle of Separation of Powers’, paper presentation at IXth World Congress of Constitutional Law, workshop ‘The Transformation of the Principle of the Separation of Powers’, University of Oslo, 16-20 June 2014.
- ‘Creed or Structure? Christian Democratic Vision and Attitudes towards Liberal Democracy’, paper presentation at workshop on ‘Christian Democratic Ideology and Programmatic Development, 1945-2000’, Civitas. Forum of Archives and Research on Research on Christian Democracy, KU Leuven, 14 and 15 November 2013.
- ‘Combining Efficiency and Transparency in the Legislative Process’, paper presentation at 3rd Global Conference on Transparency Research, HEC Paris, 24-26 October 2013, with Reijer Passchier.
- ‘Religious Pluralism, Eastern Ethical Monism and Western “Civic Totalism”’, paper presentation at Third ICLARS Conference over ‘Religion, Democracy, and Equality’, The College of William and Mary, Williamsburg, VA, 21-24 August 2013.
- ‘The Dutch parliamentary System’, presentation for Chinese delegation of six government administrators from the Henan province, Leiden, 18 July 2013, with Wim Voermans.
- ‘Religious Freedom, Eastern Ethical Monism and Western “Civic Totalism”: Pluralist Constitutionalism as the Answer?’, paper presentation at conference on ‘The Rule of Law with Chinese Characteristics in Transition’, The Centre for Chinese and Comparative Law, School of Law, City University of Hong Kong in collaboration with Chinese Journal of Law, Institute of Law, Chinese Academy of Social Sciences, Beijing, Hong Kong, 5-7 June 2013.
- ‘Snelheid, efficiëntie en transparantie: het Nederlandse wetgevingsproces in transitie?’, introduction at public meeting ‘Gij zult openbaar maken’, Netwerk Democratie with the Raad voor het openbaar bestuur (Rob), The Hague, 25 April 2013.
- Lecture ‘Tales of a Polity in Transition. The Changing Rules for Dutch Cabinet Formation in Perspective’, seminar ‘Democracy III/The quicksand of Dutch politics’, ADFU/Diplomatic Circle, The Hague, 28 September 2012;
- Lecture ‘Monarchie versus republiek’, VGSL ‘Franciscus Gomarus’, 27 September 2012 (with chairman Nieuw Republikeins Genootschap);
- ‘The State, Civil Society and Religious Freedom’, paper presentation at conference on ‘Religion and Civil Society; The Changing Faces of “Religion” and “Secularity”’, workshop ‘Religious Freedom in Contemporary Juridical Context’, Harvard Law School, Cambridge, MA, 7-8 June 2012;
- ‘Co-referaat bij Sander Luitwieler’, Europa conference, Tweede-Kamerfractie, Wetenschappelijk Instituut en Eurofractie ChristenUnie in collaboration with European Christian Political Foundation, The Hague, 27 April 2012;

- ‘Joseph H.H. Weiler’s Approach to Democratic Legitimacy of the European Union: Is There a Message for Neo-Calvinists?’ paper presentation at Kuyper Center Annual Conference, ‘Neo-Calvinism and Democracy’, Princeton University, NJ, 19-21 April 2012;
- ‘Habermas and Ratzinger and the Three Dimensions of State Legitimacy’, paper presentation at workshop ‘Observing Political Legitimacy’, Leiden University, 18 November 2011;
- Lecture on religious freedom for LLP group Professor P.B. Cliteur (following article in Friesch Dagblad), Leiden University, 4 November 2011 (with Jaco van den Brink);
- Presentation following article ‘Liberal Democracy: Culture Free? The Habermas-Ratzinger Debate and its Implications for Europe’, during meeting of PhD candidates and supervisors Political Legitimacy, 12 October 2011, FSW (with co-speaker Josephine Hartmann);
- ‘From Dooyeweerd Cabinet to Minority Cabinet: The Democratic Order at Stake?’, paper presentation at International Symposium 2011 on ‘The Future of Creation Order’, Association for Reformational Philosophy, VU University, Amsterdam, 16-19 August 2011, with George Harinck;
- Participant, Expert Meeting ‘Verplichte voorschoolse educatie’, Regioplan Beleidsonderzoek, Amsterdam, 11 March 2011;
- ‘A Right Not to be Offended? In Search of the Limits of the Government’s Ability to Display Religious Symbols in the Public Workplace’, paper presentation at International Symposium ‘Religious Diversity in the European Workplace’, Catholic University Leuven, Belgium, 13 January 2011;
- ‘The Dutch Political Reformed Party and Passive Female Suffrage: A Comparison of Two High Court Judgments in the Light of Constitutional Theory’, paper presentation at symposium ‘Political Parties and Public Law: The Netherlands in Comparative Perspective’, Leiden, 25 June 2010;
- ‘The European Court of Human Rights’ Jurisprudence on Religious Symbols in Comparative Perspective: Maximum Protection of the Freedom of Religion Through Judicial Minimalism?’, paper presentation at First ICLARS International Conference over ‘Law and Religion in the 21st Century: Relations between States and Religious Communities’, workshop ‘Religious Symbols in Public Institutions’, University of Milan, Italy, 22-24 January 2009, with Florian H. Karim Theissen

Dr. M.K.G. Tjepkema



Radio

- BNR Nieuwsradio, on the legislative proposal concerning loss compensation, 20 March 2016

Lectures

- Bergen (Norway), Annual Meeting 2012 of the European Group of Public Administration, on the future of the doctrine of *no fault liability* at EU level
- Rotterdam 2015, lecture on the challenges to the position of the expert, partly in light of the plans of the legislature for a new Environmental Act (organised by SAOZ)
- Leiden 17 June 2014, lecture on government liability and voluntary concessions (organised by the Leids Juridisch Genootschap)

- 29 May 2012, lecture on similarities and differences between the doctrines of loss compensation and expropriation and the way in which expropriation doctrines affect the loss compensation law (organised by the Vereniging voor Oenteigeningsrecht)
- The Hague 2013, lecture for staff at the Stichting advisering bestuursrechtspraak (Stab) on loss compensation and loss resulting from government planning decisions
- The Hague 2013, lecture at a seminar of the District Court and Court of Appeals in The Hague on civil law aspects of the loss compensation law
- 2012, expert meeting Ministry of the Interior and Kingdom Relations, lecture following the opinion of the Scientific Council for Government Policy (WRR) *Evenwichtskunst* [balancing act]

G. Boogaard LL.M.



Newspapers/journals

- *Volkskrant*, 'Kabinet, stop die onderhandelingen' [Cabinet, stop the negotiations], with Wim Voermans, 7 October 2013
- *Reformatorisch Dagblad*, on assessing the Constitution, 15 January 2015
- *Volkskrant*, 'Imiteren politici de politiek uit series waar ze thuis van genieten?' [Do politicians imitate the politics in tv series they enjoy watching at home?] 13 November 2013
- *Trouw*, Haagse politiek negeert geest en bedoeling van de Grondwet [politicians in the Hague are ignoring the meaning of the Constitution], 29 October 2013
- *Volkskrant*, Toetsing tegen waan van de dag, with Jit Peters, Jerfi Uzman, Femke Binnendijk and Maurice Jeurissen, 21 February 2014

Dr. J.E. van den Brink



Radio

- *BNR Nieuwsradio* on European subsidies and Horizon 2020, 24 December 2014
- *NOS Radio 1 Journaal* on European subsidies, 9 May 2014

Lectures

- The Hague 19 November 2012, *De uitvoering van Europese subsidieregelingen in Nederland* [implementation of European subsidy regulations in the Netherlands], for state councillors and legal experts of the Administrative Law Department of the Council of State
- Bergen (Norway), Annual Meeting 2012 of the European Group of Public Administration, on the effect of European soft law on Dutch administrative law, in the context of the implementation of European subsidy programmes.

