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1. Introduction

1.1 Research programmes and societal challenges

The EU faces crisis after crisis. How to handle the influx of refugees? How to deal with the Dutch ‘no’ in the referendum on the Association Agreement with Ukraine? How to cope with a ‘Brexit’ and placate other Eurosceptic Member States? How to save the Euro and prevent future economic crises? Or how to form an effective united front externally, for example in Ukraine and Syria? All these urgent questions, moreover, take place against the backdrop of more structural challenges. How, for example, to organize our governments in times of globalization and interdependence? How to redesign governance structures for this new global reality with acute distrust in politics and public institutions? How to reconcile increasing activity above the state level with the remaining fundamental importance of national democracy? Or how to strengthen the social dimension of the internal market and European integration more generally?

This self-assessment considers the two consecutive research programmes designed to address parts of these interrelated challenges. The first programme is *Regulering van het Internationaal en Economisch Verkeer* (‘Regulation of international trade’), which ran from 2009 until the end of 2014. It was a sub-programme of the overarching research programme *Securing the Rule of Law in a World of Multi-level jurisdiction* (hereafter MLJ). After an assessment of the entire MLJ programme, it was decided to break up this one very large programme into four independent programmes. For *Regulering van het Internationaal en Economisch Verkeer*, the opportunity was seized to redesign the sub-programme into an independent research programme on European law that could reach beyond the economic perspective and unite the different strands of EU-law research within the faculty. The new programme – the second to be assessed – started as of January 2015, and is entitled *The Progression of EU Law: Accommodating Change and Upholding Values*. The programme reflects the broad and diverse challenges facing the EU. It focuses precisely on the dynamics of change in the EU: how does EU law adapt and evolve whilst at the same time promoting its traditional and relatively constant values and objectives? And what does an analysis of the dynamics and constants of EU law and integration tell us about the nature, direction, potential and pitfalls of EU law?

To focus, structure and connect the actual research within the programme, a research matrix was developed. Based on available in-house expertise and the current key developments in EU law, this matrix first identifies four substantive areas of EU law that will be focused upon: 1) EU Citizenship and the Area of Freedom Security and Justice (AFSJ); 2) Internal Market & Competition; 3) Economic and Monetary Union (EMU); and 4) The Union in the World. These four substantive areas are also closely connected to the catalogue of the Union’s objectives in Article 3 TEU. They directly relate to primary law and reflect the main values and objectives of the EU.

Subsequently, the research matrix identifies four cross-cutting themes. These themes are derived from what are perceived to be some of the main drivers of change in the EU today. Each of these drivers can be applied to the four substantive areas selected for comparison. These cross-cutting, or horizontal, themes can connect and focus the research into these four substantive areas: how do the different drivers of change affect the different substantive areas, and what can we learn from the similarities and differences found?

Again in line with our existing expertise and the main developments in EU law, the following four themes are focused upon: 1) Institutional Evolution; 2) Differentiation & Flexibility; 3) Solidarity & Social Europe; and 4) Rule of Law & Fundamental Rights.
The research matrix then combines the four ‘vertical’ substantive areas with the four ‘horizontal’ crosscutting themes to create a concrete framework for research:

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<td>EU Citizenship &amp; AFSJ</td>
<td>Internal Market &amp; Competition</td>
<td>EMU</td>
<td>Union in the World</td>
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The horizontal themes facilitate cooperation across the four substantive research areas. In addition, they provide analytical tools and concepts to study and compare the four substantive areas, jointly contributing to the overall research questions underlying the research programme. For example, the EMU has triggered a remarkable institutional and constitutional evolution, for instance with the rise of the European Council and the use of EU Institutions outside the EU framework. At the same time, the evolution in the context of EMU should be compared with that in the AFSJ, especially with the refugee crisis, or that in the external representation of the EU. Similarly, solidarity and the cry for a more social Europe are discussed both within the EMU, the AFSJ and the traditional internal market. It is expected that horizontal comparisons in the different substantive areas selected can make a significant contribution. In addition, as is already clear at a first glance, the matrix provides a research framework that can accommodate and enrich research on the main challenges facing the EU today and in the years to come, such as the euro crisis, the refugee crisis, the fight against terrorism, the situation in Ukraine, or the rule of law challenges faced by several EU Member States.
1.2 Composition of staff

Although the centre of gravity of the programme lies with the Law School’s Europa Institute, the programme seeks to unite scholars from all departments of the Law School working on questions of EU law within the overall theme of the research programme.

In principle, all members – from professors to PhD researchers – of the Europa Institute belong to the research programme. The currently affiliated professors are Stefaan Van den Bogaert, Tom Ottervanger, Christa Tobler, Rikki Holtmaat, Marco Bronckers, Christophe Hillion and Luuk van Middelaar. Besides them, the affiliated senior researchers (UD and UHD) of the Europa Institute are Jorrit Rijpma, Moritz Jesse, Freya Baetens, Armin Cuyvers, Vicky Kosta, Pieter van Cleynenbreugel, Giovanni Gruni and Nelleke Koffeman. There are also several PhD researchers, both internally (currently 11) and externally (currently 12).

Within the faculty, this core team cooperates with colleagues from most other departments, including, in particular, constitutional law, public international law, immigration law, financial law, and criminal law. At senior level, the following researchers from these departments also form part of the research group: professors Steef Bartman (Commercial law), Gerda van Duijvenvoorde and Serge Gijrath (eLaw), Pablo Mendes de Leon (Air and Space law), Willemin de Ouden (Constitutional law) and Peter Rodrigues (Immigration law); and Dr. Jacobine van den Brink (Constitutional law) and Dr. Pim Geelhoed (Criminal law).

Currently, 38 researchers are active in the research programme. This corresponds to 9.8 fte research time. Over the reference period, an average of 26 researchers have contributed to the programme, averaging 6.63 fte research time.
2. Organisation, leadership and reputation

2.1 Organisation

The main tool to organize the research is the research matrix. This matrix not only focuses and connects research, it also helps in generating new ideas. For example, researchers in the internal market and competition group are challenged to research the institutional evolution in their field, such as the gradual evolution and development of regulatory agencies, the role of solidarity and options for a more ‘social’ market, or the increasing role of fundamental rights in internal market law. In answering these questions, furthermore, they may benefit from the research in the other substantive areas on similar questions. This organizing potential of the matrix is further harnessed through the institutional set-up: each substantive area is headed by one team-leader who is responsible, under the overall leadership of the programme leader, for driving and guiding the research within a substantive area and for connecting researchers from the core team with other researchers within and outside the faculty. In the first year of the programme’s existence, EU Citizenship and the AFSJ was headed by Jorrit Rijpma, the Internal Market and Competition team by Pieter Van Cleynenbreugel, the EMU team by Armin Cuyvers, and the Union in the World team by Giovanni Gruni.

During the annual Research and Development meeting with individual researchers, research plans are made. The research plan concretely indicates, among others: (i) which publications will be written on which topics within the matrix, individually or in collaboration with another researcher; (ii) where these publications will be sent in for publication (journals, special issues, book chapters); (iii) where these publications, or drafts thereof, may be presented (conferences, round tables, internal research seminars, etc.); (iv) where and how the research connects with the horizontal themes and the research of the three other groups; (v) which research activities (seminars, round tables, etc.) the members will organize to stimulate the research with the team, the programme, and the faculty as a whole; (vi) which external funding will be applied for by members of the team, and when; (vii) possible synergy with teaching. This way, research activities are monitored and linked to the individual performance review of each researcher. Draft versions of these individual research plans are then discussed in the research board consisting of the programme leader, the four team-leaders, and one external member. The research board especially takes into account: 1) long-term objectives of the programme, 2) ongoing research, 3) external funding opportunities, 4) synergy between the programmes, 5) any gaps or missed opportunities, 6) whether the combined plans achieve the overall publication aims in terms of quantity, quality, and journals covered.

To further stimulate research, the exchange of ideas and an overall energizing research environment, the research programme relies on several integrated research activities:

- First of all, the programme organizes one large international conference each year around one of the horizontal themes. This way, all four substantive areas can contribute, looking at the particular horizontal theme from their substantive area of law. For 2015, this was the December TTIP conference under the Union in the world research area. For 2016, this will be the July Ascola conference on competition law and innovation.

- Each research team attempts to organize at least one Leiden Law Exchange (LLX) each year. The LLXs are a format developed in Leiden where, in an informal manner, important recent EU law developments are discussed and analyzed by several stakeholders and academics.

- Since 2013, an annual Europa Institute lecture series has been started.

