

POLYCENTRICITY IN THE EUROPEAN UNION

Supranational governance is being challenged by politicians and citizens around the European Union as over-centralised and undemocratic. This book is premised on the idea that polycentric governance, as developed by Vincent and Elinor Ostrom, is a fruitful place to start in addressing this challenge. Assessing the presence of, and potential for, polycentric governance within the EU means approaching established principles and practices from a new perspective. While the debate on these issues is rich, longstanding and interdisciplinary, it has proven difficult to sidestep the 'renationalisation/federalisation' dichotomy. The aim of this Volume is not to reject the EU's institutional structure but to provide a different benchmark for the assessment of its functioning. Polycentric theory highlights the importance of multilevel horizontal relationships within the EU – between states, but also between many sub-state actors, all the way down to individuals. This helps us answer the question: how do we achieve self-governance in an interdependent world?

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CONTENTS

List of Tables page xii
List of Contributors xiii
Foreword xv
MICHAEL D. MCGINNIS
Acknowledgements xviii
List of Cases xx

Introduction:
The Potential of a Polycentric European Union 1
JOSEPHINE VAN ZEBEN AND ANA BOBIĆ

PART I

1 Polycentricity as a Theory of Governance 9
JOSEPHINE VAN ZEBEN

 I Development of a Theory of Governance 9

 A Polycentricity: Definitions and Aims 12

 B Self-Governance in Polycentric Systems 16

 C Democracy and Self-Governance 17

 D Vertical and Horizontal Relationships in Polycentric Systems 20

 II Polycentric Governance: Attributes, Institutional Essentials, and Prerequisites 22

 A Attributes 23

 B Institutional Essentials 25

 C Prerequisites 26

2 Polycentric Features of the European Union 28
JOSEPHINE VAN ZEBEN

 I Polycentricity as Distinct Theory of EU Governance 28

A	Polycentricity’s Descriptive Distinctiveness	30
B	Normative Distinctiveness	35
II	Polycentric Features of the EU	40
A	Attributes	40
B	Institutional Essentials	43
C	Prerequisites	46
III	Polycentric Potential and Pitfalls in the EU	47
3	<i>Demoicratic</i> Self-Government in the European Union’s Polycentric System: Theoretical Remarks	51
FRANCIS CHENEVAL		
I	Self-Governing Decision Units	53
A	Competence-Competence	53
B	<i>Demoicracy</i>	58
II	Self-Government and Polycentricity	61
A	Polycentricity and ‘Politics’	63
B	Verticality and Horizontality	64
III	Polycentricity and Self-Government in the EU – Conceptual and Normative Underpinnings	66
IV	Conclusion	76
4	Polycentric Subsidiarity	78
JOSEPHINE VAN ZEBEN AND KALYPSO NICOLAÏDIS		
I	Redefining Subsidiarity	82
A	Subsidiarity in the EU: The Principle in Practice	83
B	Subsidiarity in Polycentric Theory	88
C	Bridging the Gap with <i>Demoicratic</i> Theory	92
II	Mapping Polycentric Subsidiarity	96
A	Self-Governance	96
B	Horizontality	100
C	Organic Change	103
III	Concluding Remarks	106

CONTENTS

vii

5	Polycentricity and the Internal Market	108
	JOSEPHINE VAN ZEBEN AND ANA BOBIĆ	
I	The Internal Market as a Polycentric Structure	110
II	Institutional Essentials in the Internal Market	112
A	Freedom and Ability to Enter and Exit	113
i	Free Movement of Persons, Services, and Establishment	114
ii	Free Movement of Goods and Capital	116
iii	Free Movement and the Practice of Enter and Exit	118
B	Enforcement of a Shared System of Rules	121
i	Judicial Enforcement	122
ii	Arbitration	127
C	Peaceful Contestation of Shared Rules	129
III	Polycentric Internal Market within a Polycentric EU	136
	PART II	
6	The Shared System of Rules in a Polycentric European Union	141
	ANA BOBIĆ	
I	A Shared System of Rules in Polycentric Systems	142
II	Defining the Shared System of Rules in the EU	146
A	Identifying the Shared System of Rules	147
i	The Nature of the European Union	147
ii	Vertical and Horizontal Institutional Relationships	149
iii	Key Values and Principles	152
iv	EU Citizenship	152
v	Rules on the Internal Market	153
vi	National Constitutions	154
B	Self-Correction of the EU's Shared System of Rules	155

