



GABINETE ERASMUS

RELATÓRIO DE ACTIVIDADES
ANO LECTIVO 2012/2013



FACULDADE DE DIREITO
Universidade de Lisboa

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INTRODUÇÃO

O presente relatório regista as atividades desenvolvidas pelo Gabinete Erasmus da Faculdade de Direito da Universidade de Lisboa (FDUL) no ano letivo de 2012-2013, então integrado pela seguinte equipa:

Professor Doutor Vasco Pereira da Silva (Coordenador)
Professora Doutora Ana Paula Dourado
Professor Doutor Luis Pereira Coutinho
Professora Doutora Silvia Alves
Professor Doutor Pedro Pais de Vasconcelos
Professor Doutor Guilherme d'Oliveira Martins
Professor Doutor Miguel Raimundo
Mestra Dinamene de Freitas
Iris Gomes (representante dos alunos- até março 2013)
Maria Desidério (representante dos alunos - desde março 2013)
Dra. Rosa Guerreiro (Secretária)
Kristina Simanaviciute (estagiária ELSA – de maio a julho 2013)
Alexandra Martins (estagiária ESVF – até fevereiro 2013)

O registo das atividades obedece à seguinte sistematização:

- I. Programas e redes;
- II. Protocolos;
- III. Intercâmbio de estudantes;
- IV. Intercâmbio de docentes;
- V. Mestrado Erasmus Mundus
- VI. Cursos intensivos e professores visitantes;
- VII. Representação da Faculdade de Direito de Lisboa em eventos internacionais;
- VIII. Atividades internacionais dos Professores da Faculdade de Direito de Lisboa;
- IX. Outras atividades.

ACTIVIDADES 2012-2013

I. Programas e redes

Acompanhamento da participação da FDUL nos seguintes programas, redes de cooperação e intercâmbio:

- **Rotterdam Law Network**

Rede fundada pela Universidade Erasmus de Roterdão, hoje composta por 30 Universidades europeias e destinada à promoção do intercâmbio de estudantes, docentes e funcionários.

- **Grupo ELPIS**

Rede fundada pela Universidade Leibniz de Hanôver, hoje composta por 36 Universidades europeias e destinada à promoção do intercâmbio de estudantes, docentes e funcionários e, bem assim, à promoção e organização de estudos, cursos e publicações, em especial, nos domínios do Direito Europeu e Direito Comparado.

- **ELFA (European Law Faculties Association)**

Associação fundada em 1995 em Lovaina e hoje composta por mais de 180 de Faculdades de Direito e destinada a constituir um fórum para a discussão de assuntos relacionados com o ensino do Direito. A rede é responsável pela publicação do *European Journal of Legal Education*.

- **Consórcio Erasmus Mundus**

Consórcio integrado pelas Faculdades de Direito da Universidade Leibniz de Hanôver, da Universidade de Lisboa, da Universidade de Ruão e da Universidade de Vilnius em cujo âmbito se desenvolve um curso de Mestrado em Direito – European Legal Practice (LL. M. Eur.).

- **Rede EuropePolis**

Rede fundada em Março de 2011, em Roma, composta por 19 Universidades e

Centros europeus, com o objetivo de incentivar o ensino do direito europeu em todas as disciplinas. A FDUL É Membro fundador.

▪ **Rede de Nanterre (Nanterre Network)**

Rede de Cooperação Universitária em ciências jurídicas, coordenada pela Universidade Paris Ouest-Nanterre-La Défense, à qual a FDUL passou a pertencer em Maio de 2011.

II. Protocolos

Acompanhamento da participação da FDUL nos seguintes protocolos:

ERASMUS

PAÍS	CIDADE	UNIVERSIDADE
Alemanha	Augsburg	Augsburg University
Alemanha	Bayreuth	University of Bayreuth
Alemanha	Berlim	Freie Universität Berlin
Alemanha	Bona	Universität Bonn
Alemanha	Colónia	Universität zu Köln
Alemanha	Giessen	Justus-Liebig-Universität
Alemanha	Greifswald	Ernst-Moritz-Arndt-Universität Greifswald
Alemanha	Hamburgo	Hamburg University
Alemanha	Hannover	Leibniz Universität Hannover
Alemanha	Leipzig	Universität Leipzig
Alemanha	Munique	Ludwig-Maximilians-Universität München
Alemanha	Munique	Technische Universität München
Alemanha	Münster	Westfälische Wilhelms – Universität Münster
Áustria	Innsbruck	Innsbruck University
Áustria	Linz	Johannes Kepler Universität Linz
Bélgica	Bruxelas	Université Libre de Bruxelles
Bélgica	Louvain-la-Neuve	Université Catholique de Louvain
Bulgária	Sofia	University of Sophia – St. Kliment Ohridski
Croácia	Zagreb	University of Zagreb
Eslováquia	Bratislava	Comenius University
Eslováquia	Bratislava	Pan European University (Bratislava School of Law)
Eslovénia	Ljubljana	University of Ljubljana
Eslovénia	Maribor	Maribor University
Espanha	Alicante	Universidad de Alicante
Espanha	Barcelona	Universidad de Barcelona
Espanha	Bilbao	Universidad del País Vasco
Espanha	Burgos	Universidad de Burgos
Espanha	Cadiz	Universidad de Cadiz

Espanha	Ciudad Real	Universidad Castilla-la-Mancha
Espanha	Girona	Universidad de Girona
Espanha	Granada	Universidad de Granada
Espanha	Madrid	Universidad Complutense de Madrid
Espanha	Madrid	Universidad Autónoma de Madrid
Espanha	Murcia	Universidad de Murcia
Espanha	Pamplona	Universidad de Navarra
Espanha	Salamanca	Universidad de Salamanca
Espanha	Santiago de Compostela	Universidad de Santiago de Compostela
Espanha	Sevilha	Universidad Pablo de Olavide
Espanha	Valencia	Universidad de Valencia
Espanha	Valladolid	Universidad de Valladolid
Espanha	Zaragoza	Universidad de Zaragoza
França	Dijon	Université de Bourgogne
França	Estrasburgo	Université de Strasbourg
França	Le Havre	Université du Havre
França	Paris	Université Paris Descartes
França	Paris	Université Paris X - Nanterre
França	Paris	Université Paris 13
França	Rouen	Université de Rouen
França	Toulouse	Université des Sciences Sociales
Grécia	Atenas	National and Kapodistrian University of Athens
Grécia	Tessalonia	University of Macedonia
Hungria	Budapeste	Eötvös Loránd University
Itália	Bari	Università degli studi di Bari
Itália	Bolonha	Alma Mater Studiorum - Università di Bologna
Itália	Génova	Università degli Studi di Génova
Itália	Milão	Università degli studi di Milano - Bicocca
Itália	Nápoles	Università di Napoli "Federico II"
Itália	Nápoles	Università degli Studi di Napoli "Parthenope"
Itália	Pisa	Università di Pisa
Itália	Roma	Università degli Studi di Roma – "La Sapienza"
Itália	Roma	Università degli Studi di Roma – "Tor Vergata"
Itália	Salerno	Università degli studi di Salerno
Itália	Teramo	Università degli studi di Teramo
Itália	Trieste	Università degli Studi di Trieste
Itália	Vercelli	Università degli Studi del Piemonte Orientale "Amedeo Avogadro"
Letónia	Riga	University of Latvia
Lituânia	Vilnius	Vilnius of University
Lituânia	Vilnius	Mikolas Romeris University
Noruega	Bergen	University of Bergen
Países Baixos	Amsterdão	Universiteit van Amsterdam
Países Baixos	Nijmegen	Radboud University
Países Baixos	Roterdão	Erasmus University
Polónia	Cracóvia	Jagiellonian University
Polónia	Lodz	University of Lodz
Polónia	Varsóvia	Warsaw University

Polónia	Varsóvia	Kozminski University
Polónia	Wroclaw	University of Wroclaw
Reino Unido	Manchester	University of Manchester
República Checa	Brno	Masaryk University
República Checa	Praga	Charles University
Roménia	Bucareste	Bucarest University
Suécia	Lund	Lund University
Suíça	Fribourg	Université de Fribourg
Suíça	Zurique	Zurich Univeristy
Turquia	Eskisehir	Anadolu University
Turquia	Istambul	Koç University
Turquia	Istambul	Yeditepe University

OUTROS PROTOCOLOS

PAÍS	CIDADE	UNIVERSIDADE
Argentina	Buenos Aires	Universidade de Buenos Aires
Chile	Santiago do Chile	Pontifícia Universidade Católica do Chile
Brasil	Curitiba	Centro Universitário Curitiba
Brasil	Rio de Janeiro	Pontifícia Universidade Católica do Rio de Janeiro
Brasil	Porto Alegre	Pontifícia Universidade Católica do Rio Grande do Sul

Celebração dos seguintes protocolos:

ERASMUS

PAÍS	CIDADE	UNIVERSIDADE
Alemanha	Dresden	Technische Universität Dresden
Espanha	A Coruña	Universidad de A Coruña
Espanha	Madrid	Universidad Carlos III de Madrid
Espanha	Malaga	Universidad de Malaga
Espanha	Oviedo	Universidad de Oviedo
França	Cergy-Pontoise	Université de Cergy-Pontoise
Itália	Catanzaro	Università degli studi Magna Graecia di Catanzaro
Itália	Messina	Università di Messina
Itália	Nápoles	Seconda Università degli studi di Napoli
Itália	Catanzaro	Università degli studi Magna Graecia di Catanzaro
Países Baixos	Groningen	University of Groningen
Países Baixos	Maastricht	University of Maastricht

III. Intercâmbio de estudantes

ESTUDANTES RECEBIDOS

- Número de candidaturas apreciadas: 131
- Total de estudantes recebidos: 124
- Programas em cujo âmbito os estudantes foram recebidos:

❖ **PROGRAMA ERASMUS:** 51 estudantes

POR SEXO	
HOMENS	MULHERES
24	27

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ALEMANHA	6
BÉLGICA	2
BULGÁRIA	1
CROÁCIA	2
ESLOVÉNIA	5
ESPAÑA	15
GRÉCIA	1
HOLANDA	1
ITALIA	9
LETÓNIA	2
NORUEGA	2
POLÓNIA	3
REPÚBLICA CHECA	3



POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
ALEMANHA	University of Hamburg	4
	University of Muenster	2
BÉLGICA	Université Libre de Bruxelles	1
	Université Catholique du Louvain	2
CROÁCIA	University of Zagreb	2
ESLOVÉNIA	Univeristy of Maribor	5
ESPANHA	Universidad de Burgos	2
	Universidad Castilla-La-Mancha	2
	Universidad Autonoma de Madrid	3
	Univerisdad de Valencia	3
	Universidad de Girona	2
	Universidad de Granada	1
	Universidad de Valladolid	1
GRÉCIA	University of Macedonia	1
PAÍSES BAIXOS	Radboud University Nijmegen	1
ITALIA	Università degli Studi di Napoli – Federico II	2
	Università degli Studi di Napoli – Parthenope	1
	Università di Pisa	2
	Università degli studi di Roma – La Sapienza	2
	Università degli studi di Roma – Tor Vergata	1
	Università degli studi di Piemonte Orientale “Amedeo Avogadro”	1
LETÓNIA	University of Latvia	2
NORUEGA	Bergen Univeristy	2
POLÓNIA	Jagiellonian Univerisity	2
	University of Warsaw	1
REPUBLICA CHECA	Masaryk University	2
	Charles University in Prague	1

❖ **OUTROS INTERCÂMBIOS:** 69 estudantes

POR SEXO	
HOMENS	MULHERES
23	46

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
BRASIL	69

POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
BRASIL	Centro Universitário Curitiba	10
	Centro Universitário Eurípides de Marília	1
	Faculdade 7 de Setembro	6
	Faculdade Baiana de Direito	6
	Faculdades Integradas do Centro Universitário UNIFAFIBE	1
	Fundação Escola Superior do Ministério Público	4
	Fundação Getúlio Vargas – Escola de Direito de São Paulo – Direito GV	1
	Pontifícia Universidade Católica de Minas Gerais	16
	Pontifícia Universidade Católica de São Paulo	4
	Pontifícia Universidade Católica do Rio de Janeiro	2
	Pontifícia Universidade Católica do Rio grande do Sul	6
	Universidade Católica de Pernambuco	1
	Universidade de Fortaleza	4
	Universidade Federal Fluminense	4
	Universidade Federal de Pernambuco	1
	Universidade Federal do Ceará	1
	Universidade Federal do Paraná	1

❖ **OUTROS ESTUDANTES VISITANTES:** 4 estudantes

POR SEXO	
HOMENS	MULHERES
3	1

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
BRASIL	2
ESPAÑA	1
GUINÉ BISSAU	1

POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
BRASIL	Universidade de Cuiabá	1
	Pontifícia Universidade Católica de Minas Gerais	1
ESPAÑA	Universidade de Castilla-la-Mancha	1
GUINÉ BISSAU	Faculdade de Direito de Bissau	1

❖ **PROGRAMA ALMEIDA GARRETT: 1 estudante**

POR SEXO	
HOMENS	MULHERES
0	1

POR UNIVERSIDADE	
UNIVERSIDADE	NÚMERO DE ALUNOS
Universidade de Coimbra	1

❖ **FREQUÊNCIA DO 2º CICLO (ESTUDANTES QUE FREQUENTARAM MESTRADO): 32 estudantes**

POR SEXO	
HOMENS	MULHERES
9	23

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ALEMANHA	2
BÉLGICA	1
BRASIL	23
ESPAÑA	2
HOLANDA	1
NORUEGA	1
POLÓNIA	1
REPÚBLICA CHECA	1



POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
ALEMANHA	Westfälische Wilhelms Universität Münster	2
BÉLGICA	Université Libre de Bruxelles	1
BRASIL	Pontifícia Universidade Católica de Minas Gerais	9
	Pontifícia Universidade Católica de São Paulo	1
	Universidade de Fortaleza	3
	Universidade Federal do Paraná	1
	Universidade Federal de Pernambuco	1
	Universidade Federal do Ceará	1
	Centro Universitário Curitiba	4
	Fundação escola Superior do Ministério Público	2
ESPAÑA	Universidad de Girona	2
HOLANDA	Radboud University Nijmegen	1
NORUEGA	Bergen University	1
POLÓNIA	Jagiellonian University	1
PORTUGAL	Universidade de Coimbra	1
REPÚBLICA CHECA	Charles University in Prague	1

ESTUDANTES ENVIADOS

- Número de candidaturas apreciadas: 102
- Total de estudantes enviados: 72
- Programas em cujo âmbito os estudantes foram enviados:

❖ PROGRAMA ERASMUS ESTUDOS: 35 estudantes

POR SEXO	
HOMENS	MULHERES
9	26

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ALEMANHA	5
ESLOVÉNIA	2
ESPANHA	10
FRANÇA	5
HOLANDA	1
ITÁLIA	10
REP. CHECA	1
SUIÇA	1



POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
ALEMANHA	Rheinische Friedrich-Wilhelms-Universität Bonn	1
ALEMANHA	Universität Augsburg	1
ALEMANHA	Ludwig Maximilian University of Munich	2
ALEMANHA	Westfälische Wilhelms Universität Münster	1
ESLOVÉNIA	University of Ljubljana	2
ESPAÑA	Universidad Castilla-la-Mancha	1
ESPAÑA	Universidad Autonoma de Madrid	1
ESPAÑA	Universidad Complutense de Madrid	1
ESPAÑA	Universitat de Barcelona	2
ESPAÑA	Universidad de Girona	2
ESPAÑA	Universidad de Salamanca	1
ESPAÑA	Universidad de Zaragoza	2
FRANÇA	Université Paris Descartes	2
FRANÇA	Université Paris X	2
FRANÇA	Université Toulouse I - Capitole	1
HOLANDA	Erasmus University Rotterdam	1
ITÁLIA	Alma Mater Studiorum – Università di Bologna	2
ITÁLIA	Università degli Studi di Genova	1
ITÁLIA	Università degli Studi di Milano - Bicocca	3
ITÁLIA	Università degli studi di Roma – La Sapienza	3
ITÁLIA	Università degli studi di Roma – Tor Vergata	1
REP. CHECA	Masaryk University	1
SUIÇA	Université de Friburg	1

❖ **PROGRAMA ERASMUS ESTÁGIOS:** 6 estudantes

POR SEXO	
HOMENS	MULHERES
3	3

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ALEMANHA	1
ESPAÑA	2
ITÁLIA	3

❖ **OUTROS INTERCÂMBIOS:** 31 estudantes

POR SEXO	
HOMENS	MULHERES
15	16

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ARGENTINA	4
CHINA	1
CHILE	1
BRASIL	25

POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
ARGENTINA	Universidade de Buenos Aires	4
BRASIL	Faculdade Baiana de Direito	4
BRASIL	Fundação Escola Superior do Ministério Público	1
BRASIL	Pontifícia Universidade Católica do Rio de Janeiro	5
BRASIL	Pontifícia Universidade Católica do Rio Grande do Sul	1
BRASIL	Universidade do Estado do Rio de Janeiro	1
BRASIL	Universidade Federal do Rio de Janeiro	4
BRASIL	Universidade Federal de Santa Catarina	6
BRASIL	Universidade de São Paulo	3
CHILE	Pontifícia Universidade Católica do Chile	1
CHINA	Universidade de Macau	1

IV. Intercâmbio de docentes

DOCENTES RECEBIDOS

Leopold-Franzens-Universidade de Innsbruck (Áustria) - 6 a 10 de maio de 2013

Professor Dr. Michael Ganner - Aulas de Direito das Sucessões e de Direito dos Menores

Universidade de Valladolid (Espanha) - 29 de abril a 3 de maio de 2013

Professor Dr. Enrique J. Martínez Pérez - Aulas de Direito Internacional Público

Universidade Carlos III de Madrid (Espanha) - 29 de abril a 3 de maio de 2013

Professora Dra. Celia M. Caamiña Domínguez - Aulas de Direito Internacional Privado

Universidade de Rouen (França) - 15 a 26 de abril de 2013

Professora Dra. Marine Toullier - Curso sobre Direitos Fundamentais e Globalização

Universidade de Ljubljana (Eslovénia) - 20 a 25 de abril de 2013

Professora Dra. Vasilka Sancin - Aulas de Direito Internacional

Universidade de Santiago de Compostela (Espanha) - 15 a 19 de abril de 2013

Professor Dr. Pedro Ortego Gil - Aulas de História do Direito

Universidade de Santiago de Compostela (Espanha) - 8 a 10 de abril de 2013

Professora Dra. Maria Teresa Bouzada Gil - Aulas de História do Direito

Universidade de Hanover (Alemanha) - 18 a 22 de março de 2013

Professor Dr. Bernd Oppermann - Curso sobre Direito da Concorrência Europeu Comparado

Universidade de Leipzig (Alemanha) - 18 de fevereiro a 1 de março de 2013

Professor Dr. Steffen Pabst - Curso sobre Direito Processual Civil Europeu

Universidade de Santiago de Compostela (Espanha) - 25 de fevereiro a 1 de março de 2013

Professor Dr. Vicente A. Sanjurjo Rivo - aulas sobre Direito Constitucional

Universidade Eötvös Loránd (Hungria) - 10 a 14 de dezembro de 2012

Professor Dr. Gábor Hamza - pesquisa e diversas reuniões com docentes da FDUL

Universidade de Granada (Espanha) - 17 a 21 de setembro de 2012

Professor Dr. Francisco Balaguer Callejón - Curso sobre Direito Constitucional Europeu: Crise Económica e Globalização

 DOCENTES ENVIADOS

- ❖ **Prof. Doutora Silvia Alves** – 23 a 27 de setembro de 2013
Universidad de Santiago de Compostela
Aulas de História do Direito
- ❖ **Prof. Doutor Paulo de Sousa Mendes** – 23 a 25 de agosto de 2013
Universidade Técnica de Munique
Aulas de Filosofia do Direito
- ❖ **Mestre Rui Pereira** – 23 a 25 de agosto de 2013
Universidade Técnica de Munique
Aulas de Filosofia do Direito

V. Mestrado Erasmus Mundus

ESTUDANTES RECEBIDOS

- Número de candidaturas apreciadas: 5
- Total de estudantes recebidos: 5

POR SEXO	
HOMENS	MULHERES
5	0

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
FRANÇA	4
ALEMANHA	1

POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
FRANÇA	Université de Rouen	4
ALEMANHA	Leibniz Universität Hannover	1

ESTUDANTES ENVIADOS

- Número de candidaturas apreciadas: 4
- Total de estudantes enviados: 4

POR SEXO	
HOMENS	MULHERES
1	3

POR NACIONALIDADE	
PAÍS	NÚMERO DE ALUNOS
ALEMANHA	2
FRANÇA	1
INDIA	1

POR UNIVERSIDADE		
PAÍS	UNIVERSIDADE	NÚMERO DE ALUNOS
FRANÇA	Université de Rouen	1
ALEMANHA	Leibniz Universität Hannover	2
INDIA	Symbiosis International University	1

 TESES DISCUTIDAS

▪ **ALUNOS DA FDUL**

➤ **CARLA ALMEIDA FERREIRA**

"La repartition des compétences entre l'Union Européenne et les États-membres – un problème sans solution?"

Júri:

- Prof. Doutor Vasco Pereira da Silva – Presidente
- Prof. Doutor Bernd Oppermann – Universidade de Hannover
- Prof. Doutor Luis Pereira Coutinho – arguente
- Prof. Doutor Miguel Raimundo

Classificação obtida: 17 valores

➤ **LILIANA MATEUS CARAÇA**

"La politique d'immigration européenne dans la perspective de l'étranger"

Júri:

- Prof. Doutor Vasco Pereira da Silva – Presidente
- Prof. Doutor Bernd Oppermann – Universidade de Hannover
- Prof. Doutor Miguel Raimundo – arguente
- Prof. Doutor Luis Pereira Coutinho

Classificação obtida: 16 valores

VI. Cursos intensivos e professores visitantes

No ano letivo de 2012-2013, o Gabinete Erasmus ocupou-se da organização, promoção e acompanhamento dos seguintes cursos intensivos:

1º Semestre

1- Professor Dr. Balaguer Callejón (Universidade de Granada)

Curso: Direito Constitucional Europeu: Crise Económica e Globalização

Duração: 10 horas

Data: 16 a 20 de setembro 2013

Idioma: Espanhol



Programa do Curso e CV (anexo I)

	Total	<i>Homens</i>	<i>Mulheres</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	45	16	29	45	0	0
Participantes	34	9	25	34	0	0
Avaliados/as	20	6	14	20	0	0
Acreditados/as	17	6	11	17	0	0

2 - Professor Dr. Patrick Ryan Hugg (Loyola University)

Curso: Introdução ao Direito Norte-americano

Duração: 10 horas

Data: 23 a 27 de setembro 2013

Idioma: Inglês



Programa do Curso e CV (anexo II)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	112	42	70	86	26	0
Participantes	89	32	57	67	22	0
Avaliados/as	66	26	40	48	18	0
Acreditados/as	66	26	40	48	18	0

3 – Prof. Dr. Rainer Arnold (Universidade de Regensburg)

Curso: Limitação à Soberania dos Estados decorrentes da Integração Europeia

Duração: 10 horas

Data: 22 a 26 de outubro 2012

Idioma: Inglês



Programa do Curso e CV (anexo III)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	67	24	43	46	21	0
Participantes	53	15	38	30	23	0
Avaliados/as	37	14	23	18	19	0
Acreditados/as	37	14	23	18	19	0

4 - Prof. Dr. Rainer Arnold (Universidade de Regensburg)

Curso: Relações Externas na União Europeia

Duração: 10 horas

Data: 29 de outubro a 02 de novembro 2012

Idioma: Inglês



Programa do Curso e CV (anexo IV)

	Total	<i>Homens</i>	<i>Mulheres</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	62	24	38	42	18	2
Participantes	49	21	28	30	19	0
Avaliados/as	35	14	21	20	15	0
Acreditados/as	35	14	21	20	15	0

5 - Prof. Dr. Angelo Schilaci (Universidade de Teramo)

Curso: Protecção dos direitos fundamentais na União Europeia

Duração: 10 horas

Data: 12 a 16 de novembro de 2012

Idioma: Inglês



Programa do Curso e CV (anexo V)

	Total	<i>Homens</i>	<i>Mulheres</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	61	22	36	54	21	4
Participantes	46	18	28	22	21	3
Avaliados/as	37	18	19	16	20	1
Acreditados/as	37	18	19	16	20	1

6 - Professor Dr. Massimo de la Torre (Universidade de Catanzaro)

Curso: Filosofia do Direito e Teoria do Direito Público na Alemanha de Weimar

Duração: 10 horas

Data: 3 a 7 dezembro 2012

Idioma: Inglês



Programa do Curso e CV (anexo VI)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	42	18	24	23	19	0
Participantes	24	11	13	5	19	0
Avaliados/as	19	8	11	0	19	0
Acreditados/as	13	4	9	0	13	0

7 - Professor Dr. Pierre-Henri Prélôt (Universidade Cergy-Pontoise)

Curso: Bioética

Duração: 10 horas

Data: 10 a 14 dezembro de 2012

Idioma: Inglês



Programa do Curso e CV (anexo VII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	37	13	24	18	19	0
Participantes	26	12	14	9	17	0
Avaliados/as	25	11	14	8	17	0
Acreditados/as	25	11	14	8	17	0

8 - Professor Dr. Steffen Pabst (Universitaet Leipzig)

Curso: Direito Processual Civil Europeu

Duração: 20 horas

Data: 18 de fevereiro a 1 de março 2013

Idioma: Inglês



Programa do Curso e CV (anexo VIII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	58	23	35	39	17	2
Participantes	39	18	21	26	13	0
Avaliados/as	36	17	19	23	13	0
Acreditados/as	35	17	18	22	13	0

9 - Prof. Dr. Rainer Arnold (Universidade de Regensburg)

Curso: Justiça Constitucional na Europa

Duração: 20 horas

Data: 4 a 15 de março de 2013

Idioma: Inglês



Programa do Curso e CV (anexo IX)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	74	34	40	58	16	0
Participantes	49	17	27	37	12	0
Avaliados/as	40	17	23	28	12	0
Acreditados/as	40	17	23	28	12	0

10 - Professor Dr. Bernd Oppermann (Leibniz Universitaet Hannover)

Curso: Direito da Concorrência Europeu Comparado

Duração: 10 horas

Data: 18 a 22 de março 2013

Idioma: Inglês



Programa do Curso e CV (anexo X)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	50	20	30	30	14	6
Participantes	28	14	14	13	12	3
Avaliados/as	17	11	6	7	8	2
Acreditados/as	17	11	6	7	8	2

11 - Professora Dra. Rita de la Feria (University of Durham)

Curso: Direito Fiscal Europeu - Impostos Indirectos

Duração: 10 horas

Data: 2 a 5 de Abril de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XI)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	57	22	34	52	7	2
Participantes	42	16	26	34	7	1
Avaliados/as	34	13	21	27	7	0
Acreditados/as	34	13	21	27	7	

12 - Professora Dra. Marine Toullier (Université de Rouen)

Curso: Direitos Fundamentais e Globalização

Duração: 20 horas

Data: Idioma: Inglês



Programa do Curso e CV (anexo XII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	66	23	43	48	16	2
Participantes	47	17	30	31	16	0
Avaliados/as	36	12	24	22	14	0
Acreditados/as	15	5	10	7	8	0

3 - Professor Dr. Cláudio Brandão (Universidade Federal de Pernambuco) (organizado em colaboração com o Instituto do Direito Brasileiro)

Curso: História da Teoria do Crime: da formação da dogmática ao direito constitucional penal

Duração: 10 horas

Data: 29 de Abril a 3 de Maio de 2013

Idioma: Português



Programa do Curso e CV (anexo XIII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	81	25	56	67	12	2
Participantes	57	17	40	48	9	0
Avaliados/as	35	9	26	30	5	0
Acreditados/as	35	9	26	30	5	0

14 - Professor Dr. Daniel Smit (Universidade de Tilburg)

Curso: Direito Fiscal Europeu - Impostos Diretos

Duração: 10 horas

Data: 29 de Abril a 3 de Maio de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XIV)

	Total	<i>Homens</i>	<i>Mulheres</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	42	18	24	28	11	3
Participantes	26	12	14	15	11	0
Avaliados/as	20	10	10	10	10	0
Acreditados/as	17	7	10	9	8	0

15 - Professor Dr. Miguel Moura e Silva (Universidade de Lisboa)

Curso: Direito Internacional Económico

Duração: 10 horas

Data: 6 a 10 de maio de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XV)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	28	13	15	18	8	2
Participantes	20	11	9	12	7	1
Avaliados/as	11	5	6	4	7	0
Acreditados/as	10	5	5	6	4	0

16 - Professor Dr. Nuno Ferreira (Universidade de Liverpool)

Curso: Inglês Jurídico

Duração: 10 horas

Data: 6 a 10 de maio de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XVI)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	105	38	67	71	29	5
Participantes	66	27	39	42	22	2
Avaliados/as	55	21	34	34	19	2
Acreditados/as	44	14	23	23	12	2

17 - Professor Dr. Russell Weaver (University of Louisville)

Curso: Introdução ao Direito Norte Americano (**outra perspectiva**)

Duração: 10 horas

Data: 14 a 17 de maio de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XVII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	65	25	40	56	8	1
Participantes	44	18	26	33	11	0
Avaliados/as	32	13	19	25	7	0
Acreditados/as	32	13	19	25	7	0

18 - Professor Dr. Rute Saraiva (Universidade de Lisboa)

Curso: Direito Comportamental e Economia

Duration: 10 horas

Data: 16, 17, 22, 23 e 24 de Maio de

Idioma: Inglês



Programa do Curso e CV (anexo XVIII)

	Total	<i>Homens</i>	<i>Mulhere</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	25	7	18	19	6	0
Participantes	16	4	12	11	5	0
Avaliados/as	13	5	8	10	3	0
Acreditados/as	13	5	8	10	3	0

19 - Professor Dr. Hein Vermeulen (Universidade de Amsterdão)

Curso: Direito Fiscal Internacional

Duração: 10 horas

Data: 20 a 24 de maio de 2013

Idioma: Inglês



Programa do Curso e CV (anexo XIX)

	Total	<i>Homens</i>	<i>Mulheres</i>	Alunos/as FDL	Alunos/as Erasmus e outros Intercâmbios	Outros
Inscritos/as	46	18	28	35	10	1
Participantes	33	14	19	24	8	1
Avaliados/as	14	5	9	9	5	0
Acreditados/as	13	5	8	8	5	0

VII. Representação da Faculdade de Direito da Universidade de Lisboa em eventos internacionais

28/06/2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Participação, em representação da Faculdade de Direito da Universidade de Lisboa, na reunião do Mestrado Erasmus Mundus, organizado na Universidade de Rouen, em Rouen (França).