- A yearly PhD-day is organized at the end of June. Here all PhD researchers present the progress of their doctoral research to the entire staff and may benefit from suggestions.
• Staff is encouraged to go on secondment or a research leave, whilst external researchers should be invited to spend time at Leiden Law School. In the evaluation period, staff has e.g. been seconded to the European Commission, the Court of Justice of the European Union, the Council of State or the Ministry of Foreign Affairs, while research periods have been held in, inter alia, Hastings College of Law, the British Institute for Comparative and International Law, the European University Institute or Cambridge University.

• Once a month, usually on the last Wednesday, a Leiden Research Lunch (LRL) is organized. Alternating, this lunch is given by a speaker from outside Leiden or a member of the Leiden faculty (see annex F4 for an overview). These lunches offer a platform for discussion and testing of research ideas.

• Bi-monthly, Leiden Continuous Learning (LCL) events are organized. During these half-day events on Fridays, the staff is brought up to speed on specialized areas of EU law (such as Intellectual Property), neighbouring disciplines (political science, political science), research methodology and research tools.

• Weekly case law lunches are held, where staff is kept up to date on important new developments in case law.

• A monthly case law dinner is organized, during which four to five important judgments are analyzed and discussed in detail.

• Lastly, staff is encouraged to participate in activities organized by sister faculties, and to attend larger events. In this regard the Europa Institute always participates in the yearly Leiden-London conferences and a delegation is selected to attend the FIDE conference. In addition, a selection of staff participates in the yearly ‘Common Market Law Review on-tour’ conference that started in 2015 in Liverpool.

As a further support and incentive, individual researchers have close contacts with the people from their own personal networks. In addition, the research within the program is connected to several (interdisciplinary) networks. For example:

• The EMU research is embedded within EUROCEFG (European Research Centre for Economic and Financial Governance), the joint research centre based in Leiden, Delft and Rotterdam, whereas individual researchers also participate in activities of the ADEMU research network.

• The Citizenship and AFSJ research connects amongst others with the work of the EUDO (EUI), CEPS, ERA and the Odysseus Network.

• The Internal market and competition research is linked with the activities of LEGSA, ASCOLA, Asser or ERA.

• The External Relations group is linked to CEPS or CLEER (Asser).

Jointly, these tools and processes aim to both create an inspiring and critical research environment, and to channel the ideas and enthusiasm created into concrete and targeted research contributions.
2.2 Leadership and reputation

Prizes, grants and awards

A far as prizes are concerned, in 2013 Christa Tobler was awarded the European Prize of the Neue Europäische Bewegung Schweiz for her well-informed and unemotional contribution to the public debate on European issues. In 2012, she also acted as honorary promotor for the honorary doctorate that was awarded by Leiden University to prof. Walter van Gerven.

As far as grants and awards are concerned, in 2015, EUROCEFG obtained seed money of approximately €850,000 from the LDE University Boards to finance its research activities in the field of economic and financial governance for the 2015-2018 period. Three joined and inter-disciplinary PhD projects and two post-doc projects will be financed with this money. Moreover, in 2014, Moritz Jesse received a NWO Veni research grant for his project “The ‘others’ amongst us: Western societies, the ‘otherness’ and the law”.

Vicky Kosta, Armin Cuyvers and Pieter Van Cleynenbreugel also submitted a Veni proposal, but were not successful. The projects of the latter two were nevertheless qualified as ‘very good’ and the last one only fell at the last hurdle of the interviews.

Specifically focusing on doctoral grants, in 2015 Ali Mohammad’s application submitted for the NWO Talent Programme was honoured. Willemien den Ouden and Tom Barkhuysen supervise his project on legal boundaries of academic entrepreneurship. Conversely, the applications of Thomas Weber and Lennart van Laake remained unsuccessful. In 2014, a Chinese Research Council (CRC) grant was won for the comparative research Richard Jiang will carry out on the new challenges China faces at the WTO-level. Marco Bronckers and Armin Cuyvers supervise the research project. Moreover, three Law School Meijers PhD grants were obtained the last three years. In 2014, Ilektra Antonaki was awarded the scholarship for her project on reconciling capital liberalisation with social market economy in the EU. Stefaan Van den Bogaert and Moritz Jesse supervise her research. In 2013, Claartje van Dam won a grant for her project on European soft law. Wim Voermans and Willemien den Ouden supervise her project. Also in 2013, Mariana Gkliati won a second Meijers grant. Her research focuses on the legal protection of individuals against human rights violations in the area of asylum and immigration attributed to the EU agencies Frontex, Europol, LISA, and EASO. In 2010, the PhD proposals of Elsbeth Beumer and Alke Metselaar were successful in the Law School’s competition on the profile area Interaction between Legal Systems. Beumer’s research focuses on the conformity of Dutch enforcement procedures in the field of competition law with EU law and EVRM. Tom Ottervanger and Stefaan Van den Bogaert act as supervisors. Metselaar investigates the application of EU state aid law in the Netherlands. Willemien den Ouden and Wim Voermans supervise the research.


Several researchers are also regularly asked to be a member of the jury in PhD defenses, both in the Netherlands (Amsterdam, Rotterdam, Utrecht, Groningen, Maastricht, etc.) and abroad (e.g. EUI).
Memberships and Ancillary Positions

Several researchers fulfill a large variety of important societal functions outside the University, both at national and European level (see annex F). To mention but some, Luuk van Middelaar is special advisor (Conseiller spécial) to First vice-president Timmermans of the European Commission. Rikki Holtmaat is member of two European Commission expert networks in the fields of non-discrimination and gender discrimination. Freya Baetens is senior officer of the executive council of the Society of International Economic law. Peter Rodrigues, Jorrit Rijpma and Pim Geelhoed are member of the Permanente Commissie van deskundigen in het internationaal vreemdelingen-, vluchtelingen en strafrecht (Meijers Commissie). Rijpma is also member of the Marsafenet network on Maritime Security. Rodrigues is also co-founder of the Stichting Migratierecht in the Netherlands and co-founder and chairman of the Dutch Association for Migration Research. Pablo Mendes de Leon is a member of the Onderzoeksraad voor de Veiligheid, investigating the MH17 flight crash of July 2014. Willemien den Ouden is member of the Board of the Stichting Recht en Overheid (the Foundation behind the Academie voor Wetgeving en de Academie voor overheidsjuristen). She is also member of the Commission organising the 6 April 2016 referendum in the Netherlands on the EU-Ukraine Association Agreement. Tom Ottervanger is member of the board of the Stichting Beroepsopleiding Advocatuur. Stefaan van den Bogaert acts as reviewer for the Dutch and Polish NWO and for the European Commission’s ERC Grants Programme.

Several researchers are also members of editorial boards of leading national and international legal journals. To mention but some, Stefaan Van den Bogaert is member of the editorial board of Common Market Law Review. Willemien den Ouden chairs the board of Administratiefrechtelijke Beslissingen (AB). Den Ouden and Van den Bogaert are both also member of the Nederlands Juristenblad (NJB). Gerda van Duijvenvoorde is member of Nederlands Tijdschrift voor Europees Recht. Peter Rodrigues is member of Asiel & Migrantenrecht. Steef Bartman is managing editor of European Company law. Marco Bronckers is member of the Journal of international economic law, European Risk Regulation and Legal Issues of Economic Integration. Pieter Van Cleynenbreugel is member of European Competition Law & Practice.
3. **Publication strategy and quality indicators**

### 3.1 Publication Strategy

The programme’s publication strategy is focused on allowing researchers to fulfill the requirements of the Meijers Fellowship. The focus is primarily on the publication of **scholarly articles in top international, more specifically European, and Dutch journals**. The choice to do so is motivated both by the nature of the EU’s integrated legal order which entails that the academic debate takes place both at national and European level. Researchers that are not Dutch-speaking are encouraged to publish also in their native language.

A secondary focus is on **book chapters**. Book projects are often fraud with delays, meaning that work is not published or late. They are often also valued less than journal articles. Publication of **edited volumes or monographs** is highly valued, but should – to the extent possible- go hand-in-hand with some other academic output. The research programme also acknowledges the importance of the publication of **PhD-theses** for young researchers and seeks to facilitate them in doing so. In order to maintain the link with the more general public, researchers are encouraged to publish also shorter, **popularizing pieces** in the form of blogs or contributions to newspaper articles.

Given the limited research time, there should be an optimization of research output. Ideally conference organization or presentation results in a publication. Applications for research funding, especially when not rewarded, should be reworked into academic publications. Where possible synergies should be obtained between scholarly and professional output. A journal article could have a popularizing spin-off, or vice versa, a policy report could be reworked into a journal article.