III	Obstacles in Achieving the Full Polycentric Potential	159
IV	Conclusions	161
7	The Promises and Drawbacks of European Union Citizenship for a Polycentric Union	163
	MARTIJN VAN DEN BRINK	
I	Walloon	165
II	Citizenship in a Polycentric Union	171
A	Non-Discrimination on Grounds of Nationality as a Means of Self-Governance	172
B	Principles of Free Movement as a Means to Cooperation between Local Government	175
III	The Democratic Rights of EU Citizenship	180
IV	Conclusion	184
8	Self-Organisation of Third-Country Nationals in the European Union: Polycentric Governance by the 'Other'	186
	IRIS GOLDNER LANG	
I	Informal Self-Organisation	189
II	Formal Self-Organisation	193
A	NGOs as Champions of Refugees' Rights	195
B	The Role of Businesses in Third-Country Nationals' Self-Organisation	197
C	The Role of Cities in Formal Self-Organisation	199
III	Causes and Objectives of Self-Organisation	202
IV	Polycentric Self-Organisation?	203
9	Peaceful Contestation	208
	DAMJAN KUKOVEC	
I	Peaceful Contestation within the Polycentric Theory	209
A	Contestation in Polycentric Theory	209
B	When Is Contestation 'Peaceful'?	211

CONTENTS

ix

II	Self-Governance through Peaceful Contestation	213
A	Self-Governance and Institutional Design	213
B	The Notion of ‘Public Entrepreneur’	217
C	Public Entrepreneur in a Public Enforcement Procedure	220
D	An Ideal Type of Peaceful Contestation in Polycentric Theory	222
III	Conclusions	224
10	Access to Justice in Polycentric Governance	226
	LETICIA DíEZ SÁNCHEZ	
I	Access to Justice in Polycentric Systems	227
A	Expanded and Restricted Access to Justice	228
B	Challenges to Courts as Conflict Mediators	236
II	Legal Mobilisation at the European Court of Justice	240
III	Judicial Review of the European Citizens’ Initiative	248
IV	Conclusion	252
11	Access to Information in Polycentric Governance	254
	VIGJILENCA ABAZI	
I	Comparing ‘Traditional’ and Polycentric Approaches to Access to Information	256
A	The ‘Traditional’ Approach: Accountability and Participation	257
B	Enabling Polycentric Self-Governance through Information	260
II	Parameters for Polycentric Access to Information	263
A	Access to Information as a Polycentric Prerequisite	263

	B	Effects of Polycentric Governance on Access to Information	264
III		An Appraisal of Polycentric Access to Information within the European Union	266
	A	Direct Access: The Right of Access to Public Documents	266
	i	Motivation: Fostering Understanding and Knowledge	267
	ii	Capacity: Ensuring Equal Access	268
	iii	Contribution: Societal Groups and Decision Centres	269
	B	Access through Allies: Safeguarding Information Flows	270
IV		Conclusion	274
12		The Capacity to Learn in the Polycentric European Union	276
		SACHA GARBEN	
	I	The Capacity to Learn and Polycentric Governance	277
	II	Collective Learning as a Prerequisite for a Polycentric EU	279
	A	The Council and National Governments	280
	B	The European Parliament	285
	C	National Parliaments	287
	D	Regional Authorities	290
	E	Social Partners	291
	F	Non-Governmental Organisations	292
III		Individual Learning as a Prerequisite for a Polycentric EU	293
IV		Learning as a Benefit of EU Polycentricity	296
	A	Laboratory Federalism and Polycentric Theory	297
	B	Polycentric Learning in the EU	300
V		Conclusion	304