20 a 22 /06/ 2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Participação no 9º Congresso da "Societas Iuris Publici Europaei" (SIPE), organizado pela Jagiellonian University, em Cracóvia (Polónia).

20 a 22 /06/ 2013 - PROF. DOUTOR PEDRO PAIS DE VASCONCELOS

Participação, em representação da Faculdade de Direito da Universidade de Lisboa, na reunião do Grupo ELPIS, organizado pela Universidade de Bucareste, em Bucareste (Roménia).

01.04/05/2013- PROF. DOUTOR PEDRO PAIS DE VASCONCELOS

Participação, em representação da Faculdade de Direito da Universidade de Lisboa na reunião anual da rede de Faculdades de Direito coordenada pela Universidade de Nanterre, organizado pela Universidade de Viena, em Viena (Áustria).

01.04/05/2013- PROF. DOUTOR GUILHERME D'OLIVEIRA MARTINS

Participação, em representação da Faculdade de Direito da Universidade de Lisboa na reunião anual da rede de Faculdades de Direito coordenada pela Universidade de Nanterre, organizado pela Universidade de Viena, em Viena (Áustria).

18/21.04.2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Participação, em representação da Faculdade de Direito de Lisboa, na reunião anual da Rotterdam Law Network, em Sófia (Bulgária).



18/21.04.2013 - PROF. DOUTOR LUIS PERERIA COUTINHO

Participação, em representação da Faculdade de Direito de Lisboa, na reunião anual da Rotterdam Law Network, em Sófia (Bulgária).

14 a 17.03.2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Participação, em representação da Faculdade de Direito de Lisboa, na reunião anual da ELFA (European Law Faculties Association), em Muenster (Alemanha).

14 a 17.03.2013 - PROF. DOUTORA SILVIA ALVES

Participação, em representação da Faculdade de Direito de Lisboa, na reunião anual da ELFA (European Law Faculties Association), em Muenster (Alemanha).

VIII. Atividades internacionais dos Professores da Faculdade de Direito de Lisboa

23/08/2013 - PROF. DOUTORA CARLA AMADO GOMES

Palestra de encerramento do XIII Congresso Nacional do Ministério Público do Consumidor, subordinada ao tema Consumo sustentável, que teve lugar em Belém (Brasil).

22 a 26/07/2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Lecionação da disciplina de Direito do Ambiente no curso de Mestrado da FDUL, ministrado na ESMAPE (Escola Superior de Magistratura de Pernambuco), no Recife (Brasil).



21/07/2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Conferência sobre "Os modernos problemas do Direito Administrativo", proferida no Tribunal de Contas do Estado de Pernambuco, no Recife (Brasil).

27 e 28/06/ 2013 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Intervenção sobre «Le partenariat Rouen-Hanovre-Lisbonne (ELPIS, Erasmus Mundus...) », no Colóquio "Le Traité de l'Elysée Le socle d'une coopération exemplaire - 50 ans après" organizado pelas Universidades de Rouen e Hanôver, em Rouen (França).



24 a 28/06/2013 - PROF. DOUTORA CARLA AMADO GOMES

Lecionação da disciplina "A produção de energia a partir de fontes renováveis", no III Curso de Pós-Graduação em Direito da Energia, realizado na Faculdade de Direito da Universidade Eduardo Mondlane, no âmbito da cooperação jurídica entre a Faculdade de Direito da Universidade de Lisboa e aquela instituição, em Maputo (Moçambique).

31/05/2013 – PROF. DOUTOR VASCO PEREIRA DA SILVA

Intervenção (em inglês) sobre «Crisis of the Constitutional Law or the Constitutional Law of the Crisis?» («Direito Constitucional em Crise ou Direito Constitucional de Crise?») no «Workshop I: European Constitutionalism as developed by Constitutional Justice – Finance Crisis and Constitutional Law», integrado no «XVth. International Congress on European and Comparative Constitutional Law», organizado pela University of Regensburg, Jean Monnet Chair, Prof. Dr. Dr. h.c. Rainer Arnold, e pela German Foundation of International Legal Cooperation IRZ, Bonn, que teve lugar na Universidade de Regensburg (Alemanha).

31/05/2013 – PROF. DOUTOR VASCO PEREIRA DA SILVA

Intervenção (em francês) sobre «La récente Jurisprudence de la Court Constitutionel Portugaise sur le Budget de 2013» («A Recente Jurisprudência do Tribunal Constitucional Português sobre o Orçamento de 2013»), no «Workshop II: «L' évolution du Constitutionnalisme Européen para la Justice Constitutionnelle – La Crise Financière et le Droit Constitutionnel», integrado no «XVth. International Congress on European and Comparative Constitutional Law», organizado pela University of Regensburg, Jean Monnet Chair, Prof. Dr. Dr. h.c. Rainer Arnold, e pela German Foundation of International Legal Cooperation IRZ, Bonn, que teve lugar na Universidade de Regensburg (Alemanha).

13/05/2013 – PROF. DOUTOR VASCO PEREIRA DA SILVA

Intervenção no painel «Diritti Fondamentali e Crisi Economica: Una Sfida per il Costituzionalismo Contemporaneo», integrado na Conferência internacional sobre o tema «Dignità i Diritti Fondamentale nello Stato Costituzionale Italiano – Convegno in Honore di Peter Häberle», organizado pela Università la Sapienza di Roma, pela Universidade de Granada e pela Fundación Peter Häberle, que teve lugar na Universidade de «La Sapienza», em Roma (Itália).

07/05/2013 - PROF. DOUTORA CARLA AMADO GOMES

Aula sobre "A jurisprudência ambiental portuguesa" aos Cursos de mestrado de Direito Administrativo e de Ciências Ambientais da coordenados pelas Prof^{as} Doutoras Manuela Mora Ruiz e Rosa Giles Carnero, respectivamente, na Faculdade de Direito da Universidade de Huelva (Espanha).

17/19.04.2013 - PROF. DOUTORA CARLA AMADO GOMES

Intervenção subordinada ao tema "Avaliação ambiental estratégica como instrumento de governança e tutela ambiental", apresentada no XIII Congresso Anual da ABRAMPA (Associação Brasileira do Ministério Público Ambiental), realizado em Vitória (Brasil).

11.03.2013 - PROF. DOUTORA CARLA AMADO GOMES

Participação, como oradora, no colóquio subordinado ao tema "Le energie rinnovabili nella prospettiva europea e comparata", com uma intervenção sobre "Energias renováveis em Portugal: evolução e perspectivas", promovido pela Università Commerciale Bocconi, em Milão (Itália).

25.02 a 01.03.2013 - PROF. DOUTORA CARLA AMADO GOMES

Lecionação da disciplina "Direito Constitucional Ambiental como Direito Internacional Ambiental Concretizado", no II Curso de Mestrado em Direito Constitucional e Administrativo realizado na ESMAPE (Escola Superior de Magistratura de Pernambuco), em Recife (Brasil).

17.12.2012 - PROF. DOUTORA MARIA JOÃO ESTORNINHO

Conferência sobre "Direito Europeu da Contratação Pública", integrado na Cátedra Jean Monnet de Direito Constitucional Europeu, na Faculdade de Direito da Universidade de Granada (Espanha).

17.12.2012 - PROF. DOUTOR VASCO PEREIRA DA SILVA

Conferência sobre "Constitucionalismo Europeu e Global", integrado na Cátedra Jean Monnet de Direito Constitucional Europeu, na Faculdade de Direito da Universidade de Granada (Espanha).

13 a 17.12.2012 - PROF. DOUTORA CARLA AMADO GOMES

Lecionação do Módulo de Direito Administrativo, subordinado ao tema "Procedimento Administrativo", no Curso de Mestrado, no âmbito da Cooperação Jurídica, na Faculdade de Direito da Universidade do Mindelo (Cabo Verde).

07.11.2012 (noite) - PROF. DOUTORA CARLA AMADO GOMES

Palestra sobre "União Europeia e Economia Verde: tendências não tão recentes", no I Seminário Cidade, Direito do Urbanismo e Ambiental promovido pela PUC-Minas Gerais, que decorreu na Faculdade de Direito da PUC-MG, em Belo Horizonte (Brasil).

07.11.2012 (manhã) - PROF. DOUTORA CARLA AMADO GOMES

Aula sobre "Responsabilidade civil por dano ecológico" no Mestrado em Direito Ambiental e Desenvolvimento Sustentável da Escola Superior D. Helder Câmara, em Belo Horizonte (Brasil).

15 a 19.10.2012 - PROF. DOUTOR JOSÉ MELO ALEXANDRINO

Seminário sobre o "Sistema de Direitos Fundamentais", para magistrados, advogados, advogados-estagiários, consultores jurídicos do Governo e funcionários superiores da área jurídica. Organizado no âmbito do 2.º PROGRAMA DE COOPERAÇÃO NA ÁREA JURÍDICA ENTRE A UNIÃO EUROPEIA E MACAU, pelo Centro de Formação Jurídica e Judiciária da Região Administrativa Especial de Macau, em Macau (China).

12.10.2012 - PROF. DOUTORA MARIA DO ROSÁRIO PALMA RAMALHO

Conferência sobre "*Age Discrimination, Retirement Conditions and specific Labour Arrangements: the main Trends in the Application of Directive 2000/78/EU in the field of Age Discrimination*", no âmbito do V Annual Legal Seminar of the European Labour Law Network, subordinada ao tema «Labour Law in a Greying Labour Market – Challenges of Active Ageing», em Haia (Holanda).

12.10.2012 - PROF. DOUTORA CARLA AMADO GOMES

Intervenção sobre “O desafio da protecção do ambiente em Angola”, nas II Jornadas Científicas da Faculdade de Direito da Universidade 11 de Novembro, em Cabinda (Angola).

08 a 12.10.2012 - PROF. DOUTORA CARLA AMADO GOMES

Leccionação da disciplina de Direito do Ambiente e recursos naturais no Curso de preparação para o mestrado da Faculdade de Direito da Universidade 11 de Novembro, ao serviço do Instituto da Cooperação Jurídica da Faculdade de Direito da Universidade de Lisboa em Cabinda (Angola).

17.09.2012 - PROF. DOUTORA MARIA DO ROSÁRIO PALMA RAMALHO

Conferência subordinada ao tema «Reconciliation of Work and Family Life: putting the Fathers in Context.», no âmbito do Seminário Internacional sobre o tema «Current Reflections on EU Equality and Non-Discrimination Law», organizado pela ERA - Academy of European Law – em Trier (Alemanha).

14.09.2012 - PROF. DOUTORA CARLA AMADO GOMES

Intervenção sobre “Prevenção do risco de catástrofe natural: princípios emergentes em clima de emergência”, no I Congresso Internacional de Direito Ambiental e Desenvolvimento Sustentável da Escola Superior D. Helder Câmara, que teve lugar nos dias 12, 13 e 14 de Setembro de 2012 em Belo Horizonte (Brasil).

10.09.2012 - PROF. DOUTORA CARLA AMADO GOMES

Palestra sobre “Equidade intergeracional e dever de proteger o meio ambiente”, no Programa de Mestrado em Direito da FUMEC, Belo Horizonte (Brasil).

05.09.2012 - PROF. DOUTORA CARLA AMADO GOMES

Palestra sobre “Equidade intergeracional e dever de proteger o meio ambiente”, no Auditório da sede da Justiça Federal do Espírito Santo, promovido pela ABDH, em Vitória (Brasil).

IX Outras actividades:

Colaboração da AAFDL

Em todas as iniciativas do Gabinete foi possível contar com a colaboração, sempre eficiente, da Associação Académica da Faculdade de Direito da Universidade de Lisboa, designadamente através do respetivo Gabinete Erasmus.

Curso Intensivo Avançado sobre "A relevância do conceito de residência nos Tratados de Direito Fiscal e Europeu (Impostos Diretos)"

Teve lugar um Curso Intensivo Avançado sobre "A Relevância do Conceito de Residência Fiscal nos Tratados de Dupla Tributação e no Direito Europeu (Impostos Diretos)" organizado em colaboração com o Instituto de Direito Económico, Financeiro e Fiscal (IDEFF), nos dias 24, 25 e 26 de janeiro de 2013.

O curso foi lecionado em inglês

Cerimónia de entrega de diplomas Erasmus Mundus na FDUL

A cerimónia de entrega dos Diplomas do Curso de Mestrado Erasmus Mundus LL.M. Eur. - Prática Jurídica Europeia, 7ª geração, teve lugar dia 9 de novembro de 2012, às 18 horas na sala do Conselho Científico.



Aluno Erasmus Mundus recebe prémio

Beyouon Mangloire KPANGNANE SOMDA, aluno Erasmus Mundus Rouen/Lisboa, 2008-2010, recebeu o "Prémio Internacional Jacques Leroy 2012" da Associação Internacional de Advogados, com o ensaio "Le juriste et le développement des droits de l'homme dans le monde des affaires". O prémio foi atribuído no dia 3 de novembro, em Dresden, durante a reunião anual da associação e é composto pela publicação do ensaio, filiação gratuita na associação e o valor de 1 000,00 €.





FACULDADE DE DIREITO
Universidade de Lisboa



GABINETE ERASMUS
ERASMUS OFFICE

Anexo I

Derecho Constitucional Europeo, crisis económica y globalización.

Francisco Balaguer Callejón. Catedrático de Derecho Constitucional de la Universidad de Granada y Catedrático Jean Monnet "ad personam" de Derecho Constitucional Europeo y Globalización.

