



University  
of Ferrara

Department  
of Law

## *Call for papers*

### Final Conference of the Jean Monnet Module on EU Specialized Judicial Protection

Ferrara, January 2024

In July 2023, the Jean Monnet Module on EU Specialized Judicial Protection has published the [Common Database on EU Agencies' Boards of Appeal](#), namely the first one-stop search engine that collects all decisions taken since 2018 by the Boards of Appeal established so far, together with the judgments, orders and opinions adopted by the General Court and the Court of Justice by way of appeal.\*

Boards of Appeal (hereinafter, 'BoAs') are very different one from the other, since they operate in distinct policy fields for different purposes. Therefore, they are marked by a certain degree of heterogeneity, that has to be maintained, so as to better perform their role.

However, BoAs also deal with issues that can be very similar one to the other. One may think, for instance, of the definition of the standard of review over the agency's decisions; the individuals' locus standi before the BoA itself; the definition of the acts reviewable by the latter; the requests of intervention of third parties; etc. Elaborating even further, BoAs can be seen as an ever-growing node of the EU's judicial system, which enhance the protection offered to individuals in highly technical

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\* For more detailed information on the methodology followed for creating the Database, see <https://boa.europeanlitigation.eu/methodology>.



With the support of the  
Erasmus+ Programme  
of the European Union





policy fields, whose potential has however to be fully untapped and whose relationships with the General Court and the Court of Justice has yet to be fully explored.

The [\*Common Database on EU Agencies' Boards of Appeal\*](#) aims exactly at providing a tool for conducting innovative researches over the case-law of these bodies, to verify how those 'horizontal' issues are dealt with; how and to what extent the BoAs' decisions show consistency one with the other, as well as with the settled case-law of the Court of Justice of the European Union; how these bodies could further evolve to enhance the efficiency of the EU judicial system. So far, studies have been conducted mainly looking to each policy field, also because of the fact that BoAs decisions were listed within each agency's website, often even without a search engine and the clear indication of which case had been appealed before the General Court and the Court of Justice. The [\*Common Database on EU Agencies' Boards of Appeal\*](#) now offers the possibility to better research the BoAs' case-law and their relationship with the EU Courts and, thus, develops new approaches towards these issues.

To this end, the Jean Monnet Module on EU Specialized Judicial Protection launches a call for papers to collect innovative studies that, moving from an analysis of the BoAs' case-law and their impact on the enforcement of EU Law, shed new light on their role and on the possible evolution of the EU system of judicial protection.

For instance, papers could develop the following issues (though other topics may also be presented):

- **Standard of review:** how do BoAs interpret their role as first reviewer of the agency decision, in particular after *Aquind*? Are they equipped to fulfil the deeper scrutiny requested by the most recent CJEU case-law?
- **Individuals' locus standi:** how do BoAs apply the settled CJEU case-law on direct and individual concern, as well as that on the regulatory acts (if applicable)?
- **Reviewable acts:** how do BoAs decide whether an act falls within their competence? Do they review other acts than those listed in the establishing Regulation of the agency to which they belong?
- **Principle of fair trial:** analysing their case-law, do BoAs stick firmly to the principle of good administration or do they apply also that of fair trial? In the latter case, which consequences do they infer from the principle of fair trial? Has the entry into force of Art. 58a of CJEU Statute brought any change?
- **Third parties' intervention:** who can intervene before BoAs? Under which condition?
- **Interim measures:** under which conditions are they granted by BoAs? Are they consistent with the settled CJEU case-law?
- **References:** to which sources of law or interpretation do BoAs refer in their decisions (e.g. other BoAs' decisions, national or international Tribunals' judgments, doctrine...)? References to the General Court and the Court of Justice's jurisprudence have grown after the entry into force of Art. 58a of CJEU Statute?

Moreover, the Module equally welcomes submissions on other topics related to EU agencies' BoAs and to the EU system of judicial protection. For instance, proposals could deal with the following issues (again, other topics may also be presented):





- **Filter mechanism:** how Art. 58a of CJEU Statute has been applied so far? Has it had any impact on how the BoAs themselves perform their functions?
- **Newcomers and absentees:** how the BoA model is going to be implemented in new agencies (e.g. the Anti-Money Laundering Agency) or how could it influence reforms in other policy fields (e.g. civil service) or agencies (e.g. AFSJ agencies)?
- **Relation with the General Court:** has the relation between the BoAs and the General Court been changing over the last years? And how could or should it further evolve?
- **Comparative perspectives:** how national or international experiences of specialized adjudicative bodies have affected the BoAs so far? And what can be learned from those experiences?
- **BoAs' future and powers:** which role should be played by BoAs after the latest reforms of CJEU Statute? Should their powers, role and composition be amended to better fit with the new judicial landscape arising from the latest reform and if so, how?

Selected papers will be presented at the Final Conference of the Jean Monnet Module on EU Specialized Judicial Protection, which will be held at the University of Ferrara in January 2024 with a high-level line-up of speakers from Academia, EU institutions and the Boards of Appeal themselves.

### Practical information

#### *Submissions*

Please send a 500 words abstract of your paper together with a short CV to [jacopo.alberti@unife.it](mailto:jacopo.alberti@unife.it). Abstract can be written in English, Italian or French; however, if selected, the research shall be presented in English, which will be the working language of the Conference.

#### *Who can apply?*

The call is open to early career academics (up to 35 years old) and practitioners.

#### *Deadline for the call*

15 October 2023. Authors will be notified of decisions no later than 30 October 2023. If your abstract is selected, a full paper will be due by 15 December 2023. Papers shall be no longer than 8000 words and can be written in English, Italian or French.

Selected papers will be proposed for publication in the Final Conference's proceedings, which will be published in a high-level scientific Journal as Special Issue.

Travel and accommodation expenses of Authors of selected abstracts will be reimbursed according to the Jean Monnet financial settlements.

#### *Organisation*

The Conference is organized by the Jean Monnet Module on EU Specialized Judicial Protection, chaired by Prof. Jacopo Alberti.