Dr. A. Cuyvers



Newspapers/journals

- NRC, Volkskrant en Financiële Telegraaf, on Dutch gaming policy and possible newcomer Tipp24 on the Dutch market, with Stefaan Van den Bogaert, 10 March 2014

Dr. A.E.M. Leijten LL.M.



Lectures

- 26 January 2015, Lecture at international chamber of the Central Appeals Tribunal on developments concerning property law in relation to social security law
- 5 June 2014, guest lecture for Legal Affairs Department of the Social Insurance Bank, *Het belang van het eigendomsrecht (Artikel 1 Eerste Protocol EVRM) voor het sociaalzekerheidsrecht*
- 25 September 2012, presentation of PhD research at Graduate Research Seminar on occasion of visit to Leiden by Professor Frederick Schauer
- Leiden 6 April 2016, Symposium judicial review and human rights, workshop ‘Balancing of interests: a task for the courts?’
- Boston 14 March 2014, guest lecture at Boston College Law School on the protection of socio-economic rights by the ECHR

Dr. J. Uzman



Television

- *Nieuwsuur* on right of parliament to ask questions, 3 February 2016
- *RTL Nieuws* on climate case Urgenda, 24 June 2015

Radio

- *Radio Een Vandaag* on climate case Urgenda, 24 June 2015

Newspapers/journals

- *Volkskrant*, 21 February 2014, *Toetsing tegen waan van de dag* (with Jit Peters, Geerten Boogaard, Femke Binnendijk and Maurice Jeurissen);
- *Volkskrant* 17 May 2014, *Het is niet zo slim om een B-team naar Brussel te sturen* (with W.J.M. Voermans);
- *Mr.* 8 May 2014, *Wie is de baas over het primaat van de wetgever?* (column Snelrecht)
- *Mr.* 12 September 2014, *Chambre de Constitution* (column Snelrecht);
- *Mr.* 21 November 2014, *In rook op* (column Snelrecht);
- *Mr.* 20 February 2015, *De conventie van Duivesteijn* (column Snelrecht);
- *Mr.* 1 March 2016, *Een lamp en een donkere kamer: de parlementaire ondervraging* (column Snelrecht);

Lectures

- Leiden 15 January 2009, chairman of the day at symposium on the Kadi ruling, organised by NJCM;
- Leiden 17 January 2010: lecture on American case Bush v. Gore;
- Leiden 23 September 2010: research seminar for Justus Lipsius on effective protection of human rights and the task of the court to establish law
- Leiden, 5 March 2010: lecture for Res Publica on debate between two British scholars of constitutional law, Paul Craig from Oxford and T.R.S. Allan from Cambridge on the constitutional legal basis of English administrative law;
- Strasburg, 21 October 2010, Expert meeting on the future of the European Court of Human Rights;
- Oxford, 20 May 2011: Expert meeting on the future of human rights in Europe;
- The Hague, 25 September 2012: Lecture at Council of State on the task of administrative courts to establish law when reviewing legislation;
- The Hague, 24 November 2014: lecture at the District Court in The Hague on the role of Dutch courts in the protection of European fundamental rights;
- Amsterdam, 27 January 2014: Debate with VVD MP Joost Taverne on the requirement for constitutional review;
- Leiden, 23 January 2015, 'Dialogue or defiance?', ILS Conference Leiden;
- Tilburg, 30 January 2015: 'Een pleidooi voor normatief staatsrecht', *Onderwijsdag Staatsrechtkring* 2015;

- Oxford, 16 February 2015: Contribution at ‘European Rights, Human Rights: Convergence or Dissonance?’ The Oxford Debates on the UK in Europe;
- Leiden, 18 February 2015: Chairman of the day at forum on Diploma Democracy;
- Leiden, 3 March 2015: speaker at debate of the *Jonge Democraten* as response to legislative proposal by Halsema concerning constitutional review;
- Leiden, 16 March 2015: ‘Transnational Public Law Litigation’, contribution at workshop ‘Judicialisation of Human Rights Law & Policy’;
- Leiden 17 April 2015: contribution at expert meeting on legislative proposal concerning whistle blowers;
- Istanbul, 9 June 2015: ‘Conventions of Unamendability, ICON-S Symposium Unamendable Constitutional Provisions (with Gert Jan Geertjes);
- New York 2 July 2015: ‘Here To Stay: The ECHR as an Unamendable Part of National Constitutions’, I-CON Conference ‘Public Law in an Uncertain World’;
- Amsterdam, 23 September 2015: *VPRO Tegenlicht Meet Up*, interviews as expert on climate case Urgenda vs the State;
- Utrecht, 2 December 2015: ‘The Judicialization of Politics as a Threat to Judicial Independence? Contribution at workshop on ‘Institutional and Socio-Political Determinants of Judicial Independence in Latin America’.

Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

- Legal advice to private member’s bill Halsema (now: Van Tongeren) on amending the Constitution to enable right of review. See *Kamerstukken II* 2013/14, 32 334, no. 8 (with Jit Peters and Geerten Boogaard).
- Advice ‘*Het mensenrechtenkader voor het Nederlandse stelsel van toezicht op de inlichtingen- en veiligheidsdiensten*’, [on the human rights framework of the Dutch system for monitoring the intelligence and security services] issued to the Supervisory Committee on the Intelligence and Security Services (CTIVD), August 2015 (authors: J.P. Loof, J. Uzman, T. Barkhuysen, A.C. Buyse, J.H. Gerards, R.A. Lawson).

M. Diamant LL.M



Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

- Dutch House of Representatives, 11 November 2013, participated at round table discussion on the modernisation of the Government Accounts Act, organised by the Committee on Public Expenditure of the House of Representatives. Presentation of position paper.
- Ministry of Foreign Affairs, 25 September 2014, participated at meeting/discussion between lawyers and economists from various ministries and DNB on the question of how we can stimulate Member States – inside and outside the existing framework of the EMU – to make structural reforms, preferably taking into account democratic legitimacy. Gave a short introduction on the democratic legitimacy and the national budget autonomy in the light of possible contractual arrangements within the scope of the EMU.