Duración: 10 horas

Idioma: español

Objetivos del curso:

Este curso ofrece una formación básica en los grandes temas que plantea actualmente el Derecho Constitucional Europeo, con especial referencia a la crisis económica y a su repercusión sobre la Unión Europea y los Estados miembros desde una perspectiva constitucional. En primer lugar, se expondrán las características esenciales del Derecho Constitucional Europeo como disciplina académica. Se analizará también la proyección global del Derecho Constitucional y la configuración de un Derecho Constitucional supranacional como respuesta a la globalización, cuyo principal exponente es el Derecho Constitucional Europeo. Por último, se estudiará la incidencia del proceso de globalización sobre el proceso de integración europea y se valorarán los últimos desarrollos derivados de la crisis económica y de la insuficiente respuesta europea a la crisis.

Se tendrá en cuenta la evolución del proceso de constitucionalización de la Unión Europea a partir de la elaboración y proclamación de la Carta de Derechos Fundamentales, la Convención que elabora el Tratado Constitucional, la crisis derivada del fracaso del proceso de ratificación del Tratado Constitucional y la elaboración del Tratado de Lisboa, suscrito el 13 de diciembre de 2007, que entró en vigor el 1 de diciembre de 2009. Aunque el Tratado de Lisboa elimina el término *Constitución*, ha incorporado casi íntegramente el contenido del Tratado Constitucional, desarrollando así la cualidad constitucional del Derecho Fundamental de la Unión Europea (Tratado de la Unión Europea, Tratado de Funcionamiento de la Unión Europea y Carta de los Derechos Fundamentales de la Unión Europea).

La perspectiva metodológica que se asume se basa en la inserción del Derecho constitucional de la Unión Europea dentro de una pluralidad de espacios constitucionales. El Derecho Constitucional Europeo es una nueva disciplina que no analiza el nivel constitucional de la Unión Europea como una esfera radicalmente separada de los sistemas constitucionales nacionales. Por el contrario, la interacción entre el espacio constitucional de la Unión Europea y los espacios constitucionales de los Estados miembros es una perspectiva metodológica específica del Derecho constitucional europeo.

Desde ese estatuto metodológico se valorará la respuesta europea a la crisis económica tanto por lo que se refiere a las insuficiencias del actual sistema jurídico de la Unión Europea y los problemas que esas limitaciones están provocando en la capacidad de intervención de las instituciones europeas, cuanto por lo que atañe a la incidencia que la crisis está teniendo sobre los ordenamientos constitucionales de los Estados miembros.

Temario:

I.-El Derecho Constitucional Europeo como disciplina científica.

- 1.-Derecho Constitucional Europeo en sentido amplio y en sentido estricto.
- 2.-El Derecho Constitucional de la Unión Europea.
- 3.-El Derecho Constitucional de los Estados miembros como parte integrante del Derecho Constitucional Europeo.
- 4.-La interacción entre los diversos espacios constitucionales en Europa.
- 5.-El Derecho Constitucional como disciplina. Perspectivas metodológicas.

II.-La Constitución europea en el proceso histórico de integración europea.

- 1.-El modelo de construcción europea en sus primeros cincuenta años.
- 2.-La Unión Europea *preconstitucional*.
- 3.-La ampliación de la Unión y la crisis del modelo.
- 4.-Estados y ciudadanía en la construcción constitucional de Europa.
- 5.-Integración y constitucionalización.

III.-El Tratado de Lisboa y el proceso de constitucionalización de la UE.

- 1.-El debate sobre la Constitución europea.
- 2.-El modelo del Estado constitucional de Derecho.
- 3.-La cuestión de la identidad europea.
- 4.-El rechazo a la estatalidad de la Unión Europea y la *desestructuración* del Derecho constitucional europeo.
- 5.-El Tratado de Lisboa en el contexto de la pluralidad de espacios constitucionales en Europa.

IV.-El Derecho Constitucional Europeo y el proceso de globalización.

- 1.-Globalización y Derecho constitucional estatal.
- 2.-La incipiente dimensión global del Derecho constitucional.
- 3.-Integración supranacional y globalización.
- 4.-El proceso de globalización y el modelo de integración europea.
- 5.-El desarrollo del proceso de globalización y su incidencia en el proceso de integración.

V.-El Derecho Constitucional Europeo frente a la crisis económica.

- 1.-El gobierno económico de la Unión Europea.
- 2.-La insuficiente respuesta europea a la crisis.
- 3.-La incidencia de la crisis sobre el sistema jurídico de la Unión Europea.
- 4.-La incidencia de la crisis en los sistemas constitucionales de los Estados miembros.
- 5.-Perspectivas de futuro.

Bibliografía Básica

Todas las referencias bibliográficas que se indican a continuación (y las que puedan recomendarse posteriormente porque estén disponibles a lo largo del curso) son de acceso gratuito a través de Internet:

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-Häberle, Peter: <<Derecho constitucional común europeo>>, REP 79, 1993. En: http://www.cepc.es/rap/Publicaciones/Revistas/3/REPNE_079_016.pdf

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-Häberle, Peter <<¿Tienen España y Europa una Constitución?>> ReDCE, nº12, 2009. <http://www.ugr.es/~redce/>

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Francisco Balaguer Callejón

Curriculum Vitae Abreviado

Catedrático de Derecho Constitucional

- Catedrático de Derecho Constitucional de la Universidad de Granada.
- Catedrático Jean Monnet de Derecho Constitucional Europeo.
- Catedrático Jean Monnet *ad personam* de Derecho Constitucional Europeo y Globalización
- Director de la *Revista de Derecho Constitucional Europeo*.
- Presidente de la *Fundación Peter Häberle*.
- Coordinador del Master Oficial y Postgrado de Derecho Constitucional Europeo de la Facultad de Derecho de Granada.

FORMACIÓN Y POSICIONES ACADÉMICAS

- Licenciado en Derecho (Universidad de Granada, 1981).
- Doctor en Derecho (Universidad de Granada, 1984).
- Profesor de Derecho constitucional (Universidad de Málaga, 1981-1986).
- Visiting Professor*, Indiana University-Purdue University at Indianapolis Law School, Spring Semester, EEUU, 1985.
- Profesor Titular de Derecho constitucional (Universidad de Málaga 1986, Universidad de Granada, 1989).
- Catedrático de Derecho Constitucional (Universidad de Granada, 1991).
- Professore Visitatore*, Università degli studi <<La Sapienza>> de Roma, Italia, Diciembre de 1999.
- Catedrático Jean Monnet de Derecho Constitucional Europeo (2004).
- Professore Visitatore*, Università degli studi <<La Sapienza>> de Roma, Italia, Diciembre de 2006.
- Professore Visitatore*, Università degli Studi di Milano, Milán, Italia, Marzo de 2009.
- Catedrático Jean Monnet *ad personam* de Derecho Constitucional Europeo y Globalización (2010).
- Professor Visitante*, Universidade de Lisboa, Portugal, Septiembre de 2010.
- Professor Visitante*, Universidade de Lisboa, Portugal, Septiembre de 2011.
- Doctor "Honoris Causa" (Universidade Federal de Maranhão, São Luis, Brasil, 2011)
- Professor Visitante*, Universidade de Lisboa, Portugal, Septiembre de 2012.

ORGANIZACIÓN DE CONGRESOS

Ha dirigido más de 20 Congresos, Seminarios y Jornadas Internacionales de Derecho constitucional. Entre ellos los congresos internacionales *Federalismo y regionalismo en el umbral del Siglo XXI* (1997); *Derecho constitucional y cultura* (1999,

2000); *Constitución y Democracia* (2003) y *La Constitución Europea* (2004). Igualmente, las *Jornadas Internacionales sobre la Constitución Europea* (I a IX), durante los años 2004 a 2012. También los congresos internacionales *La Construcción del Derecho Constitucional Europeo* (2009); *La interacción constitucional entre Unión Europea y Estados miembros como factor de desarrollo del Derecho Constitucional Europeo* (2010); *La respuesta europea a la crisis en el marco de la Globalización* (2010); *Integración supranacional y descentralización política en el contexto de la Globalización* (2011); *Linee tematiche di sviluppo del Diritto Costituzionale Europeo* (Catania, Italia, 2011); *Primavera Árabe, Unión Europea y contexto global* (2012) y *Constitucionalismo crítico* (2012).

CONFERENCIAS, CURSOS Y SEMINARIOS IMPARTIDOS

Ha participado como ponente en congresos e impartido más de 350 conferencias, cursos y seminarios en 10 países. Por ejemplo, en España:

A Coruña (Universidad de La Coruña, 2005); Ávila (UNED, 1996 y 1998); Alicante (Universidad de Alicante, 1995, 2001, 2005, 2006, 2007, 2008, 2009 y 2012); Almería (Universidad de Almería, 1993, 1994, 1996, 1997, 1998, 1999, 2000 y 2003; Cursos de Verano de la Universidad Complutense de Madrid, 1998); Almuñécar (Centro Mediterráneo de la Universidad de Granada, 2003); Baeza (Universidad Internacional de Andalucía (1996, 1997 y 2001); Baza (UNED, 1997 y 2000); Barcelona (Universidad Pompeu Fabra, 1994; Universidad Central de Barcelona, 1994, 1996 y 2002; Universidad Autónoma de Barcelona, 2002, 2004 y 2005; Asociación Española de Letrados de Parlamentarios, 2007); Bilbao (Universidad del País Vasco, 2002, 2003, 2004, 2005 y 2011); Cáceres (Universidad de Extremadura, 2002, 2007 y 2008); Castro Urdiales (Universidad de Cantabria, 2003 y 2005); Cádiz (Universidad de Cádiz, 1999); Castellón (Universidad Jaume I de Castellón, 1998); Ceuta (Universidad de Granada, Ciudad Autónoma de Ceuta, 1999); Córdoba (Universidad de Córdoba, 1993, 2005 y 2006); Jaén (Universidad de Jaén, 1994, 1997, Diputación Provincial/Universidad, 1997); La Rioja (UNED, 1992 y Universidad de La Rioja, 2008); Las Palmas de Gran Canaria (Universidad de Las Palmas de Gran Canaria, 1997); Madrid (UNED, 2004, 2007 y 2009; Universidad Complutense, 2004, 2005, 2006, 2007, 2008 y 2009; Universidad Autónoma, 2005; Centro de Estudios Políticos y Constitucionales, 2005, 2006, 2008, 2012 y 2013; Universidad Carlos III, 2007; Instituto de Derecho Público de la Universidad Rey Juan Carlos, 2010); Málaga (Universidad de Málaga, 1994, 1996, 1997, 2003 y 2006); Melilla (Universidad de Granada, Ciudad Autónoma de Melilla, 1997, 1998, 1999 y 2004); Mérida (Escuela de Administración Pública de Extremadura, 2005, Asamblea de Extremadura, 2006); Motril (Centro Mediterráneo de la Universidad de Granada, 1998; Centro Asociado de la UNED, 2001, 2003 y 2004); Oñati (Universidad del País Vasco, 1996; Instituto Internacional de Sociología Jurídica, 1999); Osuna (Universidad de Sevilla, 2007); Pamplona (Universidad Pública de Navarra, 1998); Salamanca (Universidad de Salamanca, 2009); Santiago de Compostela (EGAP, 1992 y 2005); San Roque (Universidad de Cádiz, 2001); San Sebastián (Universidad del País Vasco, 2005); Segovia (Universidad de Valladolid, 2008); Sevilla (Universidad Internacional de Andalucía, 1998 y 1999; Universidad Pablo de Olavide, 2003; Parlamento de Andalucía, 2005; Instituto Andaluz de Administración Pública, 2005; Gabinete Jurídico de la Junta de Andalucía, 2005; Instituto Andaluz de Administración Pública, 2006; Centro de Estudios Andaluces, 2008); Tarragona (Universidad Rovira i Virgili, 1998, 1999 y 2001); Tenerife (Instituto Canario de Administración Pública, Universidad de La Laguna, 1997); Toledo (Universidad de Castilla-La Mancha, 1998; Facultad de Ciencias Jurídicas y Sociales de Toledo, 2009, 2010 y 2012); Torrevieja (Universidad Miguel Hernández de Elche, 2006); Valladolid (Universidad de Valladolid, 2006, 2008 y 2012); Vitoria (Parlamento Vasco, 1998); Yuste (Universidad de Extremadura, 2003); Zaragoza (Gobierno de Aragón, 2008, Fundación Manuel Giménez Abad, 2012).

Fuera de España ha impartido conferencias y cursos en alemán, inglés, italiano, francés, portugués y español en Alemania, Bélgica, Brasil, Francia, Italia, México, Portugal, Reino Unido y Suiza:

Baden-Baden (Alemania, FernUniversität Hagen, 1999); Bari (Italia, Università degli Studi di Bari, 2012); Bayreuth (Alemania, Universität Bayreuth, 1997, 2001 y 2002); Bonn (Alemania, Institut für Öffentliches Recht der Universität Bonn, 2006); Brasilia (Brasil, Instituto Brasileiro de Direito Público, 2007, 2010, 2011, abril y octubre de 2012); Bruselas (Bélgica, Istituto Italiano di Cultura, 2009); Cagliari (Italia, Facoltà di Scienze Politiche, Università degli Studi di Cagliari, 2008); Cambridge (Reino Unido, Universidad de Cambridge, 2012); Campina Grande (Brasil, Universidade Estadual da Paraíba, 2010 y 2012); Cancún (México, Universidad de Quintana Roo/Universidad Nacional Autónoma de México, 1998); Catania (Italia, Facoltà di Scienze Politiche, Università degli Studi di Catania, 2010); Coimbra (Portugal, Universidade de Coimbra, 2005); Cosenza (Italia, Facoltà di Scienze Politiche, Università della Calabria, 2007, 2011 y 2012); Enna (Italia, Università Kore di Enna, 2011); Erlangen (Alemania, Universität Erlangen-Nürnberg, 2001); Hannover (Alemania, Deutsche Institut für Föderalismusforschung, 1993); João Pessoa (Brasil, Escola Superior da Magistratura da Paraíba, 2010; Centro de Ciências Jurídicas da Universidade Federal da Paraíba, 2012); Lisboa (Portugal, Universidade de Lisboa, 2010, 2011 y 2012); Londres (Reino Unido, Istituto Italiano di Cultura, 2010); Ciudad de México (Instituto de Investigaciones Jurisprudenciales de la Suprema Corte de Justicia de la Nación, 2012); Milán (Italia, Facoltà di Scienze Politiche, Dipartimento Giuridico-Politico, Università degli Studi di Milano, 2009); Montpellier (Francia, Faculté de Droit et Science politique, Université Montpellier I, 2009); Nápoles (Italia, Facoltà di Giurisprudenza - Seconda Università degli Studi di Napoli, 2009 y 2010; Seconda Università degli Studi di Napoli/Università degli Studi di Napoli Federico II, 2012); Natal (Brasil, Escola Brasileira de Estudos Constitucionais, 2010 y 2012); Palermo (Italy, Università degli Studi di Palermo, Facoltà di Giurisprudenza, 2011); Perugia (Italia, Università degli Studi di Perugia, Facoltà di Giurisprudenza, 2008); Pisa (Italia, Dipartimento di Diritto Pubblico, Facoltà di Giurisprudenza de la Università di Pisa, 2006 y 2010); Porto Alegre (Brasil, Pontificia Universidade Católica do Rio Grande do Sul, 2010; Escola Superior de Direito Municipal 2010); Regensburg (Alemania, Universität Regensburg, 1997); Rio de Janeiro (Brasil, Procuradoria Geral do Município do Rio de Janeiro, 2007); Roma (Italia, Dipartimento di Teoria dello Stato y Facoltà di Scienze Politiche de la Universidad <<La Sapienza>> diciembre de 1998; Facoltà di Scienze Politiche de la Universidad <<La Sapienza>>, diciembre de 1999; Centro de excelencia europea Jean Monnet-Luigi Einaudi de la Universidad <<La Sapienza>>, junio y noviembre de 2004; Associazione Italiana dei Costituzionalisti, Universidad <<La Sapienza>>, octubre de 2006; Facoltà di Scienze Politiche de la Universidad <<La Sapienza>>, diciembre de 2006; Facoltà di Economia de la Universidad <<La Sapienza>>, junio de 2007; Libera Università