Joint publications are encouraged to stimulate cross-fertilization between different departments and disciplines. An important element to embark on common publication projects is the quality of the collaborators. Geographical affiliation may also play a role, when there is specific interest in liaising with specific areas, e.g. the European neighbourhood or the East African Community.

Open access is increasingly important, in particular also within the framework of acquiring external funding. The research programme will encourage open access publication.

### 3.2 Quality Indicators

With regard to Dutch and international journals, an overview of the top journals for European law in general is provided below. Evidently, within the specific sub-areas of the research programme there are various more specialized journals that should be considered (e.g. in the field of European Competition Law, EU external relations law or EU migration law). **Common Market Law Review** and **European Law Review** are widely regarded as the leading journals on European law. These journals have an impact factor of 1,824 and 0,221 respectively and are regarded as refereed for purposes of classification in annex H.

Edited volumes, book chapters or handbooks should primarily be embarked upon if there is a concrete added value in terms of scholarly development, visibility, a clear link with the research programme or teaching of the researchers involved (the latter in view of Leiden Law School’s ambition to feed its teaching with its research). Preferably book projects are published with the bigger international publishing houses. However, experience does show that other interests, such as speedy publication, may justify the choice for other, still much respected, international or national publishers.
### Best Publishers
- Oxford University Press;
- Cambridge University Press

### Best Journals (International-English)
- Common Market Law Review (CMLRev)
- European Law Review (ELRev)

### Best Journals (Dutch)
- Nederlands Juristenblad (NJB)
- Tijdschrift Sociaal- Economische wetgeving (SEW)

### Hart Publishing
- European Law Journal (ELJ)
- Ars Aequi (AA)

### Kluwer Law International
- European Constitutional Law Review (EU Const);
- Nederlands Tijdschrift voor Europees Recht (NTER)

### Brill/Martinus Nijhof
- Maastricht Journal of European and Comparative Law (MJ);
- German Law Journal (GLJ)
4. Scholarly performance

Over the reference period 2009-2015, a quantitatively large and qualitatively high scholarly output has been realized (see annex H). In what follows, some concrete examples will be highlighted.


Eleven PhD projects have been successfully concluded in the evaluation period (see annex B). On the grand total of 335 publications, 198 are scholarly publications, and 137 professional publications. Twelve monographs have been written, 45 refereed articles and 78 book chapters. To give some examples, exemplifying the variety of research within the programme:

**Journal articles**


**Books, edited volumes**


**Book chapters**


In 2015, several researchers of the programme (Van den Bogaert, Cuyvers, Gruni, van Middelaar, Rijpma and Tobler) collaborated with those of the neighbouring programme *The Legitimacy and Effectiveness of Law & Governance in a World of Multilevel Jurisdictions* on a joint book project *Fit for the Future: Leiden Reflections on the State of the Union*, in the run-up to the Dutch EU Presidency. The book is edited by Bernard Steunenberg, Wim Voermans and Stefaan Van den Bogaert and published in April 2016 by Eleven International Publishing (Boom Uitgevers). This joint effort clearly indicates the willingness, potential and added value of collaboration and interdisciplinary research.
Besides scholarly publications, the researchers of the programme have also staged and contributed to numerous scholarly events, in Leiden, in the Netherlands and abroad. To give but some examples, in 2012 Willemien den Ouden and Paul Adriaanse hosted a two-day international legal expert meeting on the allocation of limited authorisations and grants in the European member states in Leiden, in collaboration with the VU University Amsterdam Centre for Law and Governance. The aim of the event was to compare national experiences with allocation systems and transparency issues, aspects of competition law (e.g. State aid), and legal protection with regard to the allocation of limited authorisations and grants. Also the influence of EU law in national practices was discussed. Particular attention is paid to gambling licenses, CO2 emission permits, and radio frequencies. The conference proceedings are published in two books (Scarcity and the State – The Allocation of Limited Rights by the Administration, Intersentia).

On 26-27 April 2013, a Jubilee Conference “Current challenges for EU Law – new views, new inspirations” took place in Noordwijk, to mark the 50th anniversary of the Common Market Law Review. Contemporary issues such as the place and protection of the values of the European Union, economic governance, agencies and fundamental rights were addressed, while the final session was devoted to the Court of Justice of the European Union. The focus was on the future, with some of the scholars now shaping the field, but it was also a festive reunion for many contributors to the Common Market Law Review over the past years. Several of the presented papers have subsequently been published in the journal.

On 30 April 2015, the Leiden Centre for Legal and Comparative Studies of the East African Community (LEAC) organized its first Annual Conference ‘East African Integration Through Law, Comparable Challenges, Comparable Solutions’ in Kigali, Rwanda. This conference brought together judges, academics, legal practitioners, government and EAC officials, and businesspeople to explore comparative insights between the EAC and the EU: what practical insights may be distilled from the European experience on integration through law, and what EU mistakes may be avoided in the EAC? Tom Ottervanger, the founder of LEAC, and Armin Cuyvers are currently writing and editing a textbook on Eastern African Law.

On 9 October 2015, the Common Market Law Review launched its annual conference programme ‘CMLRev. goes on tour’ with an inaugural event at the University of Liverpool, “Membership of the Union and Membership of the Euro: Tensions and Challenges”. During several sessions, chaired by members of the Review’s editorial board, eminent scholars in the field of European law discussed key developments in the currency union and how they have impacted on its legal set-up. Again, some of the papers presented are published in the journal.

On 4-5 December 2015 the Europa Institute organized, in collaboration with the LUC Research Centre of Leiden University, the international conference on the ‘The Transatlantic Trade and Investment Partnership (TTIP): an EU perspective on global economic governance’. Academics, policy makers and practitioners participated to the event. Conference proceedings are currently being published.

Furthermore, the Europa Institute organizes every year, in collaboration with the British Institute for International and Comparative Law (BIICL) a Leiden-London event on a contemporary issue of European law, which is held in Leiden in the even years.

In addition to these larger, international conferences, also a number of smaller, more local events are regularly organized. They frequently take the format of a Leiden Law Exchange (LLX), a small-scale (ca. 35 people) invitation-only event during which usually three invited speakers (an academic, a civil servant and a practitioner) present their views on a topical issue, which is then discussed under the Chatham House rules. Several LLX have been held on developments in the government debt crisis, but also on topical internal market, competition, migration or human rights law issues. Also on the issue of economic governance, since 2014, a number of Brussels expert meetings have been organized within the framework of the LDE EUROCEFG cooperation.
5. **Societal performance**

As indicated above, EU law is closely involved in several crises and developments of great societal importance. As a result, there is a clear scope for the programme to contribute to society. In terms of societal engagement and performance, the programme aims to contribute through three main channels: institutional cooperation, teaching, and the media.

5.1 **Institutional cooperation**

The programme aims to connect and cooperate with those public institutions at European and national level where our research can have the greatest societal benefit. The aim is both to translate our research into practical contributions, and to improve our research through interaction with actors in the field. As law is a social construct, after all, understanding its real world context is vital.

Although several institutions and bodies are of obvious interest to all research teams, the different teams are encouraged to develop their own specific institutional cooperation. At the European level, the Citizenship and AFSJ team primarily aims to engage the European Parliament, the Commission, and the Union agencies in this field (EASO, Frontex, Europol and Eurojust). At the national level, a valuable cooperation has been established with the Ministry of foreign affairs, where multiple staff have been seconded and participated in research related activities, including seminars and brainstorm sessions on future EU policy. Van den Bogaert and Rijpma advised the Ministry of Security and Justice on free movement and migration issues.

The EMU cluster, on the other hand, also engages the European Parliament (e.g. a 2015 report written in the framework of EUROCEFG on the Role of the EU in the G20), but focuses more on the Commission, the council and the European Council, with their pivotal role in EMU. Van den Bogaert, Rijpma and Borger were consulted on a number of occasions by the Legal Service of the European Commission during the height of the euro crisis. At national level, the EMU cluster primarily engages the Dutch Ministry of finance and the Dutch Council of State, which has been appointed as part of the Dutch budget authority required by the Treaty on Stability, Coordination and Governance. Cuyvers presented a comparative paper on the new role of national budget authorities under EU law, and continues to work on this project with both the Council of State and the Ministry of Finance. In addition, Van den Bogaert, Rijpma and Borger advised the Ministries of General Affairs and Finance on legal issues concerning the government debt crisis.

