

Distribution of Research Tasks.

List of Students and Reference Number.

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25. Sarah Sultana
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27. Pamela Vassallo
28. Ian Zammit
29. Mark Zammit
30. Audrey Jones
31. Tiziana Filletti

Research Task 1 Journal Articles & Legislation

You are required to obtain a copy of the article that has the equivalent number to that given to you on the list above.

Notes:

- When copying the article first copy the front page of the journal from which the article is taken then copy all the pages of the article including endnotes.
- A list of abbreviations of journals (e.g. ICLQ) may be obtained either from the library journal section or (for those of you who prefer the shortcut) from the Table of Abbreviations in Craig & De Burca.
- Together with the information obtained, provide a 500 word summary (do not exceed that limit if possible) of the contents of the article. Try to include the *key terms* used in the article and the *key principles* discussed. I am aware that some articles might have this already. In case you are lucky enough to have this work done for you (lady luck moves in mysterious ways) you will not be penalised for copying this. Use Times New Roman font size 12 for this summary – please put a heading on the page of the summary (just copy the article info from below).
- In the case of legislation (directives/regulations) a summary of the preamble should suffice.
- If you fail to find the article after having diligently tried the University Library, the EDRC and the European Documentation Centre in Valletta then please submit a note listing all the libraries that you have tried. Do not underestimate the power of the net. If you do find the article on the net please indicate the source. (Home Page url should suffice).

1. Bernard N., 'Discrimination and Free Movement in EC Law' (1996) 45 ICLQ 82
2. Castro Oliveira, 'Workers and Other Persons: Step-by-Step from Movement to Citizenship' [2002] 39 CMLRev . 77
3. Costello, Cathryn, 'Casenote on Case C-348/96, *Donatella Calfa* [2000] 37 CMLRev 817-827
4. Cremona M, 'Citizens of Third Countries: Movement and Employment of Migrant Workers Within the European Union' [1995] 2 LIEI 87
5. Daniele, Luigi, 'Non-discriminatory restrictions to the free movement of persons', [1997] 22 *E.L.Rev.* 191.
6. Flynn, J., 'Vocational training in Community law and practice' [1988] 8 *YEL* 60.
7. Hailbronner K., and Thierry C., 'Schengen II and Dublin: Responsibility for Asylum Applications in Europe' [1997] 34 CMLRev. 957
8. Hedemann Robinson, M., 'An Overview of Recent Legal Developments at Community Level in relation to Third Country Nationals Resident within the European Union, with Particular Reference to the Case Law of th ECJ' [2001] 38 CMLRev. 525
9. Hall, S., 'The European Convention on Human Rights and the Public Policy exception to the free movement of workers under the EEC Treaty' [1991] *EL Rev* 466.
10. Handoll, John, 'Article 48(4) EEC and non-national access to public employment' [1988] 13 *EL Rev* 223.
11. Johnson, Esther, and David O'Keefe, 'From discrimination to obstacles to free movement: recent developments concerning the free movement of workers 1989-1994', [1994] 31 *C.M.L.Rev.* 1313-1346.
12. Kkuiper, P., 'Some Legal Problems Associated with the Communitarisation of Policy on Visas, Asylum and Immigration under the Amsterdam Treaty and the Incorporation of the Schengen Acquis' [2000] 37 CMLRev. 345
13. Lenaerts K., 'Education in European Community Law after "Maastricht"' [1994] 31 CMLRev 7.
14. Mancini, G Federico, 'The free movement of workers in the caselaw of the European Court of Justice', in D. Curtin and D O'Keefe (eds), *Constitutional Adjudication in European Community and National Law*, p.67
15. O'Keefe, D., 'Practical difficulties in the application of Article 48 of the EEC Treaty' [1982] 19 *CML Rev* 35.
16. O'Keefe, D., 'The free movement of persons and the single market' [1992] 17 *ELRev* 3.
17. O'Leary S., 'The Free Movement of Persons and Services', in P. Craig and G. De Búrca (eds.),

The Evolution of EU Law (OUP, 1999)