G.J.A. Geertjes LL.M



Lectures

- Lecture ‘Spoedig wetten maken’ [Fast-track law-making] in the assembly room of the Senate as part of the first Constitution Festival on the occasion of the bicentenary of the Kingdom of the Netherlands.
- Lecture ‘Politieke partijen in Nederland en het Verenigd Koninkrijk’ [Political parties in the Netherlands and the United Kingdom] on the occasion of the publication of the volume *Politieke partijen als anomalie van het Nederlands staatsrecht* edited by Hansko Broeksteeg and Ronald Tinnevelt (Kluwer 2015), Nijmegen University, 1 July 2015
- Lecture ‘Koningschap tussen conventie en traditie’ at book presentation *Macht verloren, gezag versterkt* by Joop van den Berg (Elsevier 2016), in KOG Building of Leiden University

Ancillary positions

- Junior board member of Stichting Ars Aequi (2012-2015), publisher of legal study books and monthly journal Ars Aequi

A.H.A. Mohammad LL.M.



Newspapers/journals

- ‘Grenzen aan academisch ondernemerschap zijn nodig, ook in belang van het mkb’, [on limits to academic entrepreneurship] FD 25 March 2015

Lectures

- Workshop ‘Competition and Education’, at Conference Interaction between legal systems Room for reflection 2015

Ancillary positions

- Legal researcher/advisor at Wetgevingswerken, Rotterdam (2015).
- Editorial assistant NTM/NJCM (2011-2014)

Contributions/guidelines/advice to national and international political, administrative, legislative, advisory and judicial organisations

- Research into the legal aspects of the policy concerning the personal care budget (pgb) in the Youth Act, Social Support Act, Healthcare Insurance Act and the Long-term Care Act. Research requested by Programme Management Fraud Prevention Care, Ministry of Health, Welfare and Sport (2015). Resulted in research report ‘*Naar een fraudebestendig pgb*’ [Towards a fraud-proof personal care budget].

R. Passchier LL.M



Newspapers/journals

- *Joop.nl*, ‘De War On Terror holt de Westerse rechtsstaat uit’, 13 December 2014.
- *De Volkskrant*, ‘Japanse grondwet is geen zelfmoordpact’, 5 July 2014.
- *Staatscourant*, ‘Efficiënt wetgeven is meer dan snel wetten maken’, 2012.

Lectures

- New Haven, VS, 15-4-2015, ‘Founding Moments in Constitutionalism’.
- Austin, Texas, 23-9-2015, ‘Second Graduate Conference in Public Law University of Texas at Austin (25 September 2015) with presentation ‘Exploring the Function and Use of Requirements of Amendability in Global Constitutional Design’.
- The Hague, 4-6-2015, conference organisation ‘The Dutch Constitution at 200 – Lessons for Constitutional Transitions Today’.
- The Hague, 4-6-2015, Conference ‘The Dutch Constitution at 200 – Lessons for Constitutional Transitions Today’ with presentation ‘The Constitution of the Netherlands at 200 – Adaptive Capacity and Constitutional Rigidity’.
- Leiden, 20-5-2015, Debate on legitimacy of the Constitution with Bastiaan Rijkema.
- Milan, 4-5-2014, ‘Workshop in Comparative Constitutional Law University of Milan’ with presentation ‘Unconstitutional Constitutional Amendments in the European Union’.
- Durham, U.K. 5-2-2015 ‘Durham-Cambridge Workshop in EU Law’ with presentation ‘Unconstitutional Constitutional Amendments in the European Union’.
- Leiden, 23-9-2014, Research seminar ‘*rechtsvinding en rechtshandhaving*’ on unconstitutional developments in Japan and the United States.
- Leiden, 21-2-2014, Participation on panel debate at book presentation ‘*Schetsen voor een nieuwe economie*’ with among others MP Liesbeth van Tongeren, 21 February 2014.
- Presentation at ‘3rd Global Conference on Transparency Research’, HEC Paris, 24-26 October 2013, ‘Combining Efficiency and Transparency in the Legislative Process’.
- Leiden, 22-2-2013, Organisation and presentation of debate, ‘*De Eurocrisis: waar ligt de oplossing?*’ With Bas Eickhout en Wim Voermans

- The Hague, 27-4-2012 organisation Symposium ‘Gij zult openbaar maken’ on transparency in public administration and legislation. Organised with Hans-Martien ten Napel, Netwerk Democratie and the Raad voor het Openbaar Bestuur.
- The Hague, 27-4-2012 lecture ‘Transparantie in het Wetgevingsproces: Internet en de Mogelijkheid van een Moderne Volksvergadering’ (see also my youtube video)

J. Westerweel LL.M, Ma



Lecture

- Utrecht, 24 March 2016, expert meeting ‘Democratic Challenge’ organised by the Association of Dutch Municipalities.

G. Structure and composition of research group 2009 – 2015

G1. Staffing information (annual average) as FTE research (list of names)

	2009	2010	2011	2012	2013	2014	2015	2009-2015	average
Adriaanse, Paul	0.23	0.35	0.35	0.35	0.35	0.16		1.79	0.26
Alkema, Evert	x	x	x	x	x	x	x	x	x
Awesta, Ambrogino		x	x	x	x	x		x	x
Barkhuysen, Tom	0.16	0.07	0.07	0.04	0.04	0.04	0.04	0.44	0.06
Boogaard, Geerten					0.35	0.35	0.35	1.05	0.15
Brink, Jacobine van den	0.80	0.80	0.80	0.80	0.35	0.35	0.17	4.06	0.58
Bronckers, Marcus	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.25	0.04
Cliteur, Paul	0.35	0.35	0.35	0.35	0.35	0.35	0.35	2.44	0.35
Cuyvers, Armin						0.17		0.17	0.02
Dam, Claartje van					0.13	0.40	0.32	0.85	0.12
Di Bella, Laura	0.60	0.60	0.60	0.60				2.39	0.34
Diamant, Michal					0.27	0.81	0.81	2.69	0.38
Doomen, Jasper				x	x	x	x	x	x
Drahmann, Annemarie							0.06	0.06	0.01
Eijsbouts, Willem		0.04	0.19	0.21	0.21	0.21		0.86	0.12
Ellian, Afshin	0.35	0.35	0.35	0.35	0.35	0.35	0.35	2.44	0.35
Emmerik, Michiel van	0.17	0.17	0.18	0.17	0.17	0.17	0.17	1.22	0.17
Geertjes, Gert-Jan						0.80		0.80	0.11
Griffoen, Henk	0.27							0.27	0.04
Groothuis, Marga	0.17	0.17	0.18	0.17	0.17	0.35	0.35	1.57	0.22
Hartmann, Josephine				0.67	0.80	0.80	0.80	3.39	0.48
Heide, Gert-Jan van der	0.60	0.33	0.30	0.30	0.03			1.56	0.22
Hendriks, Aart	0.35	0.31	0.16	0.18	0.10	0.08	0.07	1.23	0.18
Hulle, Rick van der				0.27	0.27			0.53	0.08
Jacobs, Maria	0.08	0.08	0.02					0.17	0.02
Jong, Tess de			0.37	0.40	0.40	0.40	0.30	1.86	0.27
Kinneging, Andreas	0.35	0.35	0.35	0.35	0.35	0.35	0.35	2.44	0.35
Kruif, Christien de	x	x	x	0.15	0.35	0.35	0.35	1.19	0.17
Leijten, Ingrid				0.40	0.40	0.40	0.40	1.92	0.27
Metselaar, Alke		0.07	0.80	0.80	0.80	0.80	0.80	4.05	0.58
Mohammad, Ali						0.80		0.80	0.11
Napel, Hans-Martien ten	0.17	0.17	0.18	0.17	0.18	0.18	0.18	1.23	0.18
Nauta, Thomas					0.23	0.37		0.60	0.09
Ouden, Willemien den	0.35	0.35	0.35	0.35	0.35	0.35	0.18	2.27	0.32
Passchier, Reijer					0.27	0.80	0.80	2.66	0.38
Polak, Jaap	0.07	0.02						0.10	0.01
Price, Jonathan		0.08	0.16	0.60	0.60	0.60	0.60	2.64	0.38
Rijpma, Jorrit	0.03	0.35	0.35	0.35	0.35	0.35		1.77	0.25
Schuurmans, Ymre	0.12	0.17	0.18	0.17	0.17	0.17	0.17	1.16	0.17
Slootweg, Timo	0.35	0.35	0.35	0.35	0.35	0.35	0.35	2.44	0.35
Stremler, Marchen				0.21	0.43			0.64	0.09