For the internal market and competition law cluster the Commission clearly forms a vital institutional contact, and a number of studies were carried out for example on the free movement of sportspersons (Van den Bogaert and Cuyvers) or the entitlement of students to benefits (Van den Bogaert and Jesse). At national level, the ACM forms a logical connection, but in addition the team has also engaged with the Gaming Authority (Kansspel autoriteit) on the free movement of gambling services and Europa Decentraal, for example where the Services directive is concerned. An article on gambling by Adriaanse, Barkhuysen and Van den Bogaert in Nederlands Juristenblad led to parliamentary questions being asked on the new gambling act. As further examples, Nelleke Koffeman was asked by the State Committee to draft a study on surrogacy and family law under EU and ECHR law, while Vicky Kosta was asked to conduct a study on fundamental rights for the Dutch Presidency.

As can be seen, therefore, the programme actively tries to develop close ties with several relevant institutions at the EU and the national level, providing advice and contributions where possible.
5.2 Teaching and public events

Teaching forms a second channel for societal engagement. In addition to faculty teaching, staff members are actively engaged in providing Post-academic educational (PAO)-courses and lectures on EU law to judges, lawyers, civil servants and diplomats. Staff members also give lectures for other public events such as debates by political parties, student bodies, or other public fora.

The programme also organizes public events itself, the most prominent being the yearly Europa Lecture. So far, speakers have been Radosław Sikorski, former minister of foreign affairs of Poland, Alexander Italianer, Secretary General of the European Commission, Herman Van Rompuy, former President of the European Council, and Petro Poroshenko, President of Ukraine. These lectures therefore bring in high-level speakers on topical issues, aiming to contribute to the public debate on the EU.

A special teaching contribution was made via the first Massive Open Online Course (MOOC) on EU law. With this course, freely accessible to all, Stefaan Van den Bogaert reached more than 45,000 students from 150 countries all over the world. A rerun of the MOOC is now being planned, as well as other, more specific online courses that would open up our research to the public at large.

Another rather uncommon teaching contribution is made by the Leiden Centre for East African Law, that comparatively researches regional integration in the EU and in East Africa. The research of this center largely takes place within the internal market cluster, as it focuses on the development of the internal market in East Africa, but themes of institutional and constitutional evolution are also prominently involved. LEAC is actively involved in teaching East African judges, lawyers and civil servants on the process and law of regional integration. In addition, it is currently writing the first ever textbook on EAC law, together with a team of local experts, and setting up courses on regional integration in five EAC Partner States.

Several researchers have also written or contributed to leading national and international handbooks on (fields of) European law for students and/or professionals. Prominent examples are the Algemeen Deel of Tom Eijsbouts (to which also Jorrit Rijpma has contributed), the third edition of the EU State Aids book edited by Leigh Hancher, Tom Ottervanger and Piet Jan Slot (2012), Stefaan Van den Bogaert’s Supplement on The Netherlands and EU law to Craig and de Burca EU Law: Text, Cases and Materials 5th Edition or the new edition of Kapteyn and VerLooren van Themaat’s European law, which is co-edited by, inter alia, Stefaan Van den Bogaert and Alison McDonnell and to which also Tom Ottervanger, Christa Tobler, Jorrit Rijpma, Armin Cuyvers, Pieter van Cleynenbreugel en Maarten Aalbers have contributed (publication date expected for Fall 2016).

5.3 Media

The media forms a last but important channel for societal contribution. Here the key aim is to provide objective knowledge to improve the quality of the public debate.

As indicated, the programme touches on many crises and important developments that receive a lot of media attention. The euro crisis, the refugee crisis or the situation in Ukraine are but three recent and tragic examples. Our staff is actively engaged with the media, and regularly provides information and context via the newspapers, the radio or on TV. Our researchers have been frequently quoted in national and international media, as well as on national and international television. In addition, staff contributes to the public debate via regular blogs on recent developments in EU law.

Although the media therefore do not form an end in themselves, and we are careful to protect our academic integrity when entering the public arena, the programme does actively seek to engage with the media where a useful contribution can be made.
6. **Showcases**

6.1 **Economic governance – the euro crisis**

The year 2009 marked the beginning of the sovereign debt crisis – commonly referred to as the ‘euro crisis’ ever since – after it had become public that Greece was no longer in a position to honour its obligations on the financial markets. Stefaan Van den Bogaert tackled the issue in his inaugural address at Leiden Law School ““Ich bin ein €uropaer”: Een uitweg uit de monetaire crisis?” (Leiden University Press, 2010). In this address, he announced his intention to turn EMU into one of the core research areas of the research programme *Regulering van het Europees economisch verkeer.* Shortly afterwards, in January 2011, Vestert Borger started doctoral research into the emergency and structural measures taken to combat the crisis, focusing especially on a legal analysis of the emergency funds and the permanent stability mechanism. The research is supervised by Van den Bogaert and Jorrit Rijpma. In 2011, this trio has advised the Ministry of Finance and the Ministry of General Affairs of the Netherlands on proposals to strengthen economic governance (in cooperation with Allen & Overy). In 2012, they also provided legal advice to the Legal Service of the European Commission on matters such as the adoption of the so-called ‘six-pack’. Later on in the crisis, Van den Bogaert and Borger were invited to participate on a number of occasions in EMU expert meetings with senior civil servants organised at the Ministry of Foreign Affairs of the Netherlands. Van den Bogaert was nominated by the Legal Service of the European Commission to take part in the Expert Group on Debt Redemption Fund and Eurobills.1

Besides Borger, Rijpma and Van den Bogaert, Armin Cuyvers, Tom Eijsbouts and Luuk van Middelaar also developed a keen interest in EMU. Cuyvers used EMU as a case study in his doctoral research (Cuyvers 2013).2 Jointly or individually, authors from the research programme wrote several scholarly articles on the sovereign debt crisis, published in top journals such as the *Common Market Law Review, European Constitutional Law Review, German Law Journal, NJB* or *SEW.* A contribution by Borger was cited by the German Constitutional Court in its request for a preliminary ruling to the Court of Justice in the OMT case. In addition, programme members authored chapters in books published by international publishers such as Edward Elgar or Intersentia and wrote popular articles (opinions, columns) in Dutch newspapers. They were also frequently interviewed on the radio to comment on the latest developments relating to the crisis.

The Europa Institute also organized several Leiden Law Exchange (LLX) seminars on the euro crisis, e.g. on the emergency funds, or on the Pringle judgment. EMU was a major topic during the Leiden-London conferences of the last years, the lustrum conference of the *Common Market Law Review,* in which the floor was given to young promising researchers (with specific contributions from Adamski, Hinarejos and Beukers) or recently during the inaugural conference of the new ‘*Common Market Law Review On Tour*’ series in October 2015 in Liverpool, ‘Membership of the Union and membership of the Euro’. In 2014, EMU was one of the main themes on the international FIDE conference in Copenhagen. Van den Bogaert was one of the national rapporteurs of the Netherlands on EMU, with Borger and Cuyvers also contributing to the national report. In June 2015, on the height of the political crisis in Greece, a current affairs seminar was organized at the faculty on the situation.

Together with Fabian Amtenbrink of Erasmus University Rotterdam, Van den Bogaert has set up

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1 In the end, the President of the European Commission appointed former AG Mazak instead.

EUROCEFG, the European Research Centre for Economic and Financial Governance, in the framework of the strategic alliance between Leiden Delft and Erasmus. The Centre has received start-up funding from the University boards amounting to approx. €850.000. Borger and Cuyvers also belong to the research center, as well as e.g. prof. Matthias Haentjens from financial law. The aim of the Centre is to facilitate interdisciplinary research on economic governance. The Centre frequently organises research activities on the theme, not only in Leiden, Rotterdam or Delft, but also in the Hague or Brussels. During these meetings, academics, policy makers and practitioners meet to discuss and exchange views. It also engages in research projects on economic governance, e.g. for the European Parliament (e.g. a study on the role of the G20). The next goal is to start with jointly supervised PhD research and post-doc projects. Currently, Vestert Borger is finalising his PhD research. Thomas Weber, a second promising young lawyer has just initiated PhD research on the theme of economic governance, focusing on the European semester under the supervision of Van Middelaar and Cuyvers. Cuyvers has also just submitted a proposal for a NWO Veni grant on budget controls. Economic governance will thus continue to be intensively studied at the Europa Institute for the years to come.

6.2 The Migration and Refugee-crisis

Leiden Law School has always had a particularly strong presence in the field of European migration and asylum both with the Institute of Immigration Law and the Europa Institute. Although European migration and asylum law did not feature within the current programme’s predecessor, the rapid development of this policy area clearly shows the extent to which the EU has moved beyond economic integration. In recent years, Maarten den Heijer, Marcella Reneman, Ciara Smyth and Mark Klaassen defended doctoral theses, all on topics with a distinct European take on migration and asylum. Three of these theses have since been published with top publishing houses (Hart, Routledge). Currently, Tineke Lodder, Mariana Gkliati (Meijers Grant), Stefan Kok and Melanie Fink (DOC fellowship of the Austrian Academy of Science) are engaged in PhD research on the topic. Both Rijpma and Fink have on numerous occasions been invited to present their work on the European border agency Frontex, amongst others at the Luxemburg Presidency conference in 2015.