Conclusions:
Pathways to Polycentricity 306
JOSEPHINE VAN ZEBEN AND ANA BOBIĆ

I Theoretical Foundations: Polycentric Attributes,
Institutional Essentials and Prerequisites 306

II Institutional Essentials and Prerequisites in EU
Polycentricity 308

III There and Back Again – Views from the
Road 310

 A European Itineraries 310

 B Global and Local Travels 312

Index 315

TABLES

1.1	Attributes, Institutional Essentials, and Prerequisites of Polycentric Systems	<i>page 27</i>
2.1	Attributes, Institutional Essentials, and Prerequisites of Polycentric Systems	40
4.1	Constituent Elements of Polycentric Subsidiarity	105
10.1	Origin of Preliminary Ruling Procedure by Member State in the CAP	242
10.2	Direct Actions by Member States and Private Actors in the CAP	242
10.3	Litigation by Sector in the CAP (Selected)	243
10.4	Litigation by Member States and Private Actors in Cohesion Policy	244
10.5	Litigation by Issue in Tax Policy	246
	Conclusions. 1 Attributes, Institutional Essentials, and Prerequisites of Polycentric Systems	307

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[More Information](#)

xiv

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FOREWORD

I met Josephine van Zeben in 2013 when she was a visiting scholar at the Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, at Indiana University, Bloomington. The Ostrom Workshop was then, and is now, a world-famous research and teaching institution specializing on the application of a unique mode of institutional analysis to a wide range of policy settings. Most outsiders are familiar only with the Nobel Prize-winning research of Elinor Ostrom on community-based management of resource commons. But Josephine realized that Elinor Ostrom's research program had been built upon the foundation laid by Vincent Ostrom's earlier conceptualization of the polycentric governance typical of urban metropolitan areas in the United States.

The key message from both streams of research was that local communities can become and remain self-governing only if they are embedded within a broader political, economic, and social-cultural regime that was supportive of these efforts. Josephine wanted to know if the emerging structures and processes of governance in the European Union can support this same kind of local self-governance, and if not, then what reforms are needed to accomplish that goal?

She faced a huge challenge: nearly all of the examples of this mode of institutional analyses were focused on local policy. Any effort to generalize these same principles to the continental scope and bureaucratic depth of the EU would require considerable care. Although both Vincent and Elinor Ostrom had passed away the year before, their writings remained as a foundation for future development of their ideas. But it was important to avoid getting lost in conceptual cul-de-sacs. For example, whenever Vincent Ostrom wrote about governance in Europe, he expressed particular admiration for the lost complexity of the Holy Roman Empire! And when Elinor Ostrom addressed issues of climate policy, she emphasized the potential benefits of policy changes at the level of cities or other sub-national governments, and changes in consumer behavior, while paying very little attention to the role of international treaties.

For the most part, then, Josephine, her co-editor Ana Bobić, and their colleagues in this project have had to draw their own connections between the abstractions of polycentric governance and the details of the European Union. As a career-long Workshopper, I must say that I am very impressed with the dexterity with which they accomplish that task in this book. I would like to briefly draw a potential reader's attention to a few particularly compelling aspects of their analysis.

Contributors to this Volume recognize that the increasingly complex regulatory apparatus at the EU level remains incomplete (because member states retain control over some important areas of policy) and internally inconsistent (agencies' areas of jurisdiction can overlap to a bewildering extent). Using the concept of polycentricity, they can explain why at least a minimal level of continued ambiguity in governance processes might actually be a desirable condition, rather than a problem to be solved.

