

## SHORT TERM SCIENTIFIC MISSION

### BRIEF

Action number: ECOST-STSM-Request-CA17132-48208

STSM start and end date: 2021-09-06 - 2021-09-18

Grantee name: Corina Andone

Home institution: University of Amsterdam

Host Institution: University of Trento

### Research interest:

By carrying out interdisciplinary research combining insights from EU law, politics and persuasive communication, Corina Andone studies how political and legal actors make strategic choices in their interactions with organizations and citizens.

### STSM Summary:

The main purpose of this STSM has been to carry out a collaborative study under the form of a scientific article written by Corina Andone, Federico Puppo and Serena Tomasi. The main focus of the envisaged study is to examine closely the 'duty to state reasons' requirement, an obligation within the EU legal order imposed on the EU institutions. Our main aim is to examine how the principle of subsidiarity is justified in accordance with the duty to state reasons in the case of directives. First, we make an inventory and an analysis of the core provisions of the main arguments for the principle of subsidiarity. Second, we obtain insights from practice in the case of Italy which will enable us to understand the tacit acceptance of non-justification by the EU of the 'duty to state reasons' at a time when the gap between Member States and EU institutions is most critical.

During the STSM period, the applicant has concentrated on two aspects: (a) the conceptual analysis of the 'duty to state reasons' in EU law and practice and (b) the examination of the principle of subsidiarity and its implications for EU directives in Member States. The applicant examined closely the arguments provided by different relevant parties, including the EU in its Treaty provisions,

Member States, CJEU, the Committee of Regions and the European Commission in impact assessments. These arguments are scattered throughout many documents, which needed to be collected from various sources and interpreted in view of the existent EU law literature, as well as EU law practice. Moreover, the applicant has collected data that is necessary for the empirical part of the paper, namely case law provisions which serve for a better and more nuanced account of the 'duty to state reasons' in practice.