Migration and asylum have been high on the political agenda in many European Member States. In the Netherlands, the minority coalition with the support of the Dutch Freedom party actively sought to restrict the number of third country nationals entering the Netherlands. It soon became clear that EU law significantly limits the discretion of the Member States in determining their own migration and asylum policies. Peter Rodrigues’ inaugural lecture specifically addressed this point, as did Rijpma’s article in SEW.3 Rijpma was also the main author of a legal advice for the Ministry of Home Affairs of the Netherlands on the Family Reunification Directive and the Directive on Free Movement of EU citizens. Rodrigues and Rijpma are both members of the Meijers Committee, the standing committee of experts in the field of international immigration, refugee and criminal law. In that capacity they have attended hearings as experts in both Houses of Parliament, as well as the European Parliament and met with key politicians in the field of migration and asylum. Rodrigues is the Chair of the Dutch Association for Migration Research (DAMR), of which also Moritz Jesse and Mark Klaassen are founding members.

Two successful Leiden Law Exchange (LLX) seminars were organized following the ECHR judgment in Hirsi against Italy (extra-territorial application of human rights law) and the CJEU’s judgment in X, Y, Z (rights of LGBT asylum seekers). These round tables brought together academics, lawyers and policy makers to discuss the consequences of these rulings. In 2014, the Immigration Institute organized an international conference on the Use of the Charter in Immigration and Asylum matters together with the European Council for Refugees and Exile (ECRE).

Research and teaching are strongly connected. A number of Leiden Law Courses (LLC) courses specifically teaches European immigration and asylum law, but also in the European Law Master Programme a specific academic writing course (Privatissimum) is dedicated to European migration and asylum law. In addition, an extra-curricular working group, the Migration Research Group, brings together students of the Master European law with a specific interest in migration and asylum. Rijpma coordinates the Migration Research Group and has furthermore taught at a number of summer schools amongst which the Odysseus Summer School and the EUI Academy in Florence.

In 2015, the unexpectedly large refugee infl ow resulting from the turmoil in the Middle-East, plunged Europe and the borderless Schengen area into a political crisis. Once more the EU takes centre-stage in trying to address the Member States' common challenges, having to adopt its legal framework to accommodate new realities and uphold common values such as the respect for fundamental rights and solidarity. Migration has surpassed the economic concerns of EU citizens as top priority (Eurobarometer 2015). Rodrigues and Rijpma appear frequently in international and national media to comment on current developments and have advised policy makers both at EU and national level. In 2015, Rodrigues and Rijpma organized a current affairs seminar on the Refugee Crisis. Researchers from the Law School also participate in the Leiden Interdisciplinary Migration Seminars organized at the Faculty of Humanities.

For the time being there is no end in sight to the European migration and asylum crisis and the plight of people trying to reach Europe. This is forcing Member States to rethink their cooperation in these fields. Academics are invited to provide input, but also to think on the broader implications for European integration, not merely in the area of asylum law, but integration at large. Important, they must look ahead. Questions of integration are likely to receive renewed attention in the coming years. Already in 2014, Jesse was awarded a prestigious VENI-grant precisely on the topic of “The ‘others’ amongst ‘us’: Western societies, ‘otherness’ and the law.” This project had a successful kick-off at the ILS 1.0 conference in 2015 and only gains in societal relevance in light of recent events.
7. Viability and future

7.1 Viable and sustainable composition

Over the previous years, significant efforts have been made to improve the viability and sustainability of the research group in terms of composition. At the beginning of the reference period, the research group was much smaller, and was shaped as a sand clock: relatively many senior professors, no associate professors, almost no assistant professors, and several PhD-fellows. In the meantime, the composition of the Europa Institute – and thus also of the research group – has greatly changed. It is now considerably larger, younger, more international, and shaped more like a regular pyramid. The Europa Institute currently still has relatively many senior professors (one full time, six part-time) and several PhD fellows and Aio’s, but in addition, it now also has three associate professors and five assistant professors.

In fact, every year of the reference period 2009-2015 there has been a vacancy for a position of assistant professor (UD). The people that were offered the position all but one – who left for family purposes – still work at the Europa Institute. Three of them have secured a permanent position in the meantime. All of them emerged victorious after a competitive international selection procedure, with sometimes >50 candidates from virtually every EU Member State, which bears testimony to the attraction of the Europa Institute. Our associate/assistant professors have received their academic training at renowned places such as Harvard, Cambridge, Oxford, European University Institute in Florence, College of Europe in Bruges, King's College London, Leuven or Maastricht. Two assistant professors have come from the own ranks in Leiden. Three of them have the Dutch nationality, and there are also two Belgians, one German, one Greek and one Italian. The international flavor can also be witnessed in the composition of the PhD researchers: apart from the Dutch nationality, also the nationalities of Austria, Belgium, China, Greece, Turkey, UK or Ukraine are represented at the Europa Institute.

The current younger group, moreover, is considered to have clear potential for further growth. Within the Europa Institute and the Law School, there currently still is room for growth and development. To mention but one example, the vacancy concerning the chair of EU institutional law has not been filled after the retirement of prof. Eijsbouts. At the same time, it is also clear that not all associate and assistant professors will be able to advance. Nor can all PhD-fellows hope to stay on as assistant professors. For these reasons, the current approach within the programme is to (i) stimulate healthy competition between staff whilst also ensuring a cooperative spirit; (ii) assist staff as much as possible with acquiring external funding, which would enable them to advance independent of limited programme means; (iii) provide promising staff clear career paths.

The research programme has a viable and sustainable financing structure. In the reference period, the annual budget of the European law department has essentially doubled, from less than six to almost eleven fte, primarily as a result of a major revision of the Law School’s bachelor curriculum. In addition, the department the last years structurally obtains some extra financial resources from the proceeds of the Advanced LL.M programme in European and International Business Law and from the activities under the heading of the Europa Institute. The extra resources are primarily intended to be able to respond to unexpected circumstances or opportunities, e.g. a talented student who can be offered a PhD contract. While these resources are actively being used, the department has managed to build a financial reserve, so that contractual arrangements can continue to be honored in periods of adversity. The financial position of the department is thus solid and sound.
7.2 Future ambitions and potential new directions of research programme

The Progression of EU law is, as was explained in the introduction, a new and ambitious research programme that builds upon the previous sub-programme Regulering van het Internationaal en Economisch Verkeer (2009-2014). It has however taken a clear and new direction, with a focus that is on the one hand narrowed to encapsulating the law of the European Union, and at the same time expanded by going beyond purely economic law.

The short-term ambition is to consolidate the new programme, unite the research into EU law that takes places across departments and create the conditions for its further development in a coherent and consistent manner. The medium-term aim is to increase the output of research and continue to follow-up, explain and analyze recent developments at EU level within the four focus areas of the research matrix. Longer-term the programme aspires to draw more fundamental and overarching conclusions as regards the need for innovation and renewal in EU law, whilst safeguarding core values and principles of EU law. The cross-cutting, horizontal themes will guide this more fundamental research into the extent that the sequence of crises has (re)shaped the fundamentals of EU law.

Acquiring more structurally external funding for research is a prerequisite for achieving the longer-term objectives of the programme. The Europa Institute should aim to become a preferred partner for both national and foreign universities and research institutions for the participation in consortia and research projects on EU law, less on the basis of individual networks and more on a strong institutional basis.

Concerning doctoral research, the primary objective must be to continue the positive trend of the last couple of years with regard to successful PhD defenses. The first year of the new reference period promises to kick off nicely in that respect, with at least three defenses expected. To make this possible, the new approach of working with multiple supervisors – in general one supervisor and one ‘daily’ supervisor -, albeit time-consuming and labor-intense, will be continued.

In terms of the people who will do the research, the goal is to continue along the chosen path of looking for bright young international talents, without losing the Dutch nature of the university out of sight. A short-term objective is to fill the chair of European institutional law. Besides, to strengthen the research climate, the ambition is also to attract more regularly visiting scholars and to start working with post-doctoral researchers.
8. **SWOT-analysis and benchmark**

8.1 **SWOT-analysis**

**Strengths**
- The quality, diversity and ambition of the research team, combining young talent with established names in the field;
- The increased focus and coherence of the new research programme;
- The combination of theoretical research with a strong practical component, allowing researchers to respond quickly to current events;
- The strong national and international reputation, with Leiden Law School as home to the oldest Europa institute in the Netherlands and the editorial board of *Common Market Law Review*, the top journal in European law.