I especially appreciated the way the authors shift attention away from stale debates regarding the EU's "democracy deficit" to focus instead on the foundational requirement that local groups need to be able to gain access to information about public policy that can help them identify the sources of the problems they are facing, and to evaluate which institutional options might be available to them. Several chapters highlight the importance of nurturing horizontal ties of community that cut across the nation states that comprise the EU. For example, they investigate the extent to which current EU institutions and procedures make it easier or more difficult for communities of "third-party nationals," especially refugees or immigrant communities from countries outside of the EU, to connect with each other, share information, appeal for help from regional, national, or supranational political authorities, or take direct action to improve their current plight.

Through the lens of polycentricity, they bring into focus a rarely asked but critical question: to what extent does the EU facilitate or hinder the ability of under-resourced or vulnerable groups to govern themselves? In this way, they shine new light on the never-ending search for justice, which is a concern that has rarely been directly addressed in previous institutional analyses done in the style of the Bloomington School.

All of the contributors to this Volume have demonstrated their ability to draw accurate and insightful connections between the detailed operation of the European Union and the Ostroms' deep understanding of polycentric governance. Not only do they identify novel changes in EU processes that might facilitate a fuller realization of the potential benefits

FOREWORD

xvii

of polycentric governance; they also offer astute observations of likely hurdles ahead. Anyone interested in either the EU or institutional analysis more generally should carefully consider the arguments made in this fascinating Volume.

Michael D. McGinnis
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Ostrom Workshop in Political Theory and
Policy Analysis
July 20, 2018

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The road to completion for this project was long, and not without a few detours. In 2013, a grant from the Niels Stensen Fellowship enabled Josephine to become a visiting fellow at the Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis. She set out to consider whether polycentric governance theory could be valuable in understanding the EU's current and future development. It soon became clear that to move successfully from promise to practice would require more time, and more people – neither of which were available at the time.

A few years later, at the University of Oxford, progress on the polycentric research agenda was jump-started when Josephine was introduced to Ana Bobić by a common friend and colleague – Tamara Perišin. Debating and brainstorming the initial findings made it clear that the promise was still there and the topic was still, or perhaps even more, important. Plans for an edited volume were made and accepted by Cambridge University Press. A workshop in Oxford, made possible by the support of the Law Faculty's Research Support Fund, followed in February 2018, as did many discussions with our collaborators in person and over email.

The results of this collective effort are set out in these pages. Different from some edited volumes, this work has become one book, with one story, narrated by several authors. This was a demanding process for all involved and our gratitude to our authors – most of whom were unfamiliar with polycentric theory but all of whom mastered and enriched it – is second only to our gratitude for the intellectual legacy of Vincent and Elinor Ostrom. Their theories, as well as their method of working, inspired this interdisciplinary effort and we hope it makes a valuable contribution to the continuing work of the Ostrom Workshop and scholarly community. Michael McGinnis, former director of the Workshop and longstanding collaborator of Elinor and Vincent, has – in true Ostrom tradition – always provided mentorship and

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xix

encouragement to young scholars and kindly agreed to contextualise this project in the foreword. We are very grateful for his continuing support.

Bringing together a work with so many different scholars into a coherent whole would not have been possible without the trust of our editors at Cambridge University Press – first Kim Hughes and later Tom Randall – and the vital support of our outstanding research assistants, Roderic Kermarec and Julia Vassileva.

The work on polycentricity in the EU has only just started and we look forward to continuing on this road. Hopefully this Volume can act as a starting point for those interested in this, and related, areas.

Finally, we dedicate this book to our families, with love, gratitude and hope for the future.