internazionale degli Studi Sociali Guido Carli-LUISS, junio de 2007; Istituto di Studi sui Sistemi Regionali, Federali e sulle Autonomie "Massimo Severo Giannini"- Università degli Studi di Roma <<Tor Vergata>>, junio de 2007 y diciembre de 2011; Facoltà di Giurisprudenza de la Universidad <<La Sapienza>>, mayo de 2008; Istituto di Studi sui Sistemi Regionali Federali e sulle Autonomie "Massimo Severo Giannini", mayo de 2008; Libera Università internazionale degli Studi Sociali Guido Carli-LUISS, mayo de 2010; Facoltà di Giurisprudenza de la Universidad <<La Sapienza>>, mayo de 2010; Istituto di Studi sui Sistemi Regionali, Federali e sulle Autonomie "Massimo Severo Giannini", marzo de 2011; Facoltà di Economia, Università "La Sapienza", diciembre de 2011; Università degli Studi di Roma "Tor Vergata", junio y diciembre de 2011; Facoltà di Giurisprudenza, Università "La Sapienza", diciembre de 2011; Sankt-Gallen (Suiza, Universität St. Gallen, 2008); São Luis (Brasil, Universidade Federal do Maranhão, 2011 y 2012); São Paulo (Brasil, Escola de Direito do Brasil – EDB/Federação das Indústrias do Estado de São Paulo – FIESP, noviembre de 2011; Faculdade de Direito da Universidade de São Paulo, noviembre de 2011; Escola de Magistrados da Justiça Federal da 3ª Região – Emag, abril de 2012); Siena (Italia, Centro di Ricerca e Formazione sul Diritto Costituzionale Comparato, Universidad de Siena, 2000, 2003); Tuxtla (México, Universidad Autónoma de Chiapas/Universidad Nacional Autónoma de México, México, 1998); Urbino (Italia, Università degli Studi di Urbino, 2010).

DOCTORADO

-Ha dirigido 20 Tesis Doctorales de doctorandos de España, Italia y Brasil. Todas ellas han obtenido la máxima calificación y la Mención <<Cum Laude>> por unanimidad. Cuatro de ellas han obtenido el Premio Extraordinario de Doctorado en Derecho de la Universidad de Granada. Una de ellas tiene el Título de Doctorado Europeo, otra la Mención de Doctorado Internacional, siete han sido dirigidas en cotutela con la Universidad de Lisboa y con diferentes universidades italianas (defendidas en la Universidad "La Sapienza" de Roma, en la Universidad de La Calabria, en la Segunda Universidad de Nápoles y en la Universidad de Bari). Dirige actualmente 10 Tesis Doctorales de doctorandos de España, Brasil, Chile, México, Perú, Portugal e Italia.

-Ha participado en 60 Tribunales de Tesis Doctorales en España y en otros países. En Málaga (1986), Granada (1987), Madrid (Universidad Complutense, 1990), Granada (2, 1992), Florencia (European University Institute, 1994), Málaga (1995), Granada (1996), Barcelona (1996, Universidad Central); Málaga, 1997; Valencia, 1997; La Coruña, 1997; Barcelona, 1997 (Universidad Central); Madrid (Universidad Complutense, 1998); Almería, 1998; Las Palmas de Gran Canaria, 1998; Granada (2), 1998; Alicante, 1998; Almería, 1999; Oviedo, 1999; Barcelona (1999, Universidad Central); Granada, 1999; Alicante (2), 2000; Granada, 2000; Málaga, 2000; Barcelona (2000, Universidad de Barcelona); Almería (2), 2001; Málaga, 2002 (como Presidente); Almería, 2003; Siena, 2003 (Universidad de Siena, como Presidente); Granada, 2003 (como Presidente); Bilbao, 2004; Alcalá de Henares, 2005 (2); Bilbao, 2005; Granada, 2005; Sevilla (Universidad de Sevilla), 2006; Roma (Universidad "La Sapienza"), 2008; Granada, 2008 (como Presidente); Nápoles, 2009 (Segunda Universidad de Nápoles); Salamanca, 2009, Nápoles 2010 (Segunda Universidad de Nápoles, 3 como Presidente); Salamanca, 2010 (Universidad de Salamanca, como Presidente), Málaga, 2010 (como Presidente), Bilbao, 2011; Cosenza, 2011 (Universidad de La Calabria, 3 como Presidente), Roma (Universidad "La Sapienza"), 2011; Granada 2011 (como Presidente), Bari, 2012 (Universidad de Bari, 3); Bilbao, 2012; Salamanca, 2012; Roma (Universidad "Tor Vergata"), 2012.

-Ha impartido Cursos de Doctorado en más de 60 Programas de Doctorado de más de 20 Universidades en España y en otros países. En España en: Universidad de Alicante, Universidad de Almería, Universidad de Granada, Universidad de Málaga, Universidad de La Rioja, Universidad Pablo de Olavide de Sevilla, Universidad de las Palmas de Gran Canaria, Universidad del País Vasco, Universidad Autónoma de Barcelona y Universidad Internacional Menéndez Pelayo/Centro de Estudios Políticos y Constitucionales, en Madrid. Fuera de España en: Universidad "La Sapienza" de Roma (Italia), Universidad Tor Vergata de Roma (Italia), Universidad de Siena (Italia), Universidad de Pisa (Italia), Universidad de Perugia (Italia), Universidad de Montpellier I (Francia), Universidad de Milán (Italia), Universidad de Catania (Italia), Universidad de Palermo (Italia), Universidad Kore di Enna (Italia), Universidad de La Calabria (Italia), Segunda Universidad de Nápoles (Italia), Universidad de São Paulo (Brasil), Universidad Federal de Maranhão (Brasil) y Universidad de Bari (Italia).

-Ha coordinado 7 Programas de Doctorado bianuales. Ha sido Coordinador del Programa de Doctorado <<Derecho constitucional jurisprudencial>> del Departamento de Derecho constitucional de la Universidad de Granada (bienios 1993-1995, 1995-1997, 1997-1999, 1999-2001 y 2001-2003) y del Programa de Doctorado <<Derecho Constitucional Común Europeo: Jurisprudencia y Doctrina>> del Departamento de Derecho constitucional de la Universidad de Granada (bienio 2003-2005). Igualmente, del Programa de Doctorado <<Derecho Constitucional Europeo>> (2005-2007), del Departamento de Derecho constitucional de la Universidad de Granada y la Cátedra Jean Monnet de Derecho Constitucional Europeo. Este Programa obtuvo la Mención de Calidad del Ministerio de Educación y Ciencia (MCD-2005 00139, Resolución de 29 de junio de 2005).

-Actualmente es Coordinador del Máster Oficial y Postgrado de la Facultad de Derecho de la Universidad de Granada: <<Derecho Constitucional Europeo>>. Postgrado Oficial en Derecho, organizado en colaboración con la Cátedra Jean Monnet de Derecho Constitucional Europeo y adaptado al EEES. Máster con Mención de Calidad del Ministerio de Educación y Ciencia. Cursos Académicos 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 y 2012-2103.

INVESTIGACIÓN

-Becado en 1991 (Deutscher Akademischer Austauschdienst) y 1993 (Ministerio de Educación y Ciencia) en la Universidad de Regensburg, Alemania.

-Investigador principal en dos Acciones Integradas de investigación científica entre España y Alemania (con la Universidad de Regensburg), 1994, 1995.

-Investigador Principal del Grupo de Investigación de la Junta de Andalucía <<Andalucía, la Unión Europea y el Estado

social>>, subvencionado con las ayudas para el fomento de la Investigación y el Desarrollo Tecnológico de la Junta de Andalucía (años 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011 y 2012).

-Investigador Principal del Proyecto de Investigación PB97-0801: <<Relaciones entre ordenamientos en la jurisprudencia del Tribunal Constitucional. Derecho europeo, derecho estatal y derecho autonómico>>. Proyecto nacional, subvencionado dentro del Programa Sectorial de Promoción General del Conocimiento, por Resolución de 18-9-1998, con una duración de tres años (1998-2001).

-Investigador Principal del Proyecto de Investigación BJU2003-06526: <<El proceso de constitucionalización de la Unión Europea>>. Proyecto nacional, subvencionado por la Secretaría de Estado de Política Científica y Tecnológica del Ministerio de Ciencia y Tecnología, por Resolución de 1 diciembre de 2003, con una duración de tres años (2003-2006).

-Investigador Principal del Proyecto de Investigación de Excelencia SEJ-939: <<Las reformas constitucionales y estatutarias en el marco de la Unión Europea>>, de la Junta de Andalucía, con una duración de tres años (2005-2008).

-Investigador Principal del Proyecto de Investigación SEJ2007-66427/JURI <<La interacción constitucional entre Unión Europea y Estados miembros como factor de desarrollo del Derecho Constitucional Europeo>>. Proyecto nacional, subvencionado por la Dirección General de Investigación del Ministerio de Educación y Ciencia, con una duración de tres años (2007-2010).

-Investigador principal en la Acción Integrada de investigación científica entre España y e Italia, con la Universidad de Pisa, 2007. Referencia: HI2007-0028, Proyecto: <<Jurisdicción ordinaria y jurisdicción constitucional en el proceso de integración europea>>.

-Investigador Principal del Proyecto de Investigación de Excelencia SEJ-4931: "Reformas estatutarias y desarrollo estatutario en el marco de la Unión Europea", de la Junta de Andalucía, con una duración de cuatro años (2011-2015).

PUBLICACIONES

Autor de más de 250 publicaciones sobre materias de su especialidad en Alemania, Bélgica, Brasil, España, Francia, Italia, México, Perú, Portugal y Suiza. Entre ellas se pueden mencionar:

-Fuentes del Derecho (dos tomos, Tecnos, Madrid, 1991 y 1992), Premio <<Adolfo Posada>> del Centro de Estudios Constitucionales, correspondiente al periodo 1991-1992. <<La supletoriedad del derecho estatal sobre el autonómico en el ordenamiento constitucional español>>, en Kramer, J. (Hrsg.), Die Entwicklung des Staates der Autonomen in Spanien und der bundesstaatlichen Ordnung in der Bundesrepublik Deutschland, Nomos Verlagsgesellschaft, Baden-Baden, 1996. <<Constitución normativa y ciencia del Derecho>>, en AAVV: Estudios de Derecho Público en Homenaje a Juan José Ruiz-Rico, Editorial Tecnos, Vol. I, Madrid, 1997. <<La constitucionalización de la Unión Europea y la articulación de los ordenamientos europeo y estatal>>, en Miguel Ángel García Herrera (dir.): El constitucionalismo en la crisis del Estado social, Universidad del País Vasco, Bilbao, 1997. <<Die Autonome Gemeinschaft Andalusien im Bildungsprozeß des Autonomen Spanischen Staates>>, Jahrbuch des öffentlichen Rechts der Gegenwart, Mohr Siebeck, Tübingen, Bd. 47, 1999. <<Las fuentes del Derecho>>, en La experiencia constitucional (1978-2000), Gumersindo Trujillo, Luis López Guerra y Pedro González-Trevijano (Drs.), CEPC, Madrid, 2000; <<Il finanziamento dei partiti politici in Spagna>>, en Finanziamento della politica e corruzione, a cura di Fulco Lanchester, Milano, Dott. A. Giuffrè Editore, 2000. <<Livelli istituzionali e tecniche di riconoscimento dei diritti in Europa. Una prospettiva costituzionale>>, en Tecniche di garanzia dei diritti fondamentali, a cura di Giancarlo Rolla, G. Giappichelli Editore, Torino, 2001. <<Das System der Rechtsquellen in der spanischen Verfassungsrechtsordnung>>, Jahrbuch des öffentlichen Rechts der Gegenwart, Mohr Siebeck, Tübingen, Bd. 49, 2001. <<Der Verfassungsstaat in iberoamerikanischem Kontext>>, en Martin Morlok (Hrsg.) Die Welt des Verfassungsstaates, Nomos, Baden-Baden, 2001. <<Derecho y Derechos en la Unión Europea>> en Javier Corcuera Atienza (Coord.), La protección de los Derechos Fundamentales en la Unión Europea, Dykinson, Madrid, 2002. <<El status constitucional de la reforma y la fragmentación del Poder Constituyente>>, en AAVV, La democracia constitucional. Estudios en homenaje al Profesor Rubio Llorente, Congreso de los Diputados, Tribunal Constitucional, Vol. I, Madrid, 2002. <<Fuentes del Derecho, espacios constitucionales y ordenamientos jurídicos>>, Revista Española de Derecho Constitucional, n. 69, Madrid, 2003. <<I diritti degli stranieri in Spagna>>, Diritto Pubblico Comparato ed Europeo, n° II, G. Giappichelli Editore, Torino, 2003. <<Der Beitrag Spaniens zur europäischen Rechtskultur>>, Jahrbuch des öffentlichen Rechts der Gegenwart, Mohr Siebeck, Tübingen, Bd. 52, 2004. <<Der Integrationsprozess in Europa und die Beziehungen zwischen der Europäischen Rechtsordnung und den Rechtsordnungen der Mitgliedsstaaten>>, en A. Blankenagel, I. Pernice, H. Schulze-Fielitz (Hrsg.) Verfassung im Diskurs der Welt, Liber Amicorum für Peter Häberle, Mohr Siebeck, Tübingen, 2004. <<Niveaux et techniques internes et internationaux de réalisation des droits en Europe. Une perspective constitutionnelle>>, Revue Française de Droit Constitutionnel, n° 60, Paris, Octobre 2004. <<El sistema de fuentes en la Constitución Europea>>, en ReDCE, n° 2, Julio-Diciembre de 2004. <<La configuración normativa de principios y derechos constitucionales en la Constitución europea>>, en Boletim da Faculdade de Direito, STVDIA IVRIDICA, 84, Coimbra Editora, Coimbra, 2005. <<Die europäische Verfassung auf dem Weg zum Europäischen Verfassungsrecht>>, Jahrbuch des öffentlichen Rechts der Gegenwart, Mohr Siebeck, Tübingen, Bd. 53, 2005. <<Las cuestiones competenciales en los actuales procesos de reforma de los Estatutos de Autonomía>>, en Revista General de Derecho Constitucional, n° 1, Madrid, 2006. <<Reformas constitucionales relativas al Título VIII en relación con la recepción constitucional de la denominación oficial de las CCAA>> en Francisco Rubio Llorente, José Álvarez Junco (eds.) *El informe del Consejo de Estado sobre la reforma constitucional. Texto del informe y debates académicos*, CEPC, Madrid, 2006. <<Lo Stato autonomo spagnolo: la stagione delle riforme>>, en *I cantieri del federalismo in Europa*, a cura di Antonio D'Atena, Giuffrè, Milano, 2008. <<Recht und Sprache in Europa>>, en AAVV, *Präjudiz und Sprache*, Dike/Nomos, Zurich/St. Gallen, Baden-Baden, 2008. <<El

