



European Constitutional
Law Network

ECLN

Sofia, 17 - 19 April 2008

„Ceci n'est pas une constitution“

—
Constitutionalisation without a constitution?

Thursday, 17 April 2008

18:00: Opening session (National Palace of Culture – NDK, Bulgaria Square, room № 7)

Dr. *Gergana Grantcharova* (Minister of European Affairs of the Republic of Bulgaria)

Zinaida Zlatanova (Head of the European Commission Representation in Bulgaria)

Prof. Dr. *Sergei Ignatov* (Rector of the New Bulgarian University)

Dr. *Stefanie Ricarda Roos* (Konrad-Adenauer-Stiftung - Director Rule of Law Program South East Europe)

Prof. Dr. Dr. h. c. *Ingolf Pernice* (Humboldt-University Berlin, managing director of the Walter Hallstein-Institute for European Constitutional Law)

Friday, 18 April 2008

8:45: Introduction (New Bulgarian University – NBU, 21 Montevideo Str, room № 310)

Prof. Dr. Dr. h. c. *Ingolf Pernice* (Humboldt-University Berlin, managing director of the Walter Hallstein-Institute for European Constitutional Law)

Prof. Dr. *Evgeni Tanchev* (Judge at the Constitutional Court of the Republic of Bulgaria)

Panel 1: Typological and Methodological Foundation

Mod.: Prof. Dr. *Hjalte Rasmussen* (Faculty of Law, University of Copenhagen)

09:00: The Reform's Typology: Treaty or Constitution? / The Future of the Topos of „Constitution“

Prof. Dr. *Stefan Griller* (Wirtschaftsuniversität Wien, Research Institute for European Affairs/Fernand Braudel Senior Fellow, European University Institute, San Domenico di Fiesole)

09:15: The Lisbon Treaty within and without Constitutional Orthodoxy

Prof. Dr. *Evgeni Tanchev* (Judge at the Constitutional Court of the Republic of Bulgaria)

09:30: The Detailed Mandate and the Future Methods of Interpretation of the Treaties

Prof. Dr. *Paul Craig* (University of Oxford, St. John's College)

09:45: Discussion

10:45: Coffee break

Panel 2: Basic Fundamentals of the European Legal Order

Mod.: Prof. Dr. *Jo Shaw* (Salvesen Professor of European Institutions, Edinburgh Law School)

11:15: The Protection of Fundamental Rights in the EU: Community of Values with Opt-Out?
Prof. Dr. *Jacqueline Dutheil de la Rochère* (Université Paris II Panthéon-Assas)

11:30: Community of values with opt-out ?
Prof. Dr. *Mirosław Wyrzykowski* (Judge at the Constitutional Court of Poland, Warsaw)

11:45: Discussion (until 12:45)

13:00: Lunch

Panel 3: Institutional Challenges

Mod.: Prof. Dr. *Stanislaw Biernat* (Jagellonian-Universität, Krakau)

14:00: National Parliaments and the Principle of Subsidiarity – Legal Options and Practical Limits
Prof. Dr. *Jean-Victor Louis* (formerly Institut d' Etudes Européennes, Université libre de Bruxelles)

14:15: National Parliaments and the Principle of Subsidiarity – An American Appraisal
Prof. Dr. *George Bermann* (Columbia Law School, Centre for European Studies)

14:30: Discussion

15:30: Coffee break

Panel 4: Policy fields – Major Changes I

Mod.: Prof. Dr. *Mads Andenas* (Faculty of Law, University of Leicester)

16:00: Market Economy and Social Welfare I
Prof. Dr. *Roberto Miccù* (Dipartimento di Diritto dell'economia, Università Degli Studi Di Roma)

16:15: Market Economy and Social Welfare II (views from the perspective of a Candidate Country)
Prof. Dr. *Siniša Rodin* (University of Zagreb, Jean Monnet Chair)

16:30: Discussion

17:30: Coffee break

Panel 5: Policy fields – Major Changes II

Mod.: Prof. Dr. *José María Beneyto Pérez* (Universidad San Pablo-CEU, Madrid) – *requested* –

18:00: Concept of the “Area of Freedom, Security and Justice” in the Reform Treaty
Prof. Dr. *Jirí Zemánek* (Charles University of Prague)

18:15: External Action
Prof. Dr. *Christine Kaddous* (Centre d'études juridiques européennes Université de Genève)

18:30: Discussion (until 19:30)

20:00: Dinner

Saturday, 19 April 2008

Panel 6: Ratification and Future Constitutional Amendment (NBU, room № 310)

Mod.: Prof. Dr. *Ana Martins* (Faculdade de Direito da Universidade de Lisboa, Judge at the Constitutional Court of Portugal)

09:00: Ratification in Context: Future Challenges

Prof. Dr. *Jo Shaw* (Salvesen Professor of European Institutions, Edinburgh Law School)

09:15: Elements of direct democracy in Europe and the Convention Method (legal aspects)

Prof. Dr. *W. Tom Eijsbouts*, (Professor of European Constitutional Law, University of Amsterdam)

09:30: Amendment Procedure and the Future Importance of the Convention (a political scientist's view)

Prof. Dr. *Arthur Benz* (Faculty of Culture and Social Sciences, Fernuniversität Hagen)

09:45: Discussion

10:45: Coffee Break

Panel 7: Conclusions and Perspectives

Mod.: Prof. Dr. Dr. h.c. *Ingolf Pernice* (Humboldt-University Berlin, managing director of the Walter Hallstein-Institute for European Constitutional Law)

11:15: Lessons Learned Since Nice? - The Reformed Treaties: More Transparent and Closer to Citizens?

Prof. Dr. *Mads Andenas* (Faculty of Law, University of Leicester)

11:30: Primacy of EU Law in the National Constitutional Space. Perspectives

Prof. Dr. *Emilia Drumeva* (Judge at the Constitutional Court of the Republic of Bulgaria)

11:45: The Future of Constitutionalisation without a Constitution?

Prof. Dr. *Deirdre M. Curtin* (Utrecht School of Governance)

12:00: Discussion (until 13:00)

13:30: Lunch

End of conference