

Martijn van den Brink

Research fellow
The Hertie School of Governance
Jacques Delors Centre

Alexanderstrasse 3
10178 Berlin
vandenbrink@hertie-school.org
+49 175 520 4760

EDUCATION

2013-2018 **PhD in Law**, European University Institute

PhD Title: The Authority of Legislation within the European Union
Examining board: Niamh Nic Shuibhne, Daniel Halberstam, Richard Bellamy, and Claire Kilpatrick (supervisor)

2011-2013 **Mphil in European Politics**, University of Oxford

2010-2011 **LLM in European Union Law**, University of Groningen (*summa cum laude*)

2006-2010 **LLB in International and European Law**, University of Groningen

2005-2009 **BA in International Relations**, University of Groningen

ACADEMIC APPOINTMENTS

Since 2021 **Research Fellow**, Hertie School, Jacques Delors Centre

2019-2021 **British Academy Postdoctoral Fellow**, University of Oxford, Department of Politics and International Relations

2017-2019 **Postdoctoral Fellow**, Max Planck Institute for the Study of Religious and Ethnic Diversity

PUBLICATIONS

Monograph

2024 *Legislative Authority and Interpretation: Political Judgment in European Union Law*
(forthcoming with Oxford University Press)

Peer-Reviewed Articles

- 2024 'Revisiting the Asymmetry Thesis: Positive and Negative Integration in the EU' *Journal of European Public Policy*; co-authors: Mark Dawson and Jan Zglinski
- 2023 'A Typology of Reverse Discrimination in EU Citizenship Law' (2) *European Law Open* 57-78
- 2023 'The Protected Grounds of Religion and Belief: Lessons for EU Non-Discrimination Law' (24) *German Law Journal* 855-880
- 2023 'Off Track, Again? EU Citizenship and the Right to Social Assistance' (11) *Hungarian Yearbook of International and European Law*
- 2022 'Revising Citizenship within the European Union: Is a Genuine Link Requirement the Way Forward?' (23) *German Law Journal* 79-96
- 2022 'When can Religious Employers Discriminate? The Scope of the Religious Ethos Exemption in EU Law' (1) *European Law Open* 89-112
- 2021 'The European Union's Democratic Legislature' (19) *International Journal of Constitutional Law*
- 2021 'Is it Time to Abolish the Substance of EU Citizenship Rights Test?' (23) *European Journal of Migration and Law* 13-28
- 2020 'A Qualified Defence of the Primacy of Nationality over European Union Citizenship' (69) *International and Comparative Law Quarterly* 117-202
- 2019 'Justice, Legitimacy, and the Authority of Legislation in the European Union' (82) 2 *The Modern Law Review* 293-318
- 2019 'EU Citizenship and Fundamental Rights: Empirical, Conceptual, and Theoretical Problems' (25) 1 *European Law Journal* 21-36
- 2019 'Against Associate EU Citizenship', *The Journal of Common Market Studies*; co-author: Dimitry Kochenov
- 2019 'Bold but without Justification? *Tjebbes*', (4) 1 *European Papers* 409-415
- 2016 'What's in a Name Case? Some Lessons for the Debate on the Free Movement of Same-Sex Couples within the EU' (17) 3 *German Law Journal* 421-450
- 2016 'Secessions from EU Member States: The Imperative of Union's Neutrality' (1) 1 *European Papers* 67-92; co-author: Dimitry Kochenov
- 2012 'EU Citizenship and EU Fundamental Rights: Taking EU Citizenship Rights Seriously?' (39) *Legal Issues of Economic Integration* 273-289

Contributions to Edited Volumes

- 2024 'Discrimination By and Against Religion: Contrasting Dynamics in EU Law' in Cécile Laborde (ed), *Discrimination By/Against Religion* (forthcoming with Oxford University Press)
- 2023 'EU Competence and Investor Migration' in Dimitry Kochenov and Kristin Surak (eds), *The Law of Citizenship and Money* (Cambridge University Press); co-author: Daniel Sarmiento (forthcoming)
- 2022 'The Relationship between National and EU Citizenship: What is it and what should it be?' in Daniel Thym and Dora Kostakopoulou (eds), *Research Handbook on European Citizenship Law and Policy* (Edward Elgar)