Tratado de Lisboa en el Diván. Una reflexión sobre constitucionalidad, estatalidad y Unión Europea>>, *Revista Española de Derecho Constitucional*, núm. 83, mayo-agosto de 2008. <<La Riforma dello Statuto di autonomia dell'Andalusia nel contesto della pluralità di spazi costituzionali di ambito europeo>>, en *Regionalismi e Statuti. Le riforme in Spagna e Italia*, a cura di Silvio Gambino, Guiffrè Editore, Milano, 2008. <<La reforma constitucional en el contexto de la pluralidad de espacios constitucionales de dimensión europea>>, *Boletín Mexicano de Derecho Comparado*, Sexagésimo aniversario, Número conmemorativo 1948-2008, Año 2008. <<El día de reflexión: prohibición de manifestaciones, encuestas electorales y utilización de nuevas tecnologías>>, en Francisco Rubio Llorente, Paloma Biglino Campos, *El informe del Consejo de Estado sobre la reforma electoral. Texto del informe y debates académicos*, CEPC, Madrid, 2009. <<Possibilidades e limites da reforma constitucional na Espanha no contexto do Estado autonómico integrado na União Europeia>>. *Direitos Fundamentais & Justiça*, nº 6, Porto Alegre (Brasil), 2009. <<Die Territorialreformen in Spanien>>. *Jahrbuch des öffentlichen Rechts der Gegenwart*, Mohr Siebeck, Tübingen, Bd. 57, 2009. <<A divisão territorial do poder num contexto supranacional. O exemplo da Espanha na União Europeia>> en André Ramos Tavares, Ingo Wolfgang Sarlet y George Salomão Leite (eds.) *Estado Constitucional e Organização do Poder*, Editora Saraiva, São Paulo (Brasil), 2010. <<Le Corti Costituzionali e il processo di integrazione europea>> en AA VV, *Annuario 2006 - La circolazione dei modelli e delle tecniche del giudizio di costituzionalità in Europa*, Jovene Editore, Napoli 2010. <<Diritto e giustizia nell'ordinamento costituzionale europeo>>, en *Giustizia e diritto nella scienza giuridica contemporanea*, a cura di Antonio Cantaro, G. Giappichelli Editore, Torino, 2011. <<A configuração normativa dos direitos fundamentais pela justiça constitucional em um contexto de integração supranacional>> en George Salomão Leite e Ingo Wolfgang Sarlet (Coord.) *Jurisdição Constitucional, Democracia e Direitos Fundamentais. Estudos em homenagem ao Ministro Gilmar Ferreira Mendes*, Editora JusPODIVM, Salvador Bahia, 2012 y *La proiezione della Costituzione sull'ordinamento giuridico*, Cacucci Editore, Bari, 2012.

-Ha realizado traducciones de obras de diversos autores alemanes que se han publicado en España y en otros países. Igualmente Prólogos a diversas obras y recopilaciones de textos normativos.

-Como coautor, es de destacar: Francisco Balaguer Callejón (Coordinador), Gregorio Cámara Villar, Juan Fernando López Aguilar, María Luisa Balaguer Callejón y José Antonio Montilla Martos, *Manual de Derecho Constitucional*, dos volúmenes, 7ª edición, Tecnos, Madrid, 2012. Francisco Balaguer Callejón (Director), Luís Ortega, Gregorio Cámara Villar, José Antonio Montilla Martos, (Coordinadores), *Reformas estatutarias y distribución de competencias*, Instituto Andaluz de Administración Pública, Sevilla, 2007. Francisco Balaguer Callejón (Director), Luís Ortega, Gregorio Cámara Villar, José Antonio Montilla Martos, (Coordinadores), *Reformas estatutarias y Declaraciones de Derechos*, Instituto Andaluz de Administración Pública, Sevilla, 2008. Francisco Balaguer Callejón (Director), Luís Ortega, Gregorio Cámara Villar, José Antonio Montilla Martos, (Coordinadores), *Reformas estatutarias y organización institucional*, Instituto Andaluz de Administración Pública, Sevilla, 2010.

OTRAS ACTIVIDADES

-Miembro de 25 Consejos Editoriales y Consejos Asesores de Revistas especializadas en Derecho constitucional así como de Colecciones Editoriales en Italia (9), España (8), Brasil (5) México (1), Perú (1) y Portugal (1).

-Miembro del Grupo de Expertos Jurídicos de la Agencia de Derechos Fundamentales de la Unión Europea (FRALEX).

-Miembro del Comité Científico del Centro di Ricerca e Formazione sul Diritto Costituzionale Comparato (Universidad de Siena, Italia) 2000-2005.

-Miembro del Comité Científico del Centro di Ricerca sui Sistemi Costituzionali Comparati (Universidad de Génova, Italia).

-Socio del Centro Interdipartimentale di Ricerca e di Formazione sul Diritto Pubblico Europeo e comparato (DIPEC).

-Miembro de la Societas Iuris Publici Europaei (SIPE, Georg-August-Universität, Alemania).

-Ha realizado Dictámenes e Informes para diversas instituciones y empresas: Junta de Andalucía, Gobierno de la Nación, Consejo de Estado, Diputación General de Aragón, Universidades de Andalucía, Agencia de Derechos Fundamentales de la Unión Europea, entre otras.

-Director del Departamento de Derecho Constitucional de la Universidad de Granada desde 1996 a 2012 (reelegido en 2000, 2004 y 2008).

-Miembro del Grupo de Trabajo sobre El futuro de la Unión Europea, Real Instituto Elcano de Estudios Internacionales y Estratégicos.

-Miembro del Foro sobre La reforma de la estructura territorial del Estado, Centro de Estudios Políticos y Constitucionales (2004-2007).

-Tramos de Investigación: 5 (Períodos 1982-1987, 1988-1993, 1994-1999, 2000-2005, 2006-2011). Tramos de Docencia: 6. Tramos autonómicos: 5.

-Conocimiento de Idiomas: Inglés, Francés, Italiano, Portugués y Alemán.

-Consejero del Consejo Consultivo de la Comunidad Autónoma de Andalucía y miembro de la Comisión Permanente del Consejo (1994-2005).

-Miembro del Comité de Coordinación Andaluz para la conmemoración de 2005 como Año Europeo de la Ciudadanía a través de la Educación.

-Director del Observatorio de Derecho europeo, autonómico comparado y local.



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Anexo II

Seminar Syllabus

Introduction to the Law of the United States

Professor Patrick R. Hugg

John J. McAulay Professor of Law
Loyola University School of Law

One Credit

**University of Lisbon
Faculty of Law**

October 8-12, 2012

SYLLABUS

Seminar Objectives: This seminar will introduce students to the basic structure and primary distinguishing features of the law and legal system of the United States of America. As the **Seminar Schedule** below illustrates, the seminar will explore the many non-European aspects of U.S. law and especially the common law tradition and the federal nature of governance between the central government in Washington D.C. and the fifty States. Students will discuss the controversial differences in the common law and civil law traditions, as each system attempts to impose order and promote prosperity in its jurisdiction. In particular, students of this seminar will enjoy learning about and discussing the different U.S. methods for finding justice through adversarial trial processes, the U.S. approach to protecting fundamental rights, and other current topics.

Because the U.S. legal system is often dramatically different from most European legal systems, the seminar will be presented in the lecture – discussion format, in hopes of promoting a lively interchange regarding the rationality and functionalism of the varying institutions, mechanisms, and rules of law. Some aspects of the U.S. legal system make little sense, except in the context of their historical development. Some parts of the U.S. legal system work poorly; others work well. To offer the students a thoughtful and provocative learning experience, these very different and very non-European aspects of U.S. law will be discussed.

Expected Student Learning Outcomes: First and foremost, students completing this seminar can expect to understand the unique nature of this polity called the United States. This is significant because the U.S. is complex and significantly different from the governments in continental Europe. Its organization and institutions do not compare well with counterparts in the EU. Second, students can expect to become familiar with the political and governmental functioning of the U.S., its processes, and vernacular. Finally, students can expect to gain an understanding of the revolutionary development of the U.S. as a significant evolution of legal systems and legal science in the late 18th century, and how that has succeeded and failed to the present day.

Text and Other Resources: Selected seminar readings have been prepared and will be distributed prior to the course. Students will also be given a small pamphlet containing the U.S. Constitution (it is surprisingly short). Further, we will resort to other available resources for current news illustrating U.S. law.

Seminar Schedule: The seminar will meet for five sessions, starting Monday, October 8 through Friday, October 12, 2012, in two hour seminar meetings. The seminar will conclude with a short analytical paper, to be written privately by each student after the seminar in a time convenient to the student. See **Course Format and Expectations** below for more details regarding this final paper.

Daily Topical Schedule:

Monday, October 8	Historical Development of U.S. Law – the different national experience and mentality: Rugged Individualism; Legal sources, Common Law, Presidential Democracy
Tuesday, October 9	Public Law – Constitutional Law, Legal Process, Judicial Review, Fundamental Rights, the Death Penalty
Wednesday, October 10	The U.S. Judicial System – Civil and Criminal Procedure, Trial Process, the Jury, State and Federal Courts
Thursday, October 11	Private Law – Contracts, Torts, Property, Punitive Damages, Class Actions, Contingent Fees
Friday, October 12	The U.S. Law School Experience, Legal Professions: Lawyers and Judges

Class Attendance: Students are expected to attend a minimum of four of the five classes offered.

Course Format and Expectations: The class will be presented in the lecture-discussion format, including the traditional Socratic and case methods. Our discussions will take U.S. beyond the relevant descriptive information about the U.S. law. Particular emphasis will be placed on inquiry into the coherence and philosophical underpinnings of the governmental and legal institutions, processes, and values advanced by the U.S. system. Students are encouraged to participate in the class presentations with informed questions and comments. Students are also encouraged to prepare for class by reading the assigned materials prior to each class. Because class participation is valued as a teaching tool, it will be included in the final grades (see **Course Grading** below).

The course will conclude with the students writing a brief paper on a topic of their choice, in agreement with the Professor, relating to the seminar instruction and discussions. The paper will be evaluated for its analytical merit and substantive content, not its length. We are all too busy for that. The paper may not exceed five typewritten pages, or if handwritten, may not exceed 1250 words.

Course Grading: Students' grades will be administered according to the traditional system in place at the University of Lisbon. Final grades in the course will be computed on the following basis: Class participation 20%, final paper 80%.

Office Hours: Prof. Hugg will maintain office hours each Monday - Friday afternoon from 2 p.m. until 3:30 p.m. in the offices assigned to him in the law faculty, and he will be available at other times by appointment. Prof. Hugg may be contacted most easily via e-mail at hugg@loyno.edu. Students are encouraged to e-mail, call, or visit at any time to discuss the course, the paper, and any related topics of interest.

RESUME

PATRICK RYAN HUGG

John McAulay Professor of Law
Loyola University School of Law
7214 St. Charles Ave.
New Orleans, LA 70118

EDUCATIONAL BACKGROUND

LL.M.	Tulane University School of Law - 1981 <i>With Distinction</i>
J.D.	University of Louisville - 1978
A.B.	Spring Hill College - 1970

ACADEMIC EXPERIENCE

Professor of Law, Loyola University School of Law
1986 - present

John McAulay Distinguished Professor of Law
invested in 2000

Guest Professor:
University of Vienna Law faculty Fall semester 1995, Fall semester 2009
Yditepe University Law faculty, Istanbul Fall semester 2002

Director of Vienna Summer Legal Studies Program
1994 - present

Director of Loyola Law School Center for International Programs
1999 - 2011

Direct and teach two annual peripatetic seminars: 1) Exploring the Roots of the Civil Law (seminar presentations on site traveling from Istanbul, via the Bosphorus to Anatolia, to Ephesus, Samos, and Thessaloniki), 2) The Institutions of the European Union (seminar presentations on site, traveling from Brussels, through Luxembourg, Strasbourg, and Paris)

Courses Taught Include International Trade Law, Law of the European Union, Common Law Property, Appellate Advocacy, Comparative Law, and Federal Courts, and co-teach annually Comparative Legal Systems: Austria, Germany, and the United States (with Prof. H. Hausmaninger).

CURRENT LEADERSHIP SERVICE

Chair, International Committee, Southeast Association of Law Schools, 2010-2012.

Member, World Trade Organization, New Orleans, Government Affairs Committee 2009 – 2011.

Member, Board of Governors, Louisiana Civil Service League
2000 - present

Member University Institutional Review Board - 2006 - present

2003 University Award for Outstanding Research

PUBLICATIONS

Book:

Guide to European Union Commercial Practice, Oceania Publishers 2003.

Law Review Articles:

Accession Aspirations Degenerate: A New Chapter for Turkey and the EU, 9 Washington University Global Studies Law Review 225 (2010).

Symposium Introduction: Emerging Technology and Law in Europe, Loyola University New Orleans College of Law, Law & Technology Annual, 133 (2010).

The New EU Services Directive: Metaphor for Europe Today, Model for Expanding International Harmonization Tomorrow, International Law and Trade 220 (2007).

Cyprus in Europe: Seizing the Momentum of Nice, 34 Vanderbilt Journal of Transnational Law 1293 (2001).

Turkey in Europe: Reconsidering the Luxembourg Exclusion, 23 Fordham Int'l L. 606 (2000).

Transnational Convergence: European Union and American Federalism, 32 Cornell Int'l L. Rev. 43 (1998)

Participant and Co-author of the ABA Central and Eastern European Law Initiative's 2001 Advisory Comment on a comprehensive new Civil Service law for the emerging democratic government in Slovakia.

Participant and Co-author of the ABA Central and Eastern European Law Initiative's 1999 Advisory Comment on a comprehensive new Civil Service law for the emerging democratic government in Albania.

Comparative Models for Legal Education in the United States: Improved Admissions Standards and Professional Training Centers, 30 Valparaiso University Law Review 51 (1995).

Book Review, The Justice From Beacon Hill: The Life and Times of Oliver Wendell Holmes, 38 Loyola Law Review 557 (1992).

A Hybrid Theory of Education Reform, co-authored by Dr. Lou Miron, 36 Loyola Law Review 937 (1991).

