# EUROPEAN JOURNAL OF

January-February-March 2012

Number I Quarterly journal

P 912569

Issuing office Brugge

# SOCIAL LAW

**EMPLOYMENT & SOCIAL PROTECTION** 



die Keure K la Charte

# EUROPEAN JOURNAL OF SOCIAL LAW

**EMPLOYMENT & SOCIAL PROTECTION** 

COLOTHON

# EDITOR-IN-CHIEF:

Prof. Dr. Yves Jorens profesor of Social Security Law and European Social Law in the Faculty of Low of Chair University in Belgium

# CO-EDITOR:

Prof. Dr. Stefano Giubboni

associate professor of Labour law at the University of Perugia in Italy

# EDITORIAL BOARD:

Mark Barenberg (Columbia Law School, New York)

Michael Dougan (University of Liverpool)

Stefano Giubbonl

(University of Perugia)

Yves Jorens (Ghmi University)

Kristina Koldinska (Chades (Inversit), Proque)

Jean-Philippe Lhernould (Université de Poitres)

Antonio Lo Faro (University of Catania)

Eleanor Spaventa (Durhum University)

# ADVISORY BOARD:

Franco Ferrari (Verone University and New York University)

Koen Lenaerts
(Judge President of the Third
Chamber of the Staropour Court
of Justice)

Bernd Baron von Maydell (Jorner Director Max Plenck Institute for Furrign and International Social Law, Munich)

Silvana Sciarra (University of Florence)

Brika Szyszczak (University of Leicester)

Jef Van Langendonck (Honmay Secretary General European Institute of Social Security, Katholiciae Universität Leuren)

Jérôme Vignon (Howary Director-General European Communion, DG Employment, Social Affairs and Inclusion)

January-February-March 2012 Number 1 Quarterly Journal

ISSN (printed): 2033-9755 ISSN (online): 2033-9763 Order number: 201,127,101 Peer-reviewed journal

# EDITORIAL ADBRESS:

Prof. Dr. Yves Jorens Ghent University Faculty of Law Department of Social Law Universiteitates at 8—9000 Ghent (Belgium) sel: +32 9 264 68 63 fax: +31 9 264 69 94

## SUBSCRIPTION:

die Keure/Ia Charte
Legal Publisher
Ehme Pubockoweg 3
B = 8000 Brugge
tel: +12 50 47 12 72
fax: +32 50 33 51 54
e-mail:
juridische uitgavenardie keure be
www.diekure be-www.lacharte.be
- jurided and online version. € 175
online version only: € 150
www.cisl.en

# PUBLISHED BY:

Rik Carion Publishing house director die Keure/la Charte Kleine Pathoekeweg 3 8 – 8000 Brugge (Selgium) IN THIS JOURNAL

# CONTENTS

Social Europe: where do we go from the 'Fiscal Compact' Treaty?

Antonio Lo Faro

Internal market architecture and the accommodation of labour rights. As good as it gets?

Claire Kilpatrick

Dignity as the foundational paradigm of Labour law Veronica Papa

The ECJ and supplementary pensions discrimination in EU law

Fabio Ravelli

Maurits Casteels v British Airways: Limitation of length of service with one employer in the context of the acquisition of pension rights not EU proof Anouk Bollen-Vandenboom and Yves Stevens

4

20

51

69

N THIS JOURNAL

# CONTENTS

Social Europe: where do we go from the 'Fiscal Compact' Treaty?  Antonio Lo Faro	2
Internal market architecture and the accommodation of labour rights. As good as it gets?  Claire Kilpatrick	4
Dignity as the foundational paradigm of Labour law Veronica Papa	30
The ECJ and supplementary pensions discrimination in EU law Fabio Ravelli	51
Maurits Casteels v British Airways: Limitation of length of service with one employer in the context of the acquisition of pension rights not EU proof	69

Anouk Bollen-Vandenboom and Yves Stevens