- 2022 'The Right of EU Citizens to Social Assistance' in *The Oxford Encyclopaedia of European Union Law* (forthcoming)
- 2022 'EU Citizenship and Withdrawals from the European Union' in *The Oxford Encyclopaedia of European Union Law* (forthcoming)
- 2019 'The Problem with Market Citizenship and the Beauty of Free Movement' in Fabian Amtenbrink *et al* (eds), *The Internal market and the Future of European Integration* (Cambridge University Press)
- 2019 'The Promises and Drawbacks of EU Citizenship for a Polycentric Union' in Josephine van Zeben and Ana Bobic (eds), *Polycentricity in the European Union* (Cambridge University Press)
- 2017 'The Origins and Potential Federalising Effects of the Substance of Rights Doctrine' in Dimitry Kochenov (ed), *EU Citizenship and Federalism: The Role of Rights* (Cambridge University Press).
- 2016 'The Court and the Legislators: who should define the scope of free movement in the EU?' in Floris de Witte *et al* (eds), *Freedom of movement under attack: Is it worth defending as the core of EU citizenship?* (EUI Working Papers, RSCAS 2016/69)
- 2015 'Pretending There Is No Union: Non-Derivative Quasi-Citizenship Rights of Third-Country Nationals in the EU' in Daniel Thym and Marleen Zoetewij Turhan (eds), *Degrees of Free Movement and Citizenship* (Martinus Nijhoff 2015); co-author: Dimitry Kochenov.

Book Reviews

- 2021 Review of Agustín Menéndez and Espen Olsen, *Challenging European Citizenship: Ideas and Realities in Contrast*
- 2016 Review of Dimitry Kochenov, Gráinne de Búrca, and Andrew Williams (eds), *Europe's Justice Deficit?* (CUP 2015), in *European Law Review*
- 2016 Review of Johanna Neuvonen, *Equal Citizenship and Its Limits in EU Law: We The Burden?* (Hart 2016), in *European Journal of Legal Studies* (forthcoming)

Blog Posts

- 2023 'An Inconvenient Constraint: A Hungarian EU Council Presidency and the EU's Own Rule of Law' (*Verfassungsblog*) <<https://verfassungsblog.de/an-inconvenient-constraint/>>
- 2022 'An Early Christmas Gift from Karlsruhe' (*Verfassungsblog*) <<https://verfassungsblog.de/an-early-christmas-gift-from-karlsruhe/>>; co-author: Thu Nguyen
- 2021 'Pride or Prejudice: The CJEU Judgment in IX v Wabe' (*Verfassungsblog*) <<https://verfassungsblog.de/pride-or-prejudice/>>
- 2021 'Preserving Prejudice in the Name of Profit' (*Verfassungsblog*) <<https://verfassungsblog.de/preserving-prejudice-in-the-name-of-profit/>>
- 2020 'Investor citizenship and EU Law: Much to do about nothing?' (*GlobalCit blog*) <<https://globalcit.eu/investor-citizenship-and-eu-law-much-to-do-about-nothing/>>
- 2020 'Is Egenberger Next?' (*Verfassungsblog*) <<https://verfassungsblog.de/is-egenberger-next/>>

- 2020 'Unquestioned Supremacy Still Begs the Question' (*Verfassungsblog*) <
<https://verfassungsblog.de/author/marcin-baranski/>>; co-authors: Marcin Baranski &
 Filipe Brito Bastos
- 2018 'Is the Reasoning in "Coman" as Good as the Result?' (*Verfassungsblog*)
 <<https://verfassungsblog.de/is-the-reasoning-in-coman-as-good-as-the-result/>>
- 2015 'The EU's Limited Justice Capacities' (*Verfassungsblog*)
 <<http://www.verfassungsblog.de/author/martijn-van-den-brink/>>

Other Publications

- 2023 'Taking the Gamble? A Legal and Political Analysis of the Possible Suspension of a
 Hungarian Council Presidency' (CEU DI Working Papers 2023/14)