**Weaknesses**
- A limited success rate in acquiring external research funding from sources such as NWO, ERC (“Tweede geldstroom”);
- A limited PhD completion rate, particularly in the first half of the reference period;
- A lack of a structural embedding in larger consortia to partake, on a more regular basis, in large research projects and grants, EUROCEFG notwithstanding.

**Opportunities**
- Increased cooperation and the creation of consortia with other EU law departments, within and outside the Netherlands, could open new avenues for research and translate in opportunities for external funding;
- Further improved supervision and attention to PhD researchers could boost completion rates;
- Cooperation within Leiden Law School (Economics, Criminology) and outside (Faculty of Governance and Global Affairs, The Hague Campus, Faculty of Humanities) will boost interdisciplinary research;
- A strong presence in both European academia and the public debate may create a spin-off effect, enhancing the programme’s ability to attract highly qualified researchers (including visiting researchers; post-doctoral researchers).

**Threats**
- Many research programmes in Europe evolve around similar themes, which is logical in view of the extent of the challenges facing the European Union. However, this does require 1) a careful focus within these themes; 2) a focus on long-term implications and developments; 3) cooperation where possible;
- A good balance must be found between fundamental research and more applied research; in a climate of crises, there is a risk that the balance tilts towards the latter;
- The research of the programme is strongly concentrated within the Europa Institute; attention must be paid that important and relevant research done outside this department is given sufficient attention;
- The research programme should not be allowed to become a straightjacket for new and innovative research.
8.2 Benchmark

“Het Europeesrechtelijk onderzoek in Leiden is niet alleen kwalitatief van hoog niveau, het kenmerkt zich ook door goed aan te sluiten bij de Europese actualiteit. Onderzoek op het gebied van burgerschap, asiel & migratie gaat in op de vaak moeilijke verhouding tussen EU recht en nationaal recht en is daarmee voor de rechtspraktijk (wetgeving en rechtspraak) van groot nut. Datzelfde geldt ook voor het onderzoek naar de vele veranderingen op het terrein van EMU, bijvoorbeeld in Europees toezicht op de begroting.” – Mr. Corinna Wissels, staatsraad in de Afdeling bestuursrechtspraak van de Raad van State.

“Leiden Law School and the Europa Instituut in particular has long had a first class reputation for research in European Union law, indeed it represents one of the European pioneers and flagships for such research. In my particular field of interest – that of the EU in the world, EU foreign policy and the law of EU external relations, including external trade – Leiden also has a strong tradition, and its current faculty include many foremost scholars in the field, including profs Bronckers, Hillion, Baetens and Rijpma and more junior faculty such as Gruni and Larik. Leiden also participates in the Centre for the Law of EU External Relations (CLEER), a European-wide network of academic institutions with the aim of encouraging research on EU external policies and which has the particular important aim of encouraging the work of junior researchers, through the publication of working papers and conferences. I was pleased to see that the Faculty’s current research programme on EU law, ‘EU Law – accommodating change and upholding values’ has included ‘The EU in the world’ as one of its substantive fields of enquiry, and some excellent research has been produced including the doctoral thesis of Narin Tezcan, defended successfully in 2015. In this research field the distinctive Leiden focus on bridging academia and practice is particularly important and bears fruit in such events as a major conference on the Transatlantic Trade and Investment Partnership (TTIP) in December 2015.” – Prof. Marise Cremona, professor of European law, European University Institute Florence.

“Leiden beschikt over een ambitieuze, internationale en multidisciplinaire onderzoeksgroep die bij uitstek de uitdagingen van het Europees project juridisch kan duiden en inspelen op actuele crisis zoals op het gebied van migratie en de euro.” – Prof. mr. Jurian Langer, bijzonder hoogleraar Europees recht en de Nederlandse rechtsorde aan de Rijksuniversiteit Groningen en werkzaam bij het Ministerie van Buitenlandse Zaken als procesgemaachtigde van de Nederlandse regering in procedures bij het EU-Hof.

‘The Europa Instituut remains one of the leading centres of expertise for EU internal market and competition law. It combines solid expertise in the traditional areas of EU substantive law with cutting edge research into some of the most exciting new challenges facing the EU and its market, such as the free movement of complex services as gambling and sports, the interaction between substantive law and fundamental rights, the enforcement of competition law and the evolution of state aid in an increasingly ‘social’ Europe. The Europa Instituut forms one of the incubators for innovative research and a safe haven for sound legal advice.’ – Prof. mr. Marc van der Woude, rechter in hetGerecht in Luxemburg en hoogleraar mededingingsrecht aan de Erasmus Universiteit Rotterdam.
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A. Key figures and list of key publications

A1. Key figures research group

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A2. List of key publications

B. Dissertations

- Ratajczyk M.A. (20 november 2014), Regional aviation safety organisations: enhancing air transport safety through regional cooperation (Dissertatie, Faculty of Law, Leiden University). S.l.: s.n. Promotor(en) en Copromotor(en): Mendes de Leon P.M.J.
- Bockel W.B. van (16 juni 2009), The ne bis in idem principle in EU law. A conceptual and jurisprudential analysis (Dissertatie, Faculteit der Rechtsgeleerdheid, Universiteit Leiden). Amsterdam: Ipskamp Drukkers. Promotor(en) en Copromotor(en): Slot P.J.
Dissertations shared with other research programmes


C. Databases

N/A.

D. Grants

- 2015: EUROCEFG seed money (€850,000) from Leiden Delft and Erasmus to cover research on economic and financial governance in the 2015-2018 period.
- 2015: NWO Talent Programme grant Ali Mohammad – Legal boundaries of academic entrepreneurship
- 2014: NWO Veni research grant Moritz Jesse – The ‘others’ amongst us: Western societies, the ‘otherness’ and the law.
- 2014: Meijers Doctoral Scholarship Leiden Law School Ilektra Antonaki – Reconciling capital liberalisation with social market economy in the EU.
- 2013: Meijers Doctoral Scholarship Leiden Law School Mariana Gkliati – Legal protection of individuals against human rights violations in the area of asylum and immigration attributed to the EU agencies Frontex, Europol, LISA, and EASO.
- 2010: Leiden Law School’s Interaction between Legal Systems doctoral grant Elsbeth Beumer – Conformity of Dutch enforcement procedures in the field of competition law with EU law and EVRM.
E. Other indicators of academic reputation

Membership of editorial teams and editorial boards of scholarly journals

- S.C.G. Van den Bogaert  
  Common Market Law Review, Editor  
  Nederlands Juristenblad [Netherlands Law Journal], contributor

- J.E. van den Brink: Tijdschrift AB [Administrative Law Jurisprudence Journal], Regular annotator and grant clustering coordinator

- G.P. van Duijvenvoorde: Nederlands tijdschrift voor Europees Recht [Netherlands Journal for European law], contributor to telecommunications section


- N.R. Koffeman: Sdu Uitgevers, Commentaar EVRM, Artikel 8, onderdeel C3 [ECHR Commentary, Article 8, clause C3]

- G.G. Lodder: Sdu, editor Sdu Commentaar Europees Migratierecht [Commentary on European Migration Law]

- T. Masson  
  Kluwer Law International, Air and Space Law, member of editorial team  
  Indian Journal of Air and Space Law (IJASL), member of advisory board to editorial team  
  Asian Journal of Air and Space Law, member of advisory board

- T. Ottervanger  
  member of editorial team Markt & Mededinging [Market and Competition]  
  member of editorial team Tijdschrift voor Staat[s]steun [Journal for State Aid]

- P.R. Rodrigues  
  Administratiefrechtelijke Beslissingen [Administrative Law Decisions], annotator aliens law  
  Tijdschrift voor Consumentenrecht en handelspraktijken [Journal for Consumer rights and trade practices], contributor  
  Tijdschrift Asiel & Migrantenrecht [Journal of Asylum and Migrant Law], member of editorial team

- P.J.M.M. Van Cleynenbreugel  
  Member of European Competition Law & Practice
F. Societal use of research and research output

The researchers in the research group put their research activities and results to good use in the service of society. Most of the researchers regularly sit on or chair external supervisory research committees and also often sit on committees and advisory boards.