*Josephine van Zeben
Ana Bobić*

LIST OF CASES

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 Case 25/62 *Plaumann & Co v. Commission* [1963] ECR 95 **ECLI:EU:C:1963:17**, 229
 Case 6/64, *Flaminio Costa v. ENEL* [1964] ECR 585 **ECLI:EU:C:1964:66**, 41
 Case 7/68 *Commission v. Italy* [1968] ECR 423 **ECLI:EU:C:1968:51**, 116
 Case 11/70 *Internationale Handelsgesellschaft* [1970] ECR 1125 **ECLI:EU:C:1970:114**, 124, 243
 Case 166/73 *Rheinmühlen* [1974] ECR 33 **ECLI:EU:C:1974:3**, 122
 Case 36/74, *Walrave and Koch* [1974] ECR 1405 **ECLI:EU:C:1974:140**, 123
 Case 155/73 *Sacchi* [1974] ECR 409 **ECLI:EU:C:1974:40**, 116
 Case 8/74 *Dassonville* [1974] ECR 837 **ECLI:EU:C:1974:82**, 116
 Case 31/74 *Galli* [1975] ECR 47 **ECLI:EU:C:1975:8**, 243
 Case 60/75 *Russo* [1976] ECR 45 **ECLI:EU:C:1976:9**, 243
 Case 65/75 *Tasca* [1976] ECR 291 **ECLI:EU:C:1976:30**, 243
 Case 88/75 *Sadam* [1976] ECR 323 **ECLI:EU:C:1976:32**, 243
 Case 45/76 *Comet* [1976] ECR 2043 **ECLI:EU:C:1976:191**, 127
 Case 43/75, *Defrenne v. SABENA*, [1976] ECR 455 **ECLI:EU:C:1976:56**, 123
 Case 33/76 *Rewe-Zentralfinanz* [1976] ECR 1989 **ECLI:EU:C:1976:188**, 127
 Case 106/77 *Simmenthal* [1978] ECR 629 **ECLI:EU:C:1978:49**, 124
 Case 154/77 *Dechmann* [1978] ECR 1573 **ECLI:EU:C:1978:145**, 243
 Case 7/78 *Thompson* [1978] ECR 2247 **ECLI:EU:C:1978:209**, 116
 Case 120/78 *Rewe-Zentral AG* [1979] ECR 649 **ECLI:EU:C:1979:42**, 117
 Case 223/78 *Grosoli* [1979] ECR 2621 **ECLI:EU:C:1979:196**, 244
 Joined Cases 16 to 20/79 *Danis* [1979] ECR 3327 **ECLI:EU:C:1979:248**, 244
 Case 5/79 *Buyts* [1979] ECR 3203 **ECLI:EU:C:1979:238**, 244
 Case 10/79 *Toffoli* [1979] ECR 3301 **ECLI:EU:C:1979:247**, 244
 Case 283/81 *CILFIT* [1982] ECR 3415 **ECLI:EU:C:1982:335**, 230
 Case 266/81 *SIOT* [1983] ECR 731 **ECLI:EU:C:1983:77**, 116
 Joined Cases 286/82 and 26/83 *Luisi and Carbone* [1984] ECR 377 **ECLI:EU:C:1984:35**, 119
 Case 72/83 *Campus Oil* [1984] ECR 2727 **ECLI:EU:C:1984:256**, 117
 Case 229/83 *Leclerc and Others* [1985] ECR 00001 **ECLI:EU:C:1985:1**, 116
 Case 101/84 *Commission v. Italy* [1985] ECR 2629 **ECLI:EU:C:1985:330**, 244
 Case 270/83 *Avoir Fiscal* [1986] ECR 273 **ECLI:EU:C:1986:37**, 246