	2009	2010	2011	2012	2013	2014	2015	2009-2015	average
Suurland, David	0.60	0.60	0.25	x	x			1.45	x
Tjepkema, Michiel	0.30	0.26	0.18	0.17	0.17	0.17	0.17	1.43	0.20
Uzman, Jerfi	0.80	0.80	0.80	0.80	0.80	0.35	0.17	4.51	0.64
Van den Bogaert, Stefaan	0.07	0.17	0.18	0.17	0.17	0.17		0.94	0.13
Verheij, Luc				0.08	0.11	0.11	0.11	0.39	0.06
Voermans, Wim	0.35	0.35	0.35	0.35	0.35	0.35	0.35	2.44	0.35
Waling, Geerten							0.12	0.12	0.02
Westerweel, Joost							0.80	0.80	0.11
Zee, Machteld			0.27	0.80	0.80	0.80	0.49	3.15	0.45
Total, FTE research	6.7	6.7	9.1	11.0	11.6	11.1	11.7	68.0	9.71

x = Guest/zero-hours contract (no allocated research time)

G2. Staffing information (annual average) as FTE research (position)

	2009	2010	2011	2012	2013	2014	2015	2009-2015	average
Professor	1.3	1.4	1.5	1.6	1.6	1.7	2.0	11.1	1.6
Associate Professor	0.2	0.3	0.6	0.7	0.9	1.1	0.5	4.4	0.6
Assistant Professor	1.1	1.5	1.3	1.4	2.0	2.2	2.0	11.4	1.6
Researcher	0.1	0.2	0.0	1.3	1.2		0.1	2.9	0.4
PHD fellow	2.1	1.7	1.3	1.5	0.9	1.0	0.6	9.1	1.3
PhD candidate	1.9	1.7	4.4	4.5	4.9	5.2	6.5	29.0	4.1
Total FTE research	6.7	6.7	9.1	11.0	11.6	11.1	11.7	68.0	9.7

G3. Staffing information as numbers of researchers

	2009	2010	2011	2012	2013	2014	2015	average
Professor	7	8	7	9	9	10	10	8.6
Associate Professor	1	2	3	3	5	5	3	3.1
Assistant Professor	6	5	5	6	6	6	8	6.0
Researcher	1	2	1	2	2		1	1.3
PhD fellow	4	4	4	3	3	2	1	3.0
PhD candidate	3	3	8	9	8	8	11	7.1
Total number of researchers	22	24	28	32	33	31	34	29.1

H. Quantitative research results and publication lists 2009 – 2015

H1. Quantitative output by year

	2009	2010	2011	2012	2013	2014	2015	2009-2015	average
Total scholarly publications	55	39	66	47	45	51	65	368	52.6
Article refereed (blind)	6		7	5	4	6	14	42	6.0
Article non-refereed	14	15	21	11	16	14	5	96	13.7
Doctoral theses	1	1	3	7	5	6	4	27	3.9
Monograph	4	0	1	2	3	3	6	19	2.7
Book chapter refereed (blind)							11	11	1.6
Book chapter non-refereed	30	23	33	19	14	20	22	161	23
Report				1	3	3	2	11	1.6
Dataset								0	0.0
Inaugural lecture (published)							1	1	0.1
Annotation								0	0.0
 Total professional publications	27	51	63	51	49	71	88	400	57.1
Article in journal	8	13	14	14	11	19	16	95	13.6
Monograph	3	2	5	2		3		15	2.1
Book chapter	7	3	7	5	1	6	15	44	6.3
Report				1		1		2	0.3
Annotation	9	32	34	29	32	37	50	223	31.9
Book editorial				2	1	3	4	15	2.1
Book review			1		2	1	2	6	0.9
 Total	82	90	129	98	94	122	153	768	109.71
 % English scholarly publications	36%	21%	39%	38%	33%	35%	42%	36%	

H2. Scholarly publications

Article refereed (blind)

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Brink J.E. van den & Ouden W. den, annotatie bij: ABRvS 15 April 2015, no. 201309575/1/A2, AB Rechtspraak Bestuursrecht 2015,28; 1440-1448 (Geen gewettigd vertrouwen in de rechtmatigheid van de te veel uitgekeerde steun als gevolg van fout bestuursorgaan; geen uitzonderlijke omstandigheden. De in art. 108 lid 3 VWEU neergelegde verplichting tot terugvordering van onrechtmatige steun geldt voor de lidstaat Nederland en ook voor bestuursorganen. Daarmee is de bevoegdheidsgrondslag een gegeven. Welk bestuursorgaan bevoegd is wordt vastgesteld op basis van het nationale recht.).

Brink J.E. van den & Ouden W. den, annotatie bij: HvJ EU 18 December 2014, no. C-599/13, AB Rechtspraak Bestuursrecht 2015,28; 1429-1439 (De bevoegdheid tot terugvordering van een Europese subsidie van een nationaal bestuursorgaan kan, wanneer die naar Nederlands recht niet bestaat, worden gevonden in een EU-verordening. De nationale rechter dient te beoordelen of de beginselen van rechtszekerheid en vertrouwen, in hun Unierechtelijke opvatting, zijn geëerbiedigd bij de terugvordering van de EU-subsidie, rekening houdend met het gedrag van zowel de subsidieontvanger als de nationale overheid.).

