



Editorial

Moving forward.

In spite of all the problems still ahead (neither Brexit, the refugees' crisis, economic troubles or rule of law worries in some Eastern countries have been fully overcome), the EU is starting to move forward. In this edition of *UNIO – EU Law Journal* we reflect upon some of the challenges that lay before us.

The first work, by Rita de Sousa Costa and Tiago Sérgio Cabral is an award-winning paper about some of those challenges; in particular those posed by the rise of populist and Eurosceptic political forces. The authors try to understand the reasons leading to the Union's "existential crisis"; they conclude that the EU must reform in order to regain their citizens' trust and reinforce democracy.

The following text, by Valentina Maglietta, gives us a different view on the same issues. This paper presents an analysis about the difficulties of involving European citizens in the integration process and in the process of political decision-making on vital common issues. For this, the author re-thinks the meaning of European citizenship, and of citizenship status in a region without borders. She ends by signalling some areas where progress should be made to encourage a greater sense of integration among European citizens.

Next, Yanko Moyano Díaz reflects upon the relationship between actions and political beliefs. The author finds it essential to establish an epistemological space in which the different levels of the political activity and political thinking can converge and communicate: the level of concrete political actions, the level of the general mechanisms of understanding and the level of the experience of everyday life of the citizens.

The following text, by José Igreja Matos, is not a strictly scientific text, but an insider's view on challenges posed to judicial independence by emerging populist political regimes. The author makes a structural analysis of the main constraints to the upholding of an independent judiciary, and gives some suggestions of adequate measures to allow the judiciary to uphold and guarantee the values of Democracy and Rule of Law.

On a more specific note, Bettina Steible ponders about the EU support to domestic prosecution of violations of International Humanitarian Law, by analysing whether and to what extent the Union has developed instruments facilitating domestic prosecution of alleged war criminals pursuant to the Geneva Conventions.

The papers by Rui do Carmo, Nuno Calaim and Joana Whyte all address economic related issues. The first author gives us an interesting overview of the Single Supervisory Mechanism, in the context of a European Banking Union under construction. His text provides some insights on the understanding of the set-up of the (SSM), in conjunction with several other instruments put forward to provide the EBU with the resilience to prevent future crises.

Nuno Calaim examines the questions of information exchanges between competing undertakings, which are central to competition law. The author reviews the approach taken in Europe by competition authorities and courts and elaborates on the specific problem that premature exchanges of information between competitors can create in the context of a merger transaction. Finally, Joana Whyte gives us an analysis of the Portuguese legal order regarding Market Abuse and Insider Dealing.

Last but not least, in our non peer-reviewed section, two papers on Competition Regulations that follow an empirical approach, a demonstration from within, which is somewhat rare in academia.

Marta Campos' paper draws from her practice as a Portuguese judge in the Competition, Regulation and Supervision Court, and analyses the judicial control of merger cases. The essay focuses on the judicial reactions to the National Competition Authority's decisions and takes into consideration the ECJ's most paradigmatic case law. It also focuses, perhaps more incisively, on national administrative procedure.

Alexandre Leite Baptista's work also reflects his experience as a Portuguese judge of the Competition, Regulation and Supervision Court, and tackles the issues of the trade secrets' legal regime and of the consequences of procedural access to documents in what regards such regime. The essay searches for a balance between the procedural right of access to administrative documents and the need to maintain trade secrets'.

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