Federalism's Full Circle - Relief from Education Discrimination, 35 Loyola Law Review 13 (1989).

Judicial Style: An Exemplar, 33 Loyola Law Review 865 (1987).

BAR ASSOCIATIONS

Supreme Court of the United States
Fifth Circuit Federal Bar and licensed in all federal district trial courts
Louisiana Supreme Court Bar, and licensed in all trial courts in the state



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Anexo III

Limitation of Sovereignty by European Integration

1) **Monday, Oct. 22:** The basic problem: national v. supranational power

National sovereignty and its historical development – the transfer of State competencies to the EC/EU – the characteristics of supranationality

2) **Tuesday, Oct. 23:** The primacy of EU law in the national and supranational perspective

ECJ jurisprudence and the position of national Constitutional Courts: a comparative overview – in particular: the German example

3) **Wednesday, Oct. 24:** ECJ and national Constitutional Courts: cooperation or conflict ?

Supranational concepts before national Constitutional Courts: acceptance and resistance - procedural mechanisms of judicial cooperation - judicial dialogue

4) **Thursday, Oct. 25:** „Constitutional Identity“ as a core element of national sovereignty

The concept of national and constitutional identity in a European perspective – the position of the ECJ, the French Conseil constitutionnel, the German Bundesverfassungsgericht and the Polish Constitutional Court: a comparative analysis

5) **Friday, Oct. 26:** National Sovereignty in a supranational context: conclusions

Final analysis of the constitutional and European jurisprudence on the subject – the future developments: more supranationality and less sovereignty to overcome the financial crisis? Towards a European Federal State?

Literature and Jurisprudence

ad 1) Rainer Arnold (ed.), The emergence of European constitutional law, XVIIth Congress of the International Association of Comparative Law, Utrecht 2006, National reports, Athens, Brussels (Sakkoulas/ Bruylant), 2009, 429 p.

Costa/ENEL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61964J0006:EN:NOT>

ad 2)

Rainer Arnold, Germany. The Federal Constitutional Court of Germany in th context of the European Integration. The interaction between the European and the national courts, ed.by Patricia Popelier, Catherine van de Heyning and Piet Van Nuffel, Intersentia,Cambridge-Antwerp-Portland, 2011, 237 – 259.

Décision n° 2007-560 DC du 20 décembre 2007(French Conseil constitutionnel on Lisbon Treaty,

also in English at [**http://www.conseil-**](http://www.conseil-)

[constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/depuis-1958/decisions-par-date/2007/2007-560-dc/decision-n-2007-560-dc-du-20-decembre-2007.1166.html](http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/depuis-1958/decisions-par-date/2007/2007-560-dc/decision-n-2007-560-dc-du-20-decembre-2007.1166.html)

Polish Constitutional Court K 18/04 (Dec. 11 May 2005)
http://www.trybunal.gov.pl/eng/summaries/documents/K_18_04_GB.pdf

German Constitutional Court (Lisbon Treaty), Dec. 30 June 2009
http://www.bverfg.de/entscheidungen/es20090630_2bve000208en.html

ad 3) Oreste Pollicino, The New Relationship between National and the European Courts after the Enlargement of Europe: Towards a Unitary Theory of Jurisprudential Supranational Law, Yearbook of European Law, Oxford, vol.29 (2011), 65 – 111.

German Constitutional Court in Mangold case (Dec. 6 July 2010) ,
http://www.bverfg.de/entscheidungen/rs20100706_2bvr266106en.html

ad 4) http://www.bverfg.de/entscheidungen/es20090630_2bve000208en.html (Lisbon Treaty decision on constitutional identity)

Décision n° 2006-540 DC du 27 juillet 2006 French Conseil constitutionnel on Constitutional

Identity, **<http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/2006/2006-540-dc/decision-n-2006-540-dc-du-27-juillet-2006.1011.html>** (also English version)

Polish Constitutional Court on the Lisbon Treaty (Dec. K 32/9 of 24 Nov. 2010)
http://www.trybunal.gov.pl/eng/summaries/documents/K_32_09_EN.pdf

Ad 5)

Rainer Arnold,

Supranational and National Identity in the Reform Treaty of Lisbon, in: Piontek/Karasiewicz, Quo vadis Europa III? International Scientific Conference, Faculty of Law and Administration, Warszaw University 2008, Warsaw 2009, 53 – 64

Prof. Dr. Rainer ARNOLD

CV

1. Full Professor at University of Regensburg/Germany

Chair of Public Law / Comparative Law, EU Law, Economic Administrative Law
(nomination 1978)

1976-1978 Professor at the University of Konstanz

Jean Monnet Chair of EU Law (since 1999)

Jean Monnet Chair ad personam: Legal Relations of the EU with Central, Eastern
and South Eastern Europe (at present, since
2008 until October 2013)

Dean of the Faculty 1981 -1983

2. Director of the German Law Studies Programme at Moscow Lomonossov State University (since 2002)

German Director of the EU Law Center at Istanbul Bahcesehir University (since
2009)

3. Visiting Professor:

Charles University of Prague (permanently since 1999)

University of Paris I (Panthéon-Sorbonne):1993,1995, 1998, 1999, 2002, 2006,2007

University of Paris II (Panthéon-Assas):2000, 2001, 2003, 2004 - 2008 (each year)

University of Strasbourg (Collège doctoral européen): 2010 (March and September)

Université de Pau (Faculté Pluridisciplin.de Bayonne, Anglet et Biarritz) 20003 - 2008

University of Rome (La Sapienza): 1995, 2000

University of Bologna: 2002, invited also for 2012

Moscow State University Lomonossov: since 1994 every year

Universidad de los Andes, Santiago de Chile:2003, seminar in 2010

Università degli Studi di Trento 2012

Université de Toulouse 2012

4. European University Institute

Fiesole/ Florence

Fernand Braudel Fellow 2008 (3 months)

Visiting Fellow: 2003/2004 (2 months), 2006

5. Oxford European and Comparative Law Institute:

Research 2004 (2 months), 2005, 2006, 2008

6. Harvard Law School: Research 2008 (1 month)

7. International Association of Constitutional Law

Secretary General of the Forum Constitutionnel Européen (European Constitutional Network (since 2008)

Co-Director of workshops at the World Congresses in Athens (2006) and Mexico City (2010)

8. Académie internationale de droit comparé

Membre associé (since 2002); General Reporter at the World Congresses in Utrecht (2006) on European Constitutional Law and in Washington (2010) on Human Rights

9. Academy of Science of Bologna

Corresponding Member since 2002

10. National Associations of Constitutional Law

Honorary member of the Russian Association of Constitutional Law
Honorary member of the Slovenian Association of Constitutional Law
Member of the Polish Association of Constitutional Law
Member of the French Association of Constitutionalists
Member of the German Staatsrechtslehrervereinigung, the German Association of Comparative Law, the German Association of EU Law, the German Association of International Law

11. Organization of 14 International Congresses on European and Comparative Constitutional Law at Regensburg, with internationally renowned academics and Presidents and Judges of Constitutional Courts in Central, Eastern and South Eastern Europe

Creation of an International Research Network

12. Member of the Board of Editors of various international journals

Tulane European & Civil Law Forum, New Orleans,
Revue française de droit constitutionnel, Paris,
Revista Europeo de Derechos Fundamentales, Madrid,
Revista de Derecho Constitucional Europeo, Granada,
Rivista Diritto Pubblico Comparato ed Europeo, Torino,
Review of Central and East European Law, Leiden,
Ukrainian Journal of European Studies, Kiev
Právní Rozhledy (for 10 years until 2011), Praha
European Review of Public Law, Paris, Athens
Evaluation Committee of the bookseries «Temi comparatistici – I
diritti e le istituzioni», ed. by L. Pegoraro, Bologna
Comitato di direzione Collana «Ricerche di diritto comparato – Diritto
pubblico», ed. by Bononia University Press
Comitato di direzione Collana „Diritto pubblico contemporaneo – gli
ordinamenti costituzionali“, ed. by Giappichelli, Torino

13. Editor

Developments in European Law / Développements en droit
européen/ Entwicklungen im Europäischen Recht,
Vol. 1 – 36 by Jean Monnet Chair, vol. 37 - by University
Publishing House Regensburg

German – Russian Law Developments, University Publishing
House, Regensburg, together with the Law Faculty of Moscow
Lomonossov State University, Dean Prof. A. Golitschenkov

German – Ukrainian Law Discussions (Deutsch-Ukrainische
Rechtsgespräche), Vol. 1 – 3, Jean Monnet Chair R. Arnold

14. Publications:

more than 400 publications (books and articles) in international
publishing houses and journals in the fields of German and Comparative
Law, EC/EU Law, Constitutional and Administrative Law

Most recently:

Evropské Právo, C.H. Beck Praha, 4th ed., 2011, together with L. Tichý, J. Zémánek, R. Král, T.
Dumbrovský, 953 p.; R. Arnold (ed.), The Emergence of European Constitutional Law,
Sakkoulas/Athens and Bruylant/Brussels, 2009, 429 p.. In print: The Universalism of Human
Rights, Springer Publishing House 2012

15. Seminars/conferences/courses

In many universities in Europe (in particular in Spain, Italy, France, Poland, Czech
Republic, Russia) and overseas (Korea, Canada, Chile, Mexico, Morocco, Tunisia)

16. Honours

Commemoration Honour Medal by the Charles University Prague at its 650 years celebration (for contributing to establishing the European Law Chair and to integrating the Faculty into the international academic society)

Prize of the Moscow Lomonossov State University, Law Faculty, „Tradition and Progress“ 2008 (for establishing German and European Law Studies at this University and promoting Russian-German-European research activities)

Election as a corresponding member of the Academy of Science of Bologna (for contributing essentially to international scientific collaboration)

Election as a Membre associé of the Académie internationale de droit comparé (for international comparative law studies)

Award of the Czech Association for European Studies 2011 (for promoting EU Law studies and research in Czech Republic and other European States)

Nomination as a Honorary Member of the Slovenian and Russian Associations of Constitutional Law (for internationally recognized constitutional comparative research)

Honorary Sign in Silver of the University of Granada (for contributing essentially to promote German-Spanish scientific collaboration)

Medal of the Real Academia de Jurisprudencia y Legislación de Granada

16. Languages:

English, French, Italian, Spanish, Russian, Czech (in Czech reading knowlege)



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GABINETE ERASMUS
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Anexo IV

The EU is a global actor in international relations. As a member of WTO and an observer at the UN, the EU plays a crucial political and economic role in the world. The aim of the course is an in-depth study of the recent developments of the external relations of the European Union with emphasis on important issues (relations with WTO and UN; commercial policy, development cooperation, external foreign and security policy, sanctions).

Oct. 29 - Nov. 2, 2012

	Topic of the Lecture	Literature
1	<u>The EU as a Subject of International Law: Dogmatic Issues</u> the Reach of International Subjectivity; the Treaty-Making Power; International Responsibility, 2hours	P. Eekhout, EU External Relations Law, 2011; Relevant chapter
2	<u>The EU as a Member of WTO and the Common Commercial Policy</u> Obligations Resulting from GATT/WTO; Instruments of EU Commerce with Third States, 2 hours	A. Dashwood and M. Maresceau (eds.), Law and Practice of EU External Relations, 2008 ; Relevant chapter
3	<u>EU and UN - EU Sanctions in European and International Law</u> EU with Observer Status at the UN; Forms of Cooperation - Requirements for Reprisals in International and EU Law; Responsibility; Recent Developments, 2 hours	R. Arnold and E. Meindl, EU External Economic Law, Handbook of EU Economic Law, 2011; Relevant Chapters
4	<u>EU and the World: a Global Treaty Partner</u> the Relations with the Five Continents (Overview); Association Treaties, Partnership and Cooperation Treaties, etc., 2 hours	P. Eekhout, EU External Relations Law, 2011; A. Dashwood and M. Maresceau, Law and Practice of EU External Relations, 2008; Relevant Chapters
5	<u>EU Common Foreign and Security Policy</u> (Institutional Structure; Instruments; Developing Defence Policy), 2 hours	R. Arnold and E. Meindl, EU External Economic Law, Handbook of EU Economic Law, 2011; Relevant Chapter

Literature:

Eekhout, EU External Relations Law, Oxford University Press, 2011

A. Dashwood and M. Maresceau (eds.), Law and Practice of EU External Relations, Cambridge University Press, 2008

Marise Cremona (ed.). Developments in EU External Relations Law. Oxford: Oxford University Press, 2008

R. Arnold and E. Meindl, EU External Economic Law. Basic Structures, EU Economic Law Handbook, K.I. M. Dausen (ed.), C.H.Beck, Munich, 2011

Cardwell, Paul James (Ed.), EU External Relations Law and Policy in the Post-Lisbon Era, Asser Press, Springer, 2012

Prof. Dr. Rainer ARNOLD

CV

1. Full Professor at University of Regensburg/Germany

Chair of Public Law / Comparative Law, EU Law, Economic Administrative Law
(nomination 1978)

1976-1978 Professor at the University of Konstanz

Jean Monnet Chair of EU Law (since 1999)

Jean Monnet Chair ad personam: Legal Relations of the EU with Central, Eastern
and South Eastern Europe (at present, since
2008 until October 2013)

Dean of the Faculty 1981 -1983

2. Director of the German Law Studies Programme at Moscow Lomonossov State University (since 2002)

German Director of the EU Law Center at Istanbul Bahcesehir University (since
2009)

3. Visiting Professor:

Charles University of Prague (permanently since 1999)

University of Paris I (Panthéon-Sorbonne):1993,1995, 1998, 1999, 2002, 2006,2007

University of Paris II (Panthéon-Assas):2000, 2001, 2003, 2004 - 2008 (each year)

University of Strasbourg (Collège doctoral européen): 2010 (March and September)

Université de Pau (Faculté Pluridisciplin.de Bayonne, Anglet et Biarritz) 20003 - 2008

University of Rome (La Sapienza): 1995, 2000

University of Bologna: 2002, invited also for 2012

Moscow State University Lomonossov: since 1994 every year

Universidad de los Andes, Santiago de Chile:2003, seminar in 2010

Università degli Studi di Trento 2012

Université de Toulouse 2012

4. European University Institute

Fiesole/ Florence

Fernand Braudel Fellow 2008 (3 months)

Visiting Fellow: 2003/2004 (2 months), 2006

5.Oxford European and Comparative Law Institute:

Research 2004 (2 months), 2005, 2006, 2008

6.Harvard Law School: Research 2008 (1 month)

7.International Association of Constitutional Law

Secretary General of the Forum Constitutionnel Européen (European Constitutional Network (since 2008)

Co-Director of workshops at the World Congresses in Athens (2006) and Mexico City (2010)

8.Académie internationale de droit comparé

Membre associé (since 2002); General Reporter at the World Congresses in Utrecht (2006) on European Constitutional Law and in Washington (2010) on Human Rights