- Brink J.E. van den, annotatie bij: CBb 19 September 2014, no. AWB 13/474, AB 2015 (Als een bestuursorgaan het Unierecht correct toepast, brengt de omstandigheid dat autoriteiten van andere lidstaten hetzelfde Unierecht anders toepassen niet met zich dat dat bestuursorgaan in strijd handelt met het gelijkheidsbeginsel.).
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- Kortmann C.N.J. & Ouden W. den, annotatie bij: Rb. Noord-Holland (ktr.) 7 January 2015, no. 3111582/CV EXPL 14-1630, AB Rechtspraak Bestuursrecht 2015,27; 1419-1423 (Dat de facturen vatbaar zijn voor bezwaar en beroep, wil niet zeggen dat daarmee de weg naar de kantonrechter is afgesloten. Het bestuursorgaan beschikt ten aanzien van de invordering ook over de bevoegdheden die een schuldeiser op grond van het privaatrecht heeft.).
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- Leijten A.E.M., annotatie bij: CRvB 28 August 2015, USZ 2015.
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- Ouden W. den, annotatie bij: ABRvS 25 February 2015, no. 201402425/1/A2, AB Rechtspraak Bestuursrecht 2015,27; 1387-1390 (De opschorting van een rijksbijdrage is een herstelsanctie die slechts ziet op voortdurende overtredingen. Nu de vermeende overtreding niet meer plaatsvond, kon de rijksbijdrage niet meer worden opgeschorst. De WHW biedt geen grondslag voor herstel van overtredingen in het verleden door opschorting van de rijksbijdrage. De minister was in dit geval niet bevoegd de bekostigingsmaatregel te treffen.).
- Ouden W. den, annotatie bij: ABRvS 8 October 2014, no. 201402174/1/A2, AB Rechtspraak Bestuursrecht 2015,16; 854-857 (Doelstelling redelijke termijn. Stelselherziening in de jeugdzorg is geen beleidskeuze van het college. Beëindiging van de subsidierelatie ligt buiten de macht van het college. In die situatie vergt het in art. 4: 51 lid 1 van de Awb bepaalde niet meer van het college dan dat het de grootst mogelijke zorgvuldigheid betracht.).
- Ouden W. den, annotatie bij: ABRvS 13 May 2015, no. 201409173/1/A2, AB 2015 (B-bestuursorgaan. Niet voldaan aan het inhoudelijke vereiste: geen beslissende invloed op inhoudelijke criteria.).
- Ouden W. den, annotatie bij: ABRvS 8 April 2015, no. 201404419/1/A2, AB 2015 (Geen overeenkomst naar burgerlijk recht maar een subsidiebesluit.).
- Ouden W. den, annotatie bij: Rb. Amsterdam 1 October 2014, no. AMS 13/5366, AB Rechtspraak Bestuursrecht 2015,15; 798-804 (Stichting Impuls Nieuw-West is een bestuursorgaan dat subsidies verstrekt. Ook indien men wenst te komen tot grotere bewonersbetrokkenheid of dejuridisering mag de wijze waarop dat doel vorm wordt gegeven niet in strijd komen met de wet.).
- Ouden W. den, annotatie bij: Rb. Den Haag (v.zr.) 17 February 2015, no. C/09/479766/ KG ZA 14-1562, AB Rechtspraak Bestuursrecht 2015,16; 858-864 (Afspraken zorgvuldige transitie MEE-clientondersteuning. Frictiekosten wegens stopzetting werkzaamheden. Is vergoeding frictiekosten een subsidie?).

Schuurmans Y.E., annotatie bij: ABRvS 8 October 2014, no. ECLI: NL: RVS: 2014: 3639, JV 2015.
Tjepkema & M.K.G., annotatie bij: ABRvS 19 February 2014, AB 2015.
Tjepkema & M.K.G., annotatie bij: ABRvS 9 April 2014 2015.
Tjepkema & M.K.G., annotatie bij: Gerechtshof Den Bosch 7 April 2015, no. HD200.135.969_01, AB 2015.
Uzman J., annotatie bij: HR 18 September 2015, Overheid & Aansprakelijkheid 2015.
Veldwijk J.V. & Brink J.E. van den, annotatie bij: CBb 12 December 2013, no. AWB 12/475 AWB 12/725, AB 2015 (Geslaagd beroep op het Unierechtelijk vertrouwensbeginsel).
Veldwijk J.V. & Brink J.E. van den, annotatie bij: CBb 12 December 2013, no. AWB 12/544, AB 2015 (Beroep op het Unierechtelijk vertrouwensbeginsel slaagt niet).

2014

Alkema E.A., annotatie bij: Hoge Raad 29 January 2013, no. 66610/09, NJ 2014,2014; 6117-6119.
Barkhuysen T. & Claessens M., annotatie bij: ABRvS 30 January 2014, AB Rechtspraak Bestuursrecht 2014,344.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: ABRvS 29 January 2014, AB Rechtspraak Bestuursrecht 2014,115.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: ABRvS 29 January 2014, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 11 June 2013, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 17 September 2013, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 2 June 2013, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: Hr 28 March 2014, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: HR 28 March 2014, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van., annotatie bij: EHRM 14 May 2012, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Emmerik M.L. van., annotatie bij: EHRM 30 April 2013, AB Rechtspraak Bestuursrecht 2014.
Barkhuysen T. & Khatib A.A. al, annotatie bij: CRvB 30 January 2014 2014.
Barkhuysen T. & Koenraad L.M. 7 October 2014, no. C/09/472238 / KG ZA 14-1012, AB 2014,416.
Boogaard G. & Uzman J., annotatie bij: HR 4 April 2014, no. 12/00576, AB Rechtspraak Bestuursrecht 2014,28.
Boogaard, G., Uzman & J., annotatie bij: HR 7 March 2014, AB Rechtspraak Bestuursrecht 2014.
Brink J.E. van den & Dam J.C.A. van, annotatie bij: CBb 13 March 2013, no. AWB 12/46, AB 2014.
Brink J.E. van den & Dam J.C.A. van, annotatie bij: CBb 16 September 2013, no. AWB 12/34, AB 2014.
Brink J.E. van den & Mohammad A.H.A., annotatie bij: Hof van Justitie van de Europese Unie 12 December 2013, no. C-523/12, AB 2014,41.
Brink J.E. van den & Ouden W. den, annotatie bij: ABRvS 20 November 2013, no. 201111560/1/A2, AB Rechtspraak Bestuursrecht 2014.
Brink J.E. van den & Ouden W. den, annotatie bij: HvJ EU 20 June 2013, no. C-568/11, AB Rechtspraak Bestuursrecht 2014.
Brink J.E. van den, annotatie bij: CBb 20 September 2013, no. AWB 11/228 and AWB 11/1065, AB 2014.
Brink J.E. van den, annotatie bij: HvJ EU 13 October 2012, no. C-670/11, AB 2014.
Gijrath S.J.H. 2014.
Leijten A.E.M., annotatie bij: ECtHR 12 June 2014, EHRC 2014.

Metselaar A.J. & Adriaanse P.C., annotatie bij: HvJ Eu 14 November 2013, no. C-60/12, SEW 2014,4; 202-206.

Metselaar A.J., annotatie bij: HvJEU 21 November 2013, no. C-248/12, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 11 December 2013, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 14 May 2014, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 16 October 2013, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 18 December 2013, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 2 April 2014, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: ABRvS 25 June 2014, AB Rechtspraak Bestuursrecht 2014.

Ouden W. den, annotatie bij: CRvB 25 March 2014, AB Rechtspraak Bestuursrecht 2014.

Tjepkema M.K.G. & Lagrouw H.C., annotatie bij: CBb 29 January 2014, no. AWB 10/981, AB 2014.