LIST OF CASES

xxi

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 Case 263/86 Humbel and Edel [1988] ECR 5365 **ECLI:EU:C:1988:451**, 114
 Case C-350/88 Delacre and Others v. Commission, ECLI:EU:C:1990:71, 272
 Joined Cases C-297/88 and C-197/89 Dzodzi [1990] ECR I-3763 **ECLI:EU:C:1990:360**, 118
 Case C-6/90 Francovich [1991] ECR I-5357 **ECLI:EU:C:1991:428**, 230
 Case C-292/89 Antonissen [1991] ECR I-745 **ECLI:EU:C:1991:80**, 114
 Joined Cases C-1/90 and 176/90 Aragonesa [1991] ECR I-4151 **ECLI:EU:C:1991:327**, 117, footnote 54
 Case 2/90 Commission v. Belgium [1992] ECR I-4431 **ECLI:EU:C:1992:310**, 117
 Joined Cases C-159/91 and C-160/91 Poucet and Pistre [1993] ECR I-637 **ECLI:EU:C:1993:63**, 114
 Case C-393/92 Almelo v Energiebedrijf Ijsselmij [1994] ECR I-1477 **ECLI:EU:C:1994:171**, 116
 Case C-309/89 Codorníu [1994] ECR I-1853 **ECLI:EU:C:1994:197**, 125
 Case T-585/93 Greenpeace v. Commission [1995] ECR II-2205 **ECLI:EU:T:1995:147**, 125
 Case C-358/93 Bordessa and Others [1995] ECR I-361 **ECLI:EU:C:1995:54**, 116
 Case C-384/93 Alpine Investments [1995] ECR I-1141 **ECLI:EU:C:1995:126**, 119
 Case C-55/94 Gebhard [1995] ECR I-4165 **ECLI:EU:C:1995:411**, 114
 Case C-107/94 Asscher [1996] ECR I-3089 **ECLI:EU:C:1996:251**, 114
 Case C-32/95 P Commission v. Lisrestal [1996] ECR I-5373 **ECLI:EU:C:1996:402**, 244
 Case C-48/93 Factortame (No. 3)/Brasserie du Pêcheur [1996] ECR I-1029 **ECLI:EU:C:1996:79**, 127
 Case T-105/95 WWF UK v. Commission [1997] ECR II-313 **ECLI:EU:T:1997:26**, 267
 Case C-143/95 P Commission v. Socurte [1997] ECR I-00001 **ECLI:EU:C:1997:3**, 244
 Joined Cases C-34/95 to 36/95 De Agostini [1997] ECR I-03843 **ECLI:EU:C:1997:344**
 Case C-28/95 Leur-Bloem [1997] ECR I-4161 **ECLI:EU:C:1997:369**
 Case C-130/95 Giloy [1997] ECR I-4291 **ECLI:EU:C:1997:372**
 Case C-159/94 Commission v. France [1997] ECR I-5815 **ECLI:EU:C:1997:501**, 116
 Cases C-64/96 and C-65/96 Uecker and Jacquet [1997] ECR I-3171 **ECLI:EU:C:1997:285**, 114
 Case T-174/95, Svenska Journalistförbundet v. Council [1998] ECR II-2289 **ECLI:EU:T:1998:127**, 270
 Case C-120/95 Decker [1998] ECR I-1831 **ECLI:EU:C:1998:167**, 117
 Case C-126/97, Eco Swiss [1999] ECR I – 3055 **ECLI:EU:C:1999:269**, 128
 Joined Cases T-110/03, T-150/03 and T-405/03 Sison v. Council [2005] **ECLI:EU:T:2005:143**, 367
 Case T-20/99 Denkvit Nederland v. Commission [2000] ECR II-3011 **ECLI:EU:T:2000:209**, 267
 Case C-453/99 Courage [2001] ECR I-6297 **ECLI:EU:C:2001:465**, 127