FELLOWSHIPS & SCHOLARSHIPS

- 2019-22 British Academy Postdoctoral Fellowship, University of Oxford (approx. €300.000)
- 2019-22 FWO Postdoctoral Fellowship, University of Ghent (approx. €300.000) *declined*
- 2021 Visiting Scholarship, iCourts Copenhagen
- 2017 Teaching and Research Fellowship, University of Zagreb
- 2015-16 Michigan Grotius Research Scholar, University of Michigan

TEACHING

- 2022/23 Instructor of the 'Law and Governance' class, the Hertie School
- 2021 Visiting teacher in EU law, the University of Zagreb
- 2020 Course Tutor for the 'European Governance' class (Mphil), the University of Oxford
- 2017 Course Tutor for the 'Foundations of EU Law' course, the University of Zagreb
- Principles of EU constitutional law
 - Principles of EU internal market law
 - EU citizenship law
- 2017 Course Tutor for the 'Law and Methodology' class, the University of Zagreb
- 2017 Teaching Qualification Training, European University Institute

ORGANISATION OF ACADEMIC EVENTS

- 2021-2023 Coordinator of the EU Governance Colloquium at the Hertie School
- 2019 Solidarity and Mutual Respect in EU Citizenship (with Ayelet Shachar)
- 2014-2015 Co-convenor of the Fundamental Rights in Europe Working Group (European
 University Institute)

ACADEMIC CITIZENSHIP

Since 2021	Member of the Management Team of the Jacques Delors Centre (Hertie School)
Since 2021	Member of the PhD Board (Hertie School)
2020-21	Member of the SSD Equality, Diversity and Inclusion Panel (University of Oxford)
2020-21	Member of the SSD Divisional Research Staff Forum (University of Oxford)
2017-19	Member of the Works Council (MPI for the Study of Religious and Ethnic Diversity)
2015-18	Head of Section of EU law and Editor of the <i>European Journal of Legal Studies</i>

I have reviewed books and articles for among others: *Oxford University Press*, *Hart Publishing*, *International Journal of Constitutional Law*, *European Law Journal*, *Global Constitutionalism*, *Journal of Ethnic and Migration Studies*, *Political and Social Philosophy*, *Maastricht Journal of European and Comparative Law*, *European Constitutional Law Review*, *European Journal of Legal Studies*, *Croatian Yearbook of European Law*.

SELECTION OF INVITED TALKS

2023	'Standards of Citizenship', TU Darmstadt
2022	'The Future of EU Citizenship: Is that for the CJEU to Decide?', Pázmány University (keynote lecture) 'Revising Citizenship within the European Union: Is a Genuine Link Requirement the Way Forward?', University of Luxembourg 'EU Non-discrimination Law and the Prohibition of the Headscarf in the Public Sphere', Yale European Law Association
2021	'Genuine Links and Investor Citizenship', EUI GlobalCit webinar 'The Place of National Identity in EU Law', NOVA University Lisbon 'The Protected Grounds of Religion and Belief: Lessons for EU Non-Discrimination Law', University of Graz
2019	'Legislative Interpretation within the European Union', European University Institute 'Justice, Legitimacy and the Authority of Legislation within the European Union', University of Amsterdam 'Shaping the Substance of Rights Through Proportionality', University of Ghent 'Justice, Legitimacy and the Authority of Legislation within the European Union', Annual ICON-S Conference (Santiago de Chile)
2018	'Legislative Interpretation within the European Union', University of Zagreb 'A Qualified Defence of the Primacy of Nationality over EU Citizenship', European University Institute
2017	'The Inconsistent Interpretation of Secondary Legislation', EU Court of Justice 'The Authority of Legislation in the European Union', Annual ICON-S Conference (Copenhagen)
2016	'EU Citizenship and Access to Social Assistance Benefits', Jean Monnet Conference (Dubrovnik) 'EU Citizenship and Fundamental Rights: Empirical, Normative, and Conceptual Problems', ICON-S Conference (Berlin)

2015

'What's in a Name Case? Some Lessons for the Debate on the Free Movement of Same-Sex Couples within the EU', London School of Economics