

Programme Edition 2007

CoCoA 2007 Session: July, the 29th – August, the 10th 2007

First week:

Constitutional rights of local government

Prof. Franc Grad, Professor of Constitutional Law, University of Ljubljana and Judge of the Constitutional Court of Slovenia

Monday July 30th / Tuesday July 31st

Local government is getting more and more importance in last decades, also as a result of many efforts by the Council of Europe and recently also by the European Union. Several constitutions guarantee local government as a constitutional right and guarantee its administrative and constitutional protection. Thus, the aim of the seminar is to provide survey and comparative analyses of constitutional regulation of local government and the judicial or constitutional review of rights of local government.

The “costs” of constitutional adjudication

Dr. Luigi Malferrari, Ph. D., Law Clerk, Court of First Instance of the European Communities, Luxembourg

Thursday August 2nd / Friday August 3rd

Decisions by Constitutional Courts sometime bear important economic consequences on the public budget (e.g.: the economic burden enforcing the right to equality and extending entitlements to a larger number of beneficiaries) and it may thus appear that neither constitutional rules regulating public expenditure nor contingent economic constraints affect or are able to affect constitution adjudication. The seminar aims at setting the state of the art of the matter, by examining the reasons Constitutional Courts may feel obliged to give when such economic impact is relevant or else the motivation for somehow articulating the effects of their decisions (for instance, delaying such binding effects).

Second week:

The dignity of man in constitutional adjudication

Prof. Rainer Arnold, Professor of Law, Public Law and European Law at the Faculty of law of the University of Regensburg

Monday August 6th / Tuesday August 7th

“Dignity of man” has been developing as the highest value in the contemporary constitutional order in Europe and consequently as a most relevant value in constitutional adjudication. The aim of the seminar is to elaborate its theoretical impact and its significance as they result from constitutional adjudication in several member States of the European Union and Council of Europe.

The interaction between European law and national law in the case law of Constitutional Courts

Prof. Constance Grewe, Professor of Constitutional Law, Université Robert Schuman, Strasbourg and Judge of the Constitutional Court of Bosnia-Herzegovina

Thursday August 9th / Friday August 10th

How do Constitutional Courts interpret the constitutional provisions or the absence of such provisions on the relationship with European Union? Constitutional texts in this field are sometimes rather synthetic and have various contents going from a formal acknowledgment of EU to more technical provisions on procedure or conditions expressing a national reservation against delegations considered as interfering with the constitutional identity of the member State concerned.