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- Case C-36/02 Omega [2004] ECR I-9609 **ECLI:EU:C:2004:614**, 124, 157
- Case C-9/02 de Lasteyrie [2004] ECR I-2409 **ECLI:EU:C:2004:138**, 246
- Case C-144/04 Mangold [2005] ECR I-9981 **ECLI:EU:C:2005:709**, 123
- Case T-2/03, Verein für Konsumenteninformation v. Commission [2005] ECR II-1121 **ECLI:EU:T:2005:125**, 270
- Case C-320/03 Commission v. Austria [2005] ECR I-9871 **ECLI:EU:C:2005:684**, 116
- Joined Cases C-295/04 to C-298/04 Manfredi [2006] ECR I-6619 **ECLI:EU:C:2006:461**, 127
- Case T-228/02 OMPI [2006] ECLI:EU:T:2006:384, 272
- Case C-84/04 Commission v. Portugal [2006] ECR I-9843 **ECLI:EU:C:2006:640**, 244
- Case C-168/05 Mostaza Claro v. Centro Móvil Milenium [2006] ECR I-10421 **ECLI:EU:C:2006:675**, 128
- Case C-417/04 P Regione Siciliana v. Commission [2006] ECR I-3881 **ECLI:EU:C:2006:282**, 245
- Case C-15/06 P Regione Siciliana v. Commission [2007] I-2591 **ECLI:EU:C:2007:183**, 245
- Case C-438/05 Viking Line ABP [2007] ECR I-10779 **ECLI:EU:C:2007:772**, 123
- Case C-341/05, Laval [2007] ECR I-11767 **ECLI:EU:C:2007:809**, 123
- Case C-182/06 Lakebrink [2007] ECR I-6705 **ECLI:EU:C:2007:452**, 246
- Case T-264/04 WWF European Policy Programme v. Council [2007] ECR II-911 **ECLI:EU:T:2007:114**, 267
- Case C-212/06 Walloon [2008] ECR I-1683 **ECLI:EU:C:2008:178**, 118, 164
- Case C-127/08 Metock **ECLI:EU:C:2008:449**, 177
- Case C-169/08 Regione Sardegna [2009] ECR I-10821 **ECLI:EU:C:2009:709**, 114
- Case C-153/08 Commission v. Spain [2009] ECR I-9735 **ECLI:EU:C:2009:618**, 247
- Case C-318/07 Persche [2009] ECR I-359 **ECLI:EU:C:2009:33**, 116
- Case C-110/05 Commission v. Italy (Trailers) [2009] ECR I-519 **ECLI:EU:C:2009:66**, 117
- Case C-406/07 Commission v. Greece [2009] ECR I-62 **ECLI:EU:C:2009:251**, 247
- Case C-521/07 Commission v. Netherlands [2009] ECR I-4873 **ECLI:EU:C:2009:360**, 247
- Case C-540/07 Commission v. Italy [2009] ECR I-10983 **ECLI:EU:C:2009:717**, 247
- Case C-487/08 Commission v. Spain [2010] ECR I-04843 **ECLI:EU:C:2010:310**, 247
- Case C-211/08 Commission v. Spain [2010] ECR I-5267 **ECLI:EU:C:2010:340**
- Case C-135/08 Rottmann [2010] ECR I-1449 **ECLI:EU:C:2010:104**, 120, 153
- Case C-108/09 Ker-Optika [2010] ECR I-12213 **ECLI:EU:C:2010:725**, 119
- Case C-555/07 Küçükdeveci [2010] ECR I-365 **ECLI:EU:C:2010:21**, 123
- Case C-208/09 Sayn-Wittgenstein [2010] ECR I-13693 **ECLI:EU:C:2010:806**, 124, 157
- Case C-391/09 Runevič-Vardyn [2011] ECR I-03787 **ECLI:EU:C:2011:291**, 124, 158