Tjepkema M.K.G., annotatie bij: ABRvS 28 May 2014, no. 201112232/1/A2, AB 2014,37.

Tjepkema M.K.G., annotatie bij: ABRvS 30 July 2014, no. 201310602/1/A2, AB 2014,37.

Tjepkema M.K.G., annotatie bij: CRvB 19 September 2014, no. 12/1886 AW , 12/2052 AW, AB 2014,45.

2013

Alkema E.A., annotatie bij: EHRC 20 December 2011, NJ 2013 (Finogenov e.a. / Rusland).

Alkema E.A., annotatie bij: EHRC 29 May 2012, no. 28260/07, NJ 2013; 6125-6127 (Emin / Nederland Schadeloosstelling bij vrijheidsbeneming in strijd met art. 5(1-4) EVRM).

Alkema E.A., annotatie bij: European Court of Human Rights 10 January 2012, no. 22251/07, NJ 2013; 6628-6630.

Alkema E.A., annotatie bij: HR 14 December 2012, no. 11/03521, NJ 2013,40; 4660-4662.

Alkema E.A., annotatie bij: HR 6 March 2013, no. 13/01030, NJ 2013; 6209-6210 (Klacht over rechter ex art. 14a (oud) RO gegrond).

Alkema E.A., annotatie bij: HR 21 September 2012, NJ 2013; 294-297.

Boogaard G., annotatie bij: CRvB 8 July 2013, USZ 2013.

Brink J.E. van den & Pereth S., annotatie bij: CBb 25 May 2012, no. AWB 10/492, AB Rechtspraak Bestuursrecht 2013,27.

Brink J.E. van den & Pereth S., annotatie bij: CBb 9 May 2012, no. AWB 11/659, AB Rechtspraak Bestuursrecht 2013.

Brink J.E. van den, annotatie bij: Hof van Justitie van de Europese Unie 21 December 2011, no. C-465/10, AB 2013.

Metselaar A.J. & Ouden W. den, annotatie bij: CBb 13 September 2012, AB 2013 (Het procesbelang ontbreekt wanneer een partij die zich beroept op Europees staatssteunrecht de rechter slechts verzoekt een oordeel te geven of een besluit wel of niet staatssteun betreft. Dat zou in strijd komen met de taak van de uit de taak van de nationale rechter voortvloeiende verplichting om).

Metselaar A.J. & Ouden W. den, annotatie bij: CBb 13 September 2012, AB Rechtspraak Bestuursrecht 2013.

Metselaar A.J. & Ouden W. den, annotatie bij: HR 18 January 2013, AB 2013 (Een enkele verklaring voor recht dat de (verdere) uitvoering van een overeenkomst waarin staatssteun zou zijn besloten kan niet worden aangemerkt als een passende maatregel die leidt tot een herstel van de mededingingssituatie).

Metselaar A.J. & Rijn van Alkemade J.M.J van, AB Rechtspraak Bestuursrecht 2013.

Metselaar A.J., annotatie bij: HvJ EU Fra.bo 21 November 2013, no. C-284/12, AB Rechtspraak Bestuursrecht 2013.

Nauta T. & Harten H.J., annotatie bij: HvJ EU Fra.bo 12 July 2012, no. C-171/11, European Law Review 2013; 677-694.

Ouden W. den, annotatie bij: ABRvS 10 October 2012, AB 2013 (Intrekken vaststellingsbeschikking op grond van art. 4: 49 Awb vereist een belangenafweging).

- Ouden W. den, annotatie bij: ABRvS 12 June 2013, AB 2013 (Terugvordering loonkostensubsidie. Egalisatiereserve. Verjaringstermijn is verstreken).
- Ouden W. den, annotatie bij: ABRvS 16 January 2013, AB 2013 (Analoge toepassing van art. 4: 51 Awb op grond van vertrouwensbeginsel).
- Ouden W. den, annotatie bij: ABRvS 16 January 2013, AB 2013 (Een ieder verbindende verdragsbepaling? Relativiteitsvereiste? Redelijke termijn bij stopzetting subsidierelatie. Ontslagverbod).
- Ouden W. den, annotatie bij: ABRvS 27 March 2013, AB 2013 (Niet voldaan aan verantwoordingsplicht. Subsidievaststelling op nihil is niet onevenredig).
- Ouden W. den, annotatie bij: ABRvS 29 May 2013, AB 2013 (Geen concurrent van de subsidieontvanger en dus geen belanghebbende. Staatssteunrecht.).
- Ouden W. den, annotatie bij: ABRvS 6 February 2013, AB 2013 (Dwingend bestemmingsverband tussen heffing en subsidie maakt van betalers niet automatisch belanghebbenden in de zin van art. 1: 2 Awb. Het Unierecht bevat geen voorschriften over wie belanghebbend is bij steunbesluiten aangevochten voor de nationale rechter. Corporaties hebben niet aangetoond dat steunbesluiten rechtstreeks gevolgen hebben voor hun concurrentiepositie. Zij zijn niet-ontvankelijk in hun bezwaren tegen de project-steunbesluiten).
- Ouden W. den, annotatie bij: ABRvS 7 November 2012, AB 2013 (Opschorten van de bevoorschotting in verband met dreigend faillissement subsidieontvanger. Intrekking verleningsbeschikking met terugwerkende kracht in geval van faillissement. Art. 4: 51 Awb vereist slechts de inachtneming van een redelijke termijn).
- Ouden W. den, annotatie bij: ABRvS 9 January 2013, AB 2013 (Redelijke termijn bij stopzetting subsidierelatie. Programmasubsidie. Gerechtvaardigd vertrouwen op voortzetting subsidierelatie?).
- Ouden W. den, annotatie bij: CRvB 1 May 2013, AB 2013 (Niet voldaan aan verantwoordingsplicht. Subsidievaststelling op nihil is niet evenredig. Mate waarin tekortkoming verwijtbaar is, is relevant voor de belangenafweging).
- Tjepkema M.K.G. & Vermeer F, annotatie bij: ABRvS 28 November 2012, AB Rechtspraak Bestuursrecht 2013.
- Tjepkema M.K.G., annotatie bij: ABRvS 29 February 2012, AB Rechtspraak Bestuursrecht 2013.
- Tjepkema M.K.G., annotatie bij: ABRvS 5 September 2012, AB Rechtspraak Bestuursrecht 2013,79.
- Tjepkema M.K.G., annotatie bij: EHRM 13 December 2012, EHRC 2013.
- Tjepkema M.K.G., annotatie bij: EHRM 18 June 2013, no. 14326/11, EHRC 2013.
- Tjepkema M.K.G., EHRC 2013; 1460-1467.