18. Peers, S., 'Towards Equality: Actual and Potential Rights of Third Country Nationals in the European Union' [1996] 33 *CMLRev* 7
 19. Peers, S., 'Dazed and Confused: Family Members' Residence Rights and the Court of Justice' [2001] 26 *ELRev* 76
 20. Shaw J., 'European Union Citizenship: the IGC and Beyond [1997] 3 *European Public Law* 413
 21. Pickup, D., 'Reverse discrimination and freedom of movement for workers', (1986) 23 *CMLRev* 135
 22. Steiner, Josephine, 'The right to welfare: equality and equity under Community law' [1985] 10 *EL Rev* 21.
 23. Council Directive 64/221/EEC of 25 February 1964 on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health
 24. of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families
 25. of the Council of 15 October 1968 on freedom of movement for workers within the Community
 26. of the Commission of 29 June 1970 on the right of workers to remain in the territory of a Member State after having been employed in that State
 27. of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services
 28. of 25 July 1977 on the education of the children of migrant workers
 29. of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration
 30. of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC
 31. of the European Parliament and of the Council of 7 June 1999 establishing a mechanism for the recognition of qualifications in respect of the professional activities covered by the Directives on liberalisation and transitional measures and supplementing the general systems for the recognition of qualifications
- &
- Commission Decision 93/569/EEC Setting up an agency called EURES (European Employment Services) to co-ordinate activities relating to the exchange of information on vacancies.

Research Task 2 : Case Law

PLEASE NOTE THAT THERE ARE THREE LISTS . YOU NEED TO OBTAIN ONE CASE FROM EACH LIST (same numbering applies).

You are strongly recommended to use EUR-LEX to obtain the case/s allocated to you.

Notes:

- As with the articles, you are to provide a short summary (even point form and try not to exceed 200 words) of the matters dealt with in the case.
- All cases are referred to in Craig and De Burca. In order to have a complete (and more useful) exercise, find the instances where the case is used in De Burca (in the Chapter of Free Movement of Workers – ignore references elsewhere) and use this as a basis for your short summary. You should find that the De Burca reference will provide you with the main outcomes of the case.
- You will note that the third list is relatively shorter. This is because students who had legislation in the first list have the extra (third) case. The measure of fairness here is that all their work may be done from the internet. (There is justice in the world!)

1. Case 36/74 Walrave and Koch v. AUCI [1974] ECR 1405
2. C-214/95 Boukhalfa v. BRD [1996] ECR I-2253
3. C-415/93 URBSFA et al v. Bosman [1995] ECR I-4921
4. C-411/98 Angelo Ferlini v. Centre Hospitalier de Luxembourg [2000] ECR I-8081
5. C-281/98 Roman Angonese v. CDR Bolzano [2000] ECR I-4139
6. Case 75/63 Hoekstra (nee Unger) v. BBDA [1964] ECR 177
7. C-337/97 CPM Meeusen v. Hoofdirectie van de IBG [1999] ECR I-3289
8. C-350/96 Clean Car Autoservice GmbH v. Landes. Wien [1998] ECR I-2521
9. Case 53/81 Levin v. Staatsecretaris van Justitie [1982] ECR 1035
10. Case 139/85 Kempf v. Staatsecretaris van Justitie [1986] ECR 1741
11. Case 66/85 Lawrie-Blum v. Land Baden-Wurt. [1986] ECR 2121
12. Case 13/76 Doná v. Mantero [1976] ECR 1333
13. C-3/90 Bernini v. Minister van Onderwijs... [1992] ECR I-1071
14. Case 196/87 Steymann v. Staatsecretaris de Justitie [1988] ECR 6159
15. Case C-357/89 Raulin v. Minister van Onderwijs... [1992] ECR I-1027
16. Case 344/87 Bettray v. Staatsecretaris v. Justitie [1989] ECR 1621
17. Case 197/86 Brown v. Secretary of State for Scotland [1988] ECR 3205
18. C-292/89 R. v. Immigration Appeal Tribunal (*Antonissen*) [1991] ECR I-745
19. Case 48/75 Royer [1976] ECR 497
20. Case 316/85 Centre public d'aide Sociale... v. Lebon [1987] ECR 2811
21. C-278/94 Commission v. Belgium [1996] ECR I-4307
22. C-391/97 Frans Gschwind v. Finanzamt Aachen... [1999] ECR I-5451
23. C-356/98 Arben Kaba v. Home Secretary [2000] ECR I-2623
24. Case 167/73 Commission v. French Republic [1974] ECR 359
25. C-185/96 Commission v. Hellenic Republic [1998] ECR I-6601
26. C-212/99 Commission v. Italy [2001] ECR I-4923
27. C-355/98 Commission v. Belgium [2000] ECR I-1221
28. C-419/92 Scholz v. Universitaria di Cagliari [1994] ECR I-505
29. C-15/96 Kalliope Shoning-Kougbetopoulou [1998] ECR I-47
30. C-87/99 Patrick Zurstrassen v. ACD [2000] ECR I-3337
31. Case 152/73 Sotgiu v. Deutsche Bundespost [1974] ECR 153