F1. Ancillary activities in judiciary and legal practice
- P.C. Adriaanse: lawyer, Justion Advocaten
- F. Baetens: lawyer, VVGB advocaten/avocats, Brussel
- J.E. van den Brink: Rechtbank Den Haag, deputy judge
- M.C.J.E. Bronckers: lawyer, VVGB Advocaten/Avocats, Brussel
- G.P. van Duijvenvoorde: KPN, lawyer, afdeling Legal & Regulatory
- W. Geelhoed: Rechtbank Noord-Holland, deputy judge
- R.J.H. Gijrath: lawyer, C-Legal B.V advocaten
- W. den Ouden: College van Beroep voor het bedrijfsleven, substitute judge
- J.J. Rijpma: Adam & Wolf Immigration Lawyers, external advisor

F2. Teaching in (post-)academisch education (a selection)
- PAO-cursus Verdiepingscursus Staatssteun 2014 (Aalbers).
- PAO-cursus Verdiepingscursus Staatssteun 2015 (Aalbers).
- PAO-cursus Basis cursus Subsidie, aanbesteding en staatssteun 2010 (Adriaanse).
- PAO-cursus Verdiepingscursus Staatssteun 2010 (Adriaanse).
- PAO-cursus Congres 'Subsidie nieuwe stijl' 2015 (Adriaanse).
- PAO-cursus Verdiepingscursus Staatssteun 2015 (Adriaanse).
- PAO-cursus Basis cursus Bestuurs(proces)recht 2009 (Brink, van den).
- PAO-cursus Basis cursus Subsidierecht en Staatssteun 2009 (Brink, van den).
- PAO-cursus Basis cursus Subsidie, aanbesteding en staatssteun 2010 (Brink, van den).
- PAO-cursus Verdiepingscursus Staatssteun 2010 (Brink, van den).
- PAO-cursus Basis cursus Subsidierecht, Aanbesteding en Staatssteun 2011 (Brink, van den).
- PAO-cursus Nationale Subsidierechtdag 2014 (Brink, van den).
- PAO-cursus Verdiepingscursus Europese Subsidieregelingen 2014 (Brink, van den).
- PAO-cursus Verdiepingscursus Staatssteun 2014 (Brink, van den).
- PAO-cursus Congres 'Subsidie nieuwe stijl' 2015 (Brink, van den).
- PAO-cursus Verdiepingscursus Staatssteun 2015 (Brink, van den).
- PAO-cursus Leiden revisited: Europees recht 2015 (Gleynenbreugel, van).
- PAO-cursus Actueel Telecommunicatierecht 2009 (Duijvenvoorde).
- PAO-cursus Basis cursus Wet Bescherming persoonsgegevens e.a. privacywetgeving 2009 (Linnartz).
- PAO-cursus Basis cursus Immigratierecht 2011 (Lodder).
- PAO-cursus Actualiteiten regulier Vreemdelingenrecht 2012 (Lodder).
- PAO-cursus Basis cursus Immigratierecht 2012 (Lodder).
- PAO-cursus Incompany Rechtbank Den Haag 'Actualiteiten Vreemdelingenrecht' 2012 (Lodder).
- PAO-cursus Actualiteiten Regulier vreemdelingenrecht 2013 (Lodder).
Annex Self-assessment 2009 – 2015  The Progression of EU law: Accommodating Change and Upholding Values

- PAO-cursus Basiscursus Immigratierecht 2013 (Lodder).
- PAO-cursus Basiscursus Immigratierecht 2014 (Lodder).
- PAO-cursus Basiscursus Subsidierecht en Staatssteun 2009 (Ouden, den).
- PAO-cursus Basiscursus Subsidie, aanbesteding en staatssteun 2010 (Ouden, den).
- PAO-cursus Verdiepingscursus Staatssteun 2010 (Ouden, den).
- PAO-cursus Actualiteiten subsidierecht: “Snijden in subsidies” 2012 (Ouden, den).
- PAO-cursus In Company Actualiteiten Subsidierecht: “Snijden in subsidies” DUO CFI 2012 (Ouden, den).
- PAO-cursus Actualiteiten subsidierecht: snijden in subsidies 2013 (Ouden, den).
- PAO-cursus Nationale Subsidierechtdag 2015 (Ouden, den).
- PAO-cursus Het Verdrag van Lissabon: belangrijkste veranderingen voor de praktijk 2010 (Rijpma).
- PAO-cursus Basiscursus Immigratierecht 2012 (Rodrigues).
- PAO-cursus Basiscursus Immigratierecht 2013 (Rodrigues).
- PAO-cursus Basiscursus Immigratierecht 2014 (Rodrigues).
- PAO-cursus Verdiepingscursus Staatssteun 2010 (Slot).
- PAO-cursus Het Verdrag van Lissabon: belangrijkste veranderingen voor de praktijk 2010 (Tobler).

F3. Leiden Law Exchanges (LLX)

- 11-2-2011: Article 136 (3) TFEU: the stability mechanism
- 15-4-2011: The Zambrano Decision of the CJEU
- 28-10-2011: The Eurocrisis: economic governance
- 8-2-2013: The euro crisis – Pringle and the future of the eurozone
- 21-5-2013: Hirsi and the migration policies of the ECHR and the EU
- 13-12-2013: X, Y and Z: the right to protection of homosexual asylum seekers
- 14-3-2014: Private enforcement of competition law
- 20-6-2014: Data Retention
- 10-10-2014: The Executive in the EU, Cohesion v. Division
- 31-10-2014: The proposal for a European Public Prosecutor’s Office
- 29-7-2015: Opinion 2/13 regarding EU accession to the ECHR – Reflections on the Way Forward Link
F4. Leiden Research Lunches (LRL)

- 27-8-14: Fundamental Rights in the EU Internal Market – Vicky Kosta
- 24-9-14: The interplay between internal market for services and the EU Services Directive: Two of a kind, or a two headed monster? – Marlene Botman (VU)
- 29-10-14: The constitutional architecture of supranational market supervision arrangements – Pieter Van Cleynenbreugel
- 26-11-14: The Role of national (Dutch) courts in the “enforcement” of state aid rules – Alke Metselaar
- 17-12-14: European composite citizenship in a constitutional context Hanneke van Eijken (Utrecht)
- 18-2-15: Administrative discretion in the EU: judicial review and administrative interpretation of law – Joana Mendes (UvA)
- 2-4-15: Can EU law control national spending? Comparatively exploring legal mechanisms for budget control in federal and other multilevel systems. – Armin Cuyvers
- 30-4-15: “EU regional trade agreements and the right to adequate food: from PhD to book project” – Giovanni Gruni
- 9-9-2015: Economic Governance in Europe: Comparative Paradoxes, Constitutional Challenges – Federico Fabbrini (Copenhagen)
- 28-10-15: The free movement of students in the EU – Alexander Hoogenboom (Maastricht)
- 25-11-15: Constitutional conventions in EU law: the Spitzenkandidaten process – Thomas Beukers (Ministry of Foreign Affairs / EUI)
- 16-12-15: EU Criminal law: the AFSJ and the EPPO – Pim Geelhoed
- 24-2-16: Anti-terrorism measures to groups (admittedly) involved in armed conflict – Luca Pantaleo (Asser)
- 30-3-16: Delegated legislation in the EU – Merijn Chamon (Ghent)
- 20-4-16: Human rights in the ECHR and EU legal orders – Nelleke Koffeman
- 25-5-16: The EU-UK settlement – Davor Jancic (Asser)

F5. Leiden Continuous Learning (LCL)

- 12-2-14: The protection of intellectual property in the EU- Ana Ramalho (Maastricht)
- 12-9-14: Legal Methodology – Rikki Holtmaat and Armin Cuyvers
- 13-2-15: Political Science and the EU – Bernard Steunenberg (LUC)
- 9-5-2015: The Economics of European Union – Joop de Kort
- 3-11-15: TTIP – Giovanni Gruni
F6. Other (scholarly) activities and functions (a selection)