LIST OF CASES

xxiii

- Case C-34/09 Ruiz Zambrano [2011] ECR I-1177 **ECLI:EU:C:2011:124**, 118, 153 and 170
- Case C-256/11 Dereci [2011] ECR I-11315 **ECLI:EU:C:2011:734**, 115
- Case C-493/09 Commission v. Portugal [2011] ECR I-9247 **ECLI:EU:C:2011:635**, 247
- Case C-284/09 Commission v. Germany [2011] ECR I-9879 **ECLI:EU:C:2011:670**, 247
- Case T-18/10 Inuit Tapiriit Kanatami [2011] ECR II-5599 **ECLI:EU:T:2011:419**, 229
- Case C-27/09 P, French Republic v. People's Mojahedin Organization of Iran, **ECLI:EU:C:2011:482**, 273
- Case T-262/10 Microban v. Commission, **ECLI:EU:T:2011:623**, 229
- Case C-342/10 Commission v. Finland, **ECLI:EU:C:2012:688**, 247
- Case C-456/10 ANETT, **ECLI:EU:C:2012:241**, 117
- Case T-168/10 Commission v. SEMEA [2012] **ECLI:EU:T:2012:435**, 244
- Case T-300/10 Internationaler Hilfsfonds v. Commission [2012] ECR II-0000 **ECLI:EU:T:2012:247**, 267
- Case T-465/09 Jurašinović v. Conseil [2012] ECR II-0000 **ECLI:EU:T:2012:515**, 267
- Case C-583/11 P Inuit Tapiriit Kanatami [2013] ECR II-0000 **ECLI:EU:C:2013:625**, 229
- Case C-280/11 P Council v. Access Info Europe, **ECLI:EU:C:2013:325**, 258
- Case C-280/12 P Council v. Fulmen [2013] **ECLI:EU:C:2013:775**, 273
- Case C-658/11 European Parliament v. Council of the European Union, [2014] **ECLI:EU:C:2014:2025**, 271
- Case C-127/12 Commission v. Spain [2014] **ECLI:EU:C:2014:2130**, 247
- Case C-211/13 Commission v. Germany [2014] **ECLI:EU:C:2014:2148**, 247
- Case C-350/12 P Council v. Sophie in 't Veld [2014] **ECLI:EU:C:2014:2039**, 256
- Case T-450/12 Anagnostakis v. Commission [2015] **ECLI:EU:T:2015:739**, 249
- Case C-98/14 Berlington Hungary [2015] **ECLI:EU:C:2015:386**, 119
- Case C-336/13 P Commission v IPK [2015] **ECLI:EU:C:2015:83**, 244
- Case C-362/14 Schrems [2015] **ECLI:EU:C:2015:650**, 229
- Case C-62/14 Gauweiler and Others [2015] **ECLI:EU:C:2015:400**, 123
- Case C-441/14 Dansk Industri [2016] **ECLI:EU:C:2016:278**, 123
- Case C-244/15 Commission v. Greece [2016] **ECLI:EU:C:2016:359**, 247
- Case T-529/13 Izsák and Dabis v. Commission [2016] **ECLI:EU:T:2016:282**, 249
- Case T-44/14 Costantini and Others v. Commission [2016] **ECLI:EU:T:2016:223**, 249
- Case C-263/14, Parliament v. Council [2016] **ECLI:EU:C:2016:435**, 271
- Case C-589/15 P Agnostakis II [2017] **ECLI:EU:C:2017:663**, 249
- Case T-646/13 Minority Safe Pack and Others v. Commission [2017] **ECLI:EU:T:2017:59**, 131, 249
- Case T-361/14 HB and Others v. Commission [2017] **ECLI:EU:T:2017:252**, 249
- Case T-754/14 Efler and Others v. Commission [2017] **ECLI:EU:T:2017:323**, 249, 250
- Case C-165/16 Lounes [2017] **ECLI:EU:C:2017:862**, 120
- Case C-673/16 Coman [2018] **ECLI:EU:C:2018:385**, 176
- Case T-561/14 One of Us and Others v. Commission [2018] **ECLI:EU:T:2018:210**, 249

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Frontmatter
[More Information](#)

xxiv

LIST OF CASES

National Courts

Danish Højesteret (Supreme Court) Case 15/2014 Dansk Industri, 6 December 2016, 123

German *Bundesverfassungsgericht* (Constitutional Court) Cases 2 BvR 2134/92 and 2159/92 Manfred Brunner and Others, Judgment of 12 October 1993, (1994) 1 CMLR 57, 94, 56, 149 and 156