List Two

1. Cases C-259,331-332/91 Allué and Coonan [1993] ECR I-4309

2. Case 379/87 Groener v. Minister for Education [1989] ECR 3967
3. C-124/94 Commission v. Greece [1995] ECR I-1457
4. C-90/96 Petrie v. Università di Studi di Verona... [1997] ECR I-6527
5. C-237/94 O'Flynn v. Adjudication Officer [1996] ECR I-2617
6. C-278/94 Commission v. Belgium [1996] ECR I-4307
7. C-18/95 F.C. Terhoeve v. Inspecteur... [1999] ECR I-345
8. C-190/98 Volker Graf v. Filmzoser Maschinenbau [2000] ECR I-493
9. Case 175/78 R. v. Saunders [1979] ECR 1129
10. C-299/95 Kremzow v. Austria [1997] ECR I-2629
11. Cases 35 & 36/82 Morson and Jhanjan v. Neth. [1982] ECR 3723
12. C-279/93 Finanzamt Köln v. Roland Schumacker [1995] ECR I-225
13. C-24/90 Bachmann v. Belgium [1992] ECR I-249
14. C-176/96 Jyri Lehtonen ... v. FRBSB [2000] ECR I-2681
15. Case 149/79 Commission v. Belgium [1980] ECR 3881
16. Case 147/79 Commission v. Belgium II [1982] ECR 1845
17. Case 225/85 Commission v. Italy [1987] ECR 2625
18. C-213/90 ASTI v. Chambre des Employes Prives [1991] ECR I-3507
19. C-4/91 Bleis v. Ministere de l'Education Nationale [1991] ECR I-5627
20. Case 307/84 Commission v. France [1986- ECR 1725 (include AG Opinion)
21. Case 118/75 Watson and Belmann [1976] ECR 1185
22. Case 157/79 R. Pieck [1980] ECR 2171
23. Case 8/77 Sagulo, Brenca and Bakhouche [1977] ECR 1495
24. Case 321/87 Commission v. Belgium [1989] ECR 997
25. C-171/91 Tsiotras v. L. Stuttgart [1993] ECR I-2925
26. Case 76/72 Michel S v. Fonds National de Reclassement [1973] ECR 457
27. Case 9/74 Casagrande v. L. Munchen [1974] ECR 773
28. Case 32/75 Fiorini (nee Cristini) v. SNCF [1975] ECR 1085
29. Case 63/76 Inzirillo v. CAFAL [1976] ECR 2057
30. Case 207/78 Ministere Public v. Even & ONPTS [1979] ECR 2019
31. Case 15/69 WMS-AG v. Salvatore Ugliola [1970] ECR 363

List Three

23. Case 65/81 Reina v. LBW [1982] ECR 33
24. Case 59/85 Netherlands v. Reed [1986] ECR 1283
25. Case 267/83 Diatta v. Land Berlin [1985] ECR 567
26. C-64/96 7 C-65/96 LNW v. Uecker and Jacquet v. LNW [1997] ECR I-3171
27. C-7/94 LANW v. Lubor Gaal [1996] ECR I-1031
28. Case 39/86 Lair [1988] ECR 3161
29. Case 152/82 Forcheri v. Belgium [1983] ECR 2323
30. Case 293/83 Gravier v. City of Liege [1985] ECR 593
31. Case 42/87 Commission v. Belgium [1988] ECR 5445