- S.C.G. Van den Bogaert
  Europa Instituut, Directeur
  Postgraduatuat Sportmanagement Vrije Universiteit Brussel, Gasthoogleraar Europees sportrecht
  Institute of Anglo-American Law, Bestuurslid
- J.E. van den Brink:
  Universiteit Nyenrode, Adviseur opleiding fiscaal recht
  Koninklijke Bibliotheek, Voorzitter bezwaarschriftencommissie
  Bestuurslid Stichting Kunstbende
- G.P. van Duijvenvoorde:
  Uitgeverij deLex, Redactielid ICT-Modelcontracten
  Christelijke Gereformeerde Kerken, Lid Klachtencommissie inzake misbruik van pastorale en andere gezagsrelaties
- W. Geelhoed:
  Gezelschap voor internationaal strafrecht, Secretaris en penningmeester
  Lid Perm. Commissie van deskundigen in int. vreemdelingen-, vluchtelingen- en strafrecht (Commissie Meijers)
- R.J.H. Gijrath:
  Commit2law B.V., Auteur/ scenarist
  Stichting geschillenoplossing automatisering, Arbiter
  European Privacy Association, Member, Policy & Scientific Committee
  Vrije Universiteit van Amsterdam/ Computer Law Institute, Docent/ Onderzoeker
- G.G. Lodder: Stichting Hanneke Steenbergen fonds, secretaris en penningmeester
- T. Masson:
  Secure World Foundation, Member, Advisory Committee
  Permanent Court of Arbitration, Arbitrator
  Mars One, Advisor
  Space Generation Advisory Council (SGAC), Member Advisory Board
  International Institute of Space Law (IISL), President
  London Institute of space policy and law, faculty member
  Nederlandse Vereniging voor Ruimtevaart (NVR), Vice chairman
- A.M. McDonnell: Eigen bedrijf, Vertaal- en redactiewerkzaamheden
- P.M.J. Mendes de Leon: Netherlands' Association for Public Transport Law, Correspondent, Editorial Board
- T.R. Ottervanger:
  Madurodam, bestuurslid
  Stichting beroepsopleiding advocatuur, bestuurslid
  Stichting jazz orchestra of the concertgebouw, bestuurslid
- J.J. Rijpma: Lid Standing Committee of Experts on International Immigration, Refugee and Criminal Law
- P.R. Rodrigues:
  Stichting Migratierecht Nederland, Bestuurslid
  Commissie Meijers, Lidmaatschap permanente adviescommissie van onafhankelijke deskundigen
- R.C. Tobler:
  Network of legal Experts in the anti-discrimination field, Expert voor de Europese Commissie, Brussel
  Universiteit Basel, Zwitserland, Hoogleraar Europees recht
### G. Composition research group 2009 – 2015

#### G1. Personnel information (annual average) in fte research (list of names)

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### G2. Personnel information (annual average) in fte research (per function)

<table>
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<tr>
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<td>Professor</td>
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<td>0.7</td>
<td>0.8</td>
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<tr>
<td>Associate professor</td>
<td>0.0</td>
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<td>0.2</td>
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<td>2.2</td>
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G3. Personnel information in number of researchers

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<th>2015</th>
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<td>2</td>
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<td>5</td>
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<td>19</td>
<td>23</td>
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<td>34</td>
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x = ad honorem researcher and staff without formally allotted research time.
H. Quantative research results and publication lists 2009 – 2015

H1. Quantitative output per year

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<td>5</td>
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<td>48</td>
<td>35</td>
<td>50</td>
<td>47</td>
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<td>76%</td>
<td>59%</td>
<td>66%</td>
<td>81%</td>
<td>89%</td>
<td>82%</td>
<td>87%</td>
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H2. Scholarly publications

Article refereed (blind)

2015


2014


2013


The Progression of EU law: Accommodating Change and Upholding Values


2012


Jesse M. (2012), Note on Joined Cases C-424/10 Tomasz Ziolkowski and C-425/10 Barbara Szeja, Judgment of the Court of Justice (Grand Chamber) of the EU of 21 December 2011, Common Market Law Review 49(6).


2011


2010

2009
Spanjer A.R. (2009), Long-term contracts and competition on European gas Markets – has the Commission struck the right balance?, Competition and Regulation in Network Industries 10(2): 189-204.

Article non refereed
2015
Rijpma J.J. (2015), De Europese Vluchtelingencrisis, Ars Aequi 64(12): 976-980.

2014
2013

2012

2011

2010

2009

Dissertation
2015

2014
Ratajczyk M.A. (20 november 2014), Regional aviation safety organisations: enhancing air transport safety through regional cooperation (Dissertatie, Faculty of Law, Leiden University). S.l.: s.n. Promotor(en) en Copromotor(en): Mendes de Leon P.M.J.

2013

2012

2011

2010

2009
Bockel W.B. van (16 juni 2009), The ne bis in idem principle in EU law. A conceptual and jurisprudential analysis (Dissertatie, Faculteit der Rechtsgeleerdheid, Universiteit Leiden). Amsterdam: Ipskamp Drukkers. Promotor(en) en Copromotor(en): Slot P.J.

Monograph

2015
2014

2013

2012

Book chapter
2015


2014


Annex Self-assessment 2009 – 2015 The Progression of EU law: Accommodating Change and Upholding Values


2013


Van Cleynenbreugel P.J.M.M. (2013), From interference to solidarity: Re-imagining transnational law in a post-crisis context of European regional integration. Tel Aviv University, Faculty of Law.


2012

Beumer A.E. (2012), Legitimacy issues in EU competition law procedures: the interaction between the different sources of fundamental rights protection and EU competition law.

Beumer A.E. (2012), The interplay between Article 6 ECHR & Article 47 Charter and the EU competition enforcement system – Is there a need of ‘reviewing’ the standard of review?


2011


2010


2009


Report

2015


2014

2013

2012

Inaugural lecture

2014


2011

2010

**H3. Professional publications**

**Article in journal**

2015


2013

Beumer A.E. (2013), The EU Court of Justice rules on the matter of appropriate remedy for infringements of the right to have the case adjudicated within a reasonable time (Kendrion, Gascogne), e-Competition Bulletin 2.

2012


2011


2010

Duijvenvoorde G.P. van (2010), Het Nederlandse voorstel voor implementatie van de gewijzigde Europese regels voor Elektronische communicatie, Nederlands Tijdschrift voor Europees Recht 8: 295-301.
Slot P.J. (2010), The Credit Crisis and the Community Efforts to deal with it, Revista de Concorrencia E Regualacao 1(3): 139-172.

2009
Slot P.J. (2009), Algemene regels vrij verkeer nu ook van toepassing op uitvoerverboden, Ars Aequi: 753-756.

Monograph
2011
Annex Self-assessment 2009 – 2015 The Progression of EU law: Accommodating Change and Upholding Values

2009

Book chapter
2015

2014

2013

2012
In: Olfers M. (Red.) Discriminatie op grond van nationaliteit in de sport Sport en Recht nr. 19.  

2011

2009

Book chapter
2011

2010
Van den Bogaert S.C.G. (2010), ‘Reyners: Er was eens een advocaat, uit een land hier niet ver vandaan ..’

Report

2014

2012

2011

2010
Mendes de Leon P.M.J. (2010), Towards a Road Map for Austria in the Air. Wenen: BMVIT – Austrian Ministry for Transport and Information Technology.
Slot P.J. (2010), Public capital and private capital in the internal market. Madrid: FIDE.

2009
Annex Self-assessment 2009 – 2015 The Progression of EU law: Accommodating Change and Upholding Values

Annotation

2015
Aalbers M., KwartaalSignaal 2015; 7891-7893.

2014
Aalbers M., annotatie bij: EC 13 mei 2014, KwartaalSignaal 2014; 7608-7610 (Google Spanje en Google Inc. t Agencia Española de Protección de Datos (AEPD) en Mario Costeja González).

2013
Borger V., annotatie bij: European Court of Justice 27 november 2012, German Law Journal 2013; 113-140.

2012
Bronckers M.C.E.J. & Vallery A., annotatie bij: EFTA Court 18 april 2012, European Law Reporter 2012; 105-113 (E-15/10; Norway Post: The EFTA Court advances the debate on human rights and administrative competition law enforcement).

2011
Slot P.J., annotatie bij: C-171/08 8 juli 2010, A Ae 2011; 45-52 (Overheid en markt: golden shares en andere instrumenten).
Slot P.J., annotatie bij: HvJ EU 12 juli 2011, nr. C-234/09, A Ae 2011; 818-827 (L’Oreál SA v. eBay International e.a.).
Tezcan N.F., European Journal of Migration and Law 2011; 219-239.
Annex Self-assessment 2009 – 2015  The Progression of EU law: Accommodating Change and Upholding Values

2010
Slot P.J., annotatie bij: Europees Hof van Justitie 17 november 2009, nr. C-169/08, AAe 2010; 197-202
(Italiaanse premier haalt zijn gram met behulp van het gemeenschapsrecht).
Slot P.J., annotatie bij: Europees Hof van Justitie 3 juni 2010, nr. C-258/08, AAe 2010; 712-718 (Ladbrokes).

2009
Slot P.J., annotatie bij: Hof van Justitie EG 12 februari 2008, CMLRev 2009; 623-639 (Centre d'exportation du livre Francais (CELF) v. Société internationale de diffusion et d'édition (SIDE)).

Editorship book
2015

2014

2013

Book review
2015

2014

2013

2012