2012

- Alkema E.A., annotatie bij: EHRM 10 July 2012, NJ 2012; 5385-5387.
- Alkema E.A., annotatie bij: EHRM 11 October 2011, NJ 2012; 7150-7151.
- Alkema E.A., annotatie bij: EHRM 15 December 2011, NJ 2012; 3127-3128.
- Alkema E.A., annotatie bij: EHRM 18 October 2011, NJ 2012; 6404-6405.
- Alkema E.A., annotatie bij: EHRM 19 October 2010, NJ 2012; 3130-3131.
- Alkema E.A., annotatie bij: EHRM 20 October 2011, NJ 2012; 6414-6416.
- Alkema E.A., annotatie bij: EHRM 20 September 2011, NJ 2012; 7516-7517.
- Alkema E.A., annotatie bij: EHRM 23 November 2010, NJ 2012; 3137-3139.
- Alkema E.A., annotatie bij: EHRM 23 November 2010, NJ 2012; 7398-7400 (NJ 2012, 664; P.F. and E.F/UK).
- Alkema E.A., annotatie bij: EHRM 3 April 2012, NJ 2012; 7020-7022.
- Brink J.E. van den & Dam J.C.A. van, annotatie bij: Gerecht EU15 April 2011, SEW 2012; 121-125.
- Brink J.E. van den, annotatie bij: Rb Amsterdam 22 September 2011, AB Rechtspraak Bestuursrecht 2012.

- Brink J.E. van den, annotatie bij: Rb Amsterdam 22 September 2011, no. AWB 10-3306 BELEI, AB Rechtspraak Bestuursrecht 2012.
- Dam J.C.A van & Brink J.E. van den, annotatie bij: General Court of the European Union 15 April 2011, no. T-297/05, SEW 2012,3; 121-125.
- Drahmann A. & Rijn van Alkemade J.M.J. van, annotatie bij: CBb 21 December 2011, AB 2012 (AB 2012, 63; Subsidietender. Achteraf ontwikkelde beoordelingscriteria. Inzichtelijkheid en motivering resultaat verdeelproces).
- Geleijnse C.A. & Ouden W. den, annotatie bij: ABRvS 8 February 2012, AB 2012 (Vaststellingsbesluit met ontbindende voorwaarde. Formele rechtskracht. Wijziging vaststellingsbesluit en terugvordering subsidies. Verjaringstermijnen van art. 4: 49 en 4: 57 Awb; overeenkomstige toepassing van art. 3: 309 BW).
- Geleijnse C.A. & Ouden W. den, annotatie bij: HvJ EU 29 March 2012, AB 2012 (Verordening (EG) no. 2988/95 inzake de bescherming van de financiële belangen van de EU staat er niet aan in de weg dat wanneer het EU recht niet eist dat bij het nemen van een terugvorderingsbesluit ook rente wordt geheven, dit gebeurt op grond van het nationale recht, dat tevens de modaliteiten en voorwaarden voor de rentevordering vaststelt. De verjaring van de rentevordering valt niet onder art. 3 Verordening (EG) no. 2988/95).
- Ouden W. den & Veen G.A. van der, annotatie bij: HR 20 April 2012, AB 2012 (Vordering tot vergoeding van schade op grondslag dat subsidieaanvraag door onjuiste mededelingen van de Staat over het subsidieplafond te laat is ingediend. Oordeel van het hof dat causaal verband tussen gewraakte mededelingen en definitieve afwijzing subsidie is verbroken, is onbegrijpelijk gemotiveerd).
- Ouden W. den, annotatie bij: ABRvS 21 April 2012, AB 2012 (Afwijzing nieuwe aanvraag nu deze niet strookt met nieuw beleid dat op hoofdpunten is vastgesteld. Nadere uitwerking mag later volgen. Bekendmaken voornemen tot beëindiging subsidierelatie is beginpunt redelijke termijn. Formele rechtskracht beëindigingsbesluit?).
- Ouden W. den, annotatie bij: ABRvS 7 March 2012, AB 2012 (Lagere vaststelling van subsidie als afschrikwekkende sanctie).
- Ouden W. den, annotatie bij: CBb 17 June 2011, AB 2012 (Volledige subsidieaanvraag? Standaard aanvraagformulier. Indieningsdatum. Verdelen op volgorde van binnenkomst en loting).
- Ouden W. den, annotatie bij: CBb 18 November 2011, AB 2012 (Incomplete aanvraag voor subsidie niet buiten behandeling laten; de minister is op grond van de stimuleringsregeling gehouden de aanvraag af te wijzen wegens het ontbreken van de nodige vergunning op het uiterste moment waarop de aanvraag kon worden ingediend).
- Ouden W. den, annotatie bij: CBb 30 August 2011, AB 2012 (Schending meldplicht mag niet leiden tot vaststelling op nihil. Richtsnoeren inzake regionale steunmaatregelingen (softlaw) zijn vertaald in (de toelichting op) nationale algemeen verbindende voorschriften).
- Ouden W. den, annotatie bij: CBb 6 June 2012, AB 2012 (Gebonden of discretionaire bevoegdheid?).
- Ouden W. den, annotatie bij: CBb 7 July 2011, AB 2012 (Verdeling op volgorde van binnenkomst. Aanvulling aanvraag leidt tot nieuwe ontvangstdatum. Bij kennelijke fouten geen nieuwe ontvangstdatum. Zorgvuldigheid bij opstellen aanvraag).
- Rijn van Alkemade J.M.J. van, annotatie bij: CBb 16 December 2011, AB 2012 (AB 2012, 161; Schaarse ontheffing. Loting. Afwijking van beleidsregel. Geen aanleiding om rechtsgevolgen in stand te laten. Herstel procedureel gebrek).
- Schuurmans Y.E., annotatie bij: CRvB 13 December 2011, AB Rechtspraak Bestuursrecht 2012; 266-270.
- Tjepkema M.K.G. & Baart M.R., annotatie bij: Gerecht EU 1 July 2010, AB Rechtspraak Bestuursrecht 2012.
- Tjepkema M.K.G., annotatie bij: EHRM 14 February 2012, EHRC 2012.

2011

Alkema E.A., annotatie bij: EHRM 15 July 2010, NJ 2011; 2214-2216 (NJ 2011, 215 (Chagnon en Fournier/ Frankrijk)).

Alkema E.A., annotatie bij: EHRM 16 December 2010, NJ 2011; 2238-2241 (NJ 2011, 216 (A.B. en C. / Ierland)).

Alkema E.A., annotatie bij: EHRM 18 March 2011, NJ 2011; 5951-5953 (NJ 2011, 588 (Lautsi e.a./Italië)).

Alkema E.A., annotatie bij: EHRM 2 November 2010, NJ 2011; 5721-5722 (NJ 2011, 567 (SerifeYigit/ Turkije)).

Alkema E.A., annotatie bij: EHRM 23 September 2010, NJ 2011; 2375-2377 (NJ 2011, 231 en 232 (Obst/ BRD en Schüth/BRD)).

Alkema E.A., annotatie bij: EHRM 29 March 2010, NJ 2011; 2209-2211 (NJ 2011, 214 (Depalle/Frankrijk)).

Barkhuysen T. & Bos A.W., annotatie bij: ABRvS 1 December 2010, AB 2011 (AB 2011, 64).

Barkhuysen T. & Bos A.W., annotatie bij: ABRvS 23 February 2011, AB 2011 (AB 2011, 117 (Monumenten)).

Barkhuysen T. & Emmerik M.L. van, annotatie bij: ABRvS 23 February 2011, AB Rechtspraak Bestuursrecht 2011.

Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 20 July 2010, AB Rechtspraak Bestuursrecht 2011; 721-732.

Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 20 May 2009, AB Rechtspraak Bestuursrecht 2011.

Barkhuysen T. & Jong T. de, annotatie bij: EHRM 19 October 2010, EHRC 2011.

Brink J.E. van den, annotatie bij: ABRvS 10 March 2010, AB Rechtspraak Bestuursrecht 2011.

Brink J.E. van den, annotatie bij: ABRvS 14 July 2010, AB Rechtspraak Bestuursrecht 2011.

Brink J.E. van den, annotatie bij: CBb 27 October 2010, AB Rechtspraak Bestuursrecht 2011.

Crul B.V.M & Hendriks A.C., annotatie bij: CTG 19 October 2010, Medisch Contact 2011; 154-157.

Crul B.V.M & Hendriks A.C., annotatie bij: Rb Arnhem 4 January 2011, Medisch Contact 2011; 293-295.

Geleijnse C.A. & Ouden W. den, annotatie bij: HvJ EU 5 May 2011, AB 2011 (Bescherming van de financiële belangen van Europese Unie. Langere nationale verjaringstermijnen op grond van juris-prudentiële praktijk. rechtszekerheidsbeginsel. Voorzienbaarheid. Evenredigheid dertigjarige termijn).

Hendriks A.C. & Gerards J.H., annotatie bij: EHRM 16 December 2010, EHRC 2011.

Hendriks A.C., annotatie bij: EHRM 2 November 2010, GJ 2011.

Kruif C. de & Brink J.E. van den, annotatie bij: Gerecht van de EU 4 October 2010, AB Rechtspraak Bestuursrecht 2011.

Kruif C. de & Brink J.E. van den, annotatie bij: Gerecht van de Europese Unie 14 April 2011, AB Rechtspraak Bestuursrecht 2011.

Ouden W. den & Angeren J.R. van, annotatie bij: ABRvS 25 September 2010, AB 2011 (Beëindiging anti-afhaaksubsidie. Redelijke termijn. Strijd met het staatssteunrecht?).

Ouden W. den & Tjepkema M.K.G., annotatie bij: ABRvS 27 April 2011, AB Rechtspraak Bestuursrecht 2011.

Ouden W. den & Tjepkema M.K.G., annotatie bij: CBb 14 April 2011, AB Rechtspraak Bestuursrecht 2011.

Ouden W. den, annotatie bij: ABRvS 15 December 2010, AB 2011 (Totstandkoming en motivering van een deskundigenadvies in een subsidietender).

Ouden W. den, annotatie bij: ABRvS 20 October 2010, AB 2011 (De vereconomisering van het subsidie-recht).

Ouden W. den, annotatie bij: CBb 7 April 2011, AB 2011 (Een subsidie is geen prijs of premie).

Ouden W. den, annotatie bij: CBb 7 July 2011, AB 2011 (Intrekking subsidieverlening en subsidie-vaststelling in strijd met het evenredigheidsbeginsel).

Ouden W. den, annotatie bij: CBb 7 June 2011, AB 2011 (Gelet op de bijzondere omstandigheden mag de subsidie niet op nihil worden vastgesteld. Het CBb voorziet zelf in de zaak met een korting van 10%).
Ouden W. den, annotatie bij: Rb Rotterdam 1 June 2011, AB 2011 (Een oneigenlijke subsidieverplichting).
Rijn van Alkemade J.M.J. van, annotatie bij: CBB 21 April 2011, AB 2011; 1065-1071 (AB 2011, 192
(Wijziging duur schaarse ontheffing na einde looptijd. Art. 6: 18 Awb-besluit)).
Tjepkema M.K.G., annotatie bij: EHRM 2 December 2010, EHRC 2011; 256-268.
Tjepkema M.K.G., annotatie bij: HR 2 October 2009, AB Rechtspraak Bestuursrecht 2011.

2010

Adriaanse P.C., annotatie bij: HvJ EU 2 December 2009, no. C-89/08 P, SEW 2010; 481-485 (SEW 2010,
221; Commissie/Ierland e.a.).
Alkema E.A., annotatie bij: EHRM 15 October 2009, NJ 2010; 1784-1786 (NJ 2010, 180; Micallef/Malta).
Alkema E.A., annotatie bij: EHRM 16 December 2008, NJ 2010; 1496-1497 (NJ 2010, 149; Mustafa en
Tarzibachi/Zweden).
Alkema E.A., annotatie bij: EHRM 19 February 2009, NJ 2010; 4560-4562.
Alkema E.A., annotatie bij: EHRM 20 January 2009, NJ 2010; 2580-2581 (NJ 2010, 266; kokkelvissers).
Alkema E.A., annotatie bij: EHRM 3 March 2009, NJ 2010; 2173-2174 (NJ 2010, 223; Voorhuis/Nederland).
Alkema E.A., annotatie bij: EHRM 30 June 2009, NJ 2010; 1239-1241 (NJ 2010, 126; Verein gegen
Tierfabriken/Zwitserland).
Alkema E.A., annotatie bij: EHRM 5 July 2007, NJ 2010; 3107-3109 (NJ 2010, 323; Sara Lind Eggertsdóttir/
IJsland).
Alkema E.A., annotatie bij: EHRM 6 January 2005, NJ 2010; 3101-3102 (NJ 2010, 322; Nakach/Nederland).
Alkema E.A., annotatie bij: EHRM 8 December 2009, NJ 2010; 5746-5747.
Alkema E.A., annotatie bij: EHRM 9 June 2009, NJ 2010; 2585-2586 (NJ 2010, 267; Galic/Nederland).
Alkema E.A., annotatie bij: Hof's-Gravenhage 24 February 2009, NJ 2010; 529-531 (NJ 2010, 56).
Alkema E.A., annotatie bij: Rb Haarlem 25 June 2009, NJ 2010; 3096-3097 (NJ 2010, 321).
Barkhuysen T. & Emmerik M.L. van, annotatie bij: CRvB 28 April 2010, JB 2010.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 1 June 2010, AB Rechtspraak Bestuursrecht
2010.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 15 December 2009, AB Rechtspraak Bestuurs-
recht 2010.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 20 May 2010, AB Rechtspraak Bestuursrecht
2010.
Barkhuysen T. & Emmerik M.L. van, annotatie bij: EHRM 29 September 2009, AB Rechtspraak Bestuurs-
recht 2010.
Barkhuysen T., annotatie bij: EHRM 10 September 2010, EHRC 2010.
Brink J.E. van den, annotatie bij: ABRvS 4 March 2009, AB Rechtspraak Bestuursrecht 2010.
Cuyvers A., annotatie bij: Gerecht EU 30 September 2010, EHRC 2010; 1579-1604.
Ouden W. den & Barkhuysen T., annotatie bij: EHRM 18 May 2010, AB Rechtspraak Bestuursrecht 2010.
Ouden W. den & Brink J.E. van den, annotatie bij: ABRvS 30 December 2009, AB Rechtspraak Bestuurs-
recht 2010.
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