9. Academy of Science of Bologna

Corresponding Member since 2002

10. National Associations of Constitutional Law

Honorary member of the Russian Association of Constitutional Law
Honorary member of the Slovenian Association of Constitutional Law
Member of the Polish Association of Constitutional Law
Member of the French Association of Constitutionalists
Member of the German Staatsrechtslehrervereinigung, the German Association of Comparative Law, the German Association of EU Law, the German Association of International Law

11.Organization of 14 International Congresses on European and Comparative Constitutional Law at Regensburg, with internationally renowned academics and Presidents and Judges of Constitutional Courts in Central, Eastern and South Eastern Europe

Creation of an International Research Network

12. Member of the Board of Editors of various international journals

Tulane European & Civil Law Forum, New Orleans,
Revue française de droit constitutionnel, Paris,
Revista Europeo de Derechos Fundamentales, Madrid,
Revista de Derecho Constitucional Europeo, Granada,
Rivista Diritto Pubblico Comparato ed Europeo, Torino,
Review of Central and East European Law, Leiden,
Ukrainian Journal of European Studies, Kiev
Právní Rozhledy (for 10 years until 2011), Praha
European Review of Public Law, Paris, Athens
Evaluation Committee of the bookseries «Temi comparatistici – I
diritti e le istituzioni», ed. by L. Pegoraro, Bologna
Comitato di direzione Collana «Ricerche di diritto comparato – Diritto
pubblico», ed. by Bononia University Pre
Comitato di direzione Collana „Diritto pubblico contemporaneo – gli
ordinamenti costituzionali“, ed. by Giappichelli, Torino

13. Editor

Developments in European Law / Développements en droit
européen/ Entwicklungen im Europäischen Recht,
Vol. 1 – 36 by Jean Monnet Chair, vol. 37 - by University
Publishing House Regensburg

German – Russian Law Developments, University Publishing
House, Regensburg, together with the Law Faculty of Moscow
Lomonosov State University, Dean Prof. A. Golitschenkov

German – Ukrainian Law Discussions (Deutsch-Ukrainische
Rechtsgespräche), Vol. 1 – 3, Jean Monnet Chair R. Arnold

14. Publications:

more than 400 publications (books and articles) in international
publishing houses and journals in the fields of German and Comparative
Law, EC/EU Law, Constitutional and Administrative Law

Most recently:

Evropské Právo, C.H. Beck Praha, 4th ed., 2011, together with L. Tichý, J. Zémánek, R. Král, T.
Dumbrovský, 953 p.; R. Arnold (ed.), The Emergence of European Constitutional Law,
Sakkoulas/Athens and Bruylant/Brussels, 2009, 429 p.. In print: The Universalism of Human
Rights, Springer Publishing House 2012

15. Seminars/conferences/courses

In many universities in Europe (in particular in Spain, Italy, France, Poland, Czech
Republic, Russia) and overseas (Korea, Canada, Chile, Mexico, Morocco, Tunisia)

16. Honours

Commemoration Honour Medal by the Charles University Prague at its 650 years celebration (for contributing to establishing the European Law Chair and to integrating the Faculty into the international academic society)

Prize of the Moscow Lomonossov State University, Law Faculty, „Tradition and Progress“ 2008 (for establishing German and European Law Studies at this University and promoting Russian-German-European research activities)

Election as a corresponding member of the Academy of Science of Bologna (for contributing essentially to international scientific collaboration)

Election as a Membre associé of the Académie internationale de droit comparé (for international comparative law studies)

Award of the Czech Association for European Studies 2011 (for promoting EU Law studies and research in Czech Republic and other European States)

Nomination as a Honorary Member of the Slovenian and Russian Associations of Constitutional Law (for internationally recognized constitutional comparative research)

Honorary Sign in Silver of the University of Granada (for contributing essentially to promote German-Spanish scientific collaboration)

Medal of the Real Academia de Jurisprudencia y Legislación de Granada

16. Languages:

English, French, Italian, Spanish, Russian, Czech (in Czech reading knowledge)



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Anexo V

The protection of fundamental rights in Europe: interaction, cooperation and material integration in European case law

Prof. Angelo Schillaci
University of Teramo, Italy

Program of the course (10 hours)

The course aims to describe the instruments of protection of fundamental rights in Europe, reflecting mainly on the relation between protection of rights and cooperation among legal orders.

In particular, the relations between national constitutional orders and European legal order will be taken into account, as well as the relation between national States and ECHR and even the “horizontal” relation between EU and ECHR.

Both institutional aspects and tools of interpretation will be analyzed, in order to describe a system in which interaction and cooperation lead to complex forms of balance and integration among legal orders.

Each dimension of interaction between legal orders will be analyzed through textual references and case law, with particular attention to the decisions of national Constitutional courts (in Italy, Germany, Spain, France and Portugal, with references to other important experiences such as United Kingdom or Poland), as well as to ECJ and ECHR case law. In analyzing case law, particular attention will be given to techniques of decision and interpretation, and to the arguments used by the Courts. In particular, the problem of defense of constitutional identities as a tool of the interaction between legal orders (i.e. the theory of “limits of the integration process” – *controlimiti* in the Italian and German Constitutional case law, or the concept of national margin of appreciation in ECHR case law) will be stressed, as well as the importance of the interpretative construction of the parameter of judgment through the confrontation between textual references of the different legal orders involved in the protection of fundamental rights.

Moreover, particular attention will be given to analysis of the Charter of fundamental rights of the EU and the main decisions of the European Court of Justice on its application before and after its entry into force in 2009, in order to verify the consequences of its enforcement on protection of fundamental rights in the multilevel context, also referring to the use of EU Charter by ECHR (i.e. in the *Schalk and Kopf* case) and national Constitutional courts (i.e. according to the Decl. 1/2004 of Spanish constitutional court or to the dec. n. 80/2011 of Italian constitutional Court).

Through this kind of analysis, the course will try to offer a reconstruction of the evolution of the protection of some exemplar fundamental rights (i.e. freedom of religion and conscience, protection of familiar rights of homosexual persons), in order to show how a broader protection has come out from the interaction, cooperation and material integration (as a result of interpretative interaction and cooperation themselves) between legal orders.

ANGELO SCHILLACI

Phone: 0039.339.4104215

Mail: aschillaci@tin.it

Place of birth: Roma
Date of birth: August 20th, 1980
Nationality: Italian
Address: Viale Cortina d' Ampezzo n 241, 00135 Roma (Italia)

Qualifications

Since April 10th 2012 Contract researcher (University of Teramo) in Constitutional Law

A.Y. 2012/2013 and 2011/2012 Contract Professor in "Law and Economics" – University of L'Aquila/Guardia di Finanza – Degree in "Operatore giuridico d'impresa"

Since December 1st, 2008: Contract researcher (University of Rome "La Sapienza" – Faculty of Law) on "The position of the ECHR and the effects of the decisions of the European Court on Human Rights in the legal system of member States" (until April 10th, 2012)

Since May 21st, 2008: Ph. D. in "Theory of State and comparative political institutions", University of Rome "La Sapienza"/Law Ph. D. (*Doctor en Derecho*), University of Granada (Spain), final dissertation on "International treaties as parameter of constitutional review of legislation/Compromisos internacionales y parámetro de constitucionalidad"

Since A.Y. 2007/2008: Contract *tutor* at Luiss University, Rome – Law Faculty – Course of Constitutional law

Since 2006 Lawyer in Rome

2004 Master in "European parliamentary institutions and constitutional history" in the University of Rome "La Sapienza"

2003 Degree in Law in the University of Rome "La Sapienza" – Faculty of Law (108/110)

1999 Graduation in the "Jesus and Mary" Institute in Rome (100/100)

Background experiences

2012, 18th April Intervention as a discussant in the International Meeting on "Primavera árabe, Unión Europea, contexto global". Title of the round table "La primavera árabe en el contexto europeo y global"

2011, 28th november, Speaker in the international Meeting on "Linee tematiche di sviluppo del diritto costituzionale europeo", Catania, 28 e 29 novembre 2011. Speech title: "I diritti fondamentali"

2011, Member of the Scientific Committee" of the international Meeting on "Linee tematiche di sviluppo del diritto costituzionale europeo", Catania, 28th e 29th november 2011

2011, 17th november, Speaker in the Meeting on "La Convenzione europea dei diritti dell'uomo tra effettività delle garanzie e integrazione degli ordinamenti", Perugia, 17th november 2011. Speech title: "*La cooperazione tra ordinamenti nella relazione tra Corte di Giustizia dell'Unione europea e Corte europea dei diritti dell'uomo*"

2011, 3rd february Speaker in the Meeting on "Le nuove frontiere del diritto dell'immigrazione: integrazione, diritti, sicurezza" ("Sapienza" Università di Roma, Facoltà di

	Economia, 2nd and 3rd february 2011). Speech title: “La riforma della legge sulla cittadinanza: i progetti in discussione”.
2011	Member of the Scientific Committee” of the Meeting on “Le nuove frontiere del diritto dell’immigrazione: integrazione, diritti, sicurezza” (“Sapienza” Università di Roma, Facoltà di Economia, 2nd and 3rd february 2011).
2010, April 29,	Speaker in the Dialogos Academicos - Temas de direito constitucional e internacional, at the Instituto Brasiliense de Direito Publico, Brasilia (Brasile)
2010, April 27,	Speaker in the IX Seminario internacional "Os direitos fundamentais e o direito internacional", Porto Alegre (Brasile)
2007	Member of a Studies Committee on the implementation of D. Lgs. n. 139/2005 (Founding of the professional order of financial advisers and accountants), instituted by the National Order of Accountants.
2007	Participation in the SIPE – <i>Societas Iuris Publici europaei</i> (Goettingen, June 1 st and 2 nd), on “Verfassungsprinzipien in Europa”
2007	Research stage in the University of Granada (Spain) – Faculty of Law – Department of Constitutional law, from March 1 st to May 31 st
2007	Participation in the II Jornadas internacionales de Innovación tecnológica y derecho (Granada, April 19 th and 20 th)
2006	Winner of a contribution for students mobility, in order to develop a double Ph. D (University of Rome “La Sapienza”/University of Granada, Spain)
2006	Member of the Scientific Secretariat of the National Meeting of the Italian Constitutional law association (Rome, October 27th and 28th) on “The circulation of models and techniques of constitutional review in Europe”
2006	Research stage in the University of Granada (Spain) – Faculty of Law – Department of Constitutional law, from January 9 th to April 8 th
Since 2005	Assistant to Comparative constitutional law Chair in the University of Rome “La Sapienza” – Law Faculty (Prof. Paolo Ridola)
Since 2004	Member of the editorial staff of the Official website of Italian Constitutional Law Association
Since 2004	Member of the editorial staff of the Review “Nomos. Le attualità del diritto”
2004	Winner of the “Carlo Leuzzi” prize for the best degree thesis in Constitutional and Public law, instituted by the “Carlo Leuzzi” Foundation and the Senate of the Italian Republic (Session of 2003)
2004	Tutor in the Specialization School for legal profession – Luiss University, Rome
2003	Participation in the Course on International protection of human rights, held by Forensic School of Lazio

Language skills

English (First Certificate in English, December 1998)

Spanish (Diploma superior de Español como lengua extranjera, June 5th, 2000)

German (Zertifikat Deutsch als Fremdsprache, July 2008)

Pubblicazioni

Ph. D. Thesis

“Obblighi internazionali e parametro di costituzionalità”, “Sapienza” University of Rome, May 21st, 2008.

Books (as Author)

“Cooperazione tra ordinamenti e parametro di giudizio. Modelli teorici ed esperienze costituzionali”, Roma, La Sapienza editrice, 2011.

Books (as editor)

Le nuove frontiere del diritto dell'immigrazione: integrazione, diritti, sicurezza, Atti del Convegno del 2-3 febbraio 2011, (with F. Angelini and M. Benvenuti) Napoli Jovene 2011

Articles and papers

Art. 54 della Costituzione francese e processi di integrazione sopranazionale, in *Diritto pubblico comparato ed europeo* n. 3/2007, 1059 ff.

Limitazioni di sovranità e modelli di disciplina delle relazioni tra diritto interno, internazionale e comunitario: il caso francese, in *Diritto pubblico*, n. 2/2006, 539 ff.

Un (discutibile) caso di applicazione dei “controlimiti”. *Nota a Cons. Stato, sez. V, 8 agosto 2005, n. 4207*, in *Giur. It.*, n. 11/2006, 2026 ff.

Caminos de la integración material: la “comunitarización” de los “contralímites” en la decisión Société Arcelor Atlantique et Lorraine del Conseil d’État, in *Revista de Derecho constitucional Europeo* (ISSN: 1697-7890), n. 8/2007, 323 ff.

La Corte torna sui “vincoli derivanti dall’ordinamento comunitario”: scelta del parametro, interposizione normativa e processo di integrazione tra ordinamenti, in *Giurisprudenza Costituzionale*, n. 4/2007, 2655 ff.

Fonti del diritto internazionale e adattamento, in *Diritto costituzionale*, Stelio Mangiameli (ed.), Collana Dizionari sistematici, Coordinamento scientifico Salvatore Patti, Sole 24 Ore, 2008.

Legge di autorizzazione alla ratifica del trattato internazionale, in *Diritto costituzionale*, Stelio Mangiameli (ed.), Collana Dizionari sistematici, Coordinamento scientifico Salvatore Patti, Sole 24 Ore, 2008.

Tutela dei diritti e cooperazione tra ordinamenti in due recenti pronunce del giudice comunitario, in *Giurisprudenza costituzionale* n. 2/2009 1253 ff.

Persona ed esperienza giuridica nel pensiero di Aldo Moro, in AA. VV., *Il diritto tra interpretazione e storia. Liber amicorum per Angel Antonio Cervati*, Roma Aracne 2010

Monarchici. Roberto Lucifero e il Blocco nazionale della libertà, in *Costituenti ombra. Altri luoghi e altre figure della cultura politica italiana (1943-1948)* Andrea Buratti e Marco Fioravanti (eds.), Roma, Carocci 2010, 470 ff.

Derechos fundamentales y procedimiento entre libertad y seguridad, in *Revista de Derecho constitucional europeo* (ISSN: 1697-7890) n. 13/2010

Derechos fundamentales y procedimiento en la obra de Peter Haeberle, in *Direitos fundamentais e Justiça* - - Revista do Programa de Pós-Graduação, Mestrado e Doutorado em Direito da PUCRS, ISSN 1982-1921, HS Editora, Porto Alegre (Brasile), n. 12/2010

Giustizia e partecipazione nello Stato costituzionale. Diritti e procedimento nel pensiero di Peter Haeberle, in A. Cantaro (ed.) "Giustizia e diritto nella scienza giuridica contemporanea", Torino, Giappichelli 2011, 79 ff.

La interacción constitucional entre Unión Europea y Estados miembros. El sistema constitucional de Italia, in *Revista de Derecho constitucional europeo* (ISSN: 1697-7890), n. 14/2010

La riforma della legge sulla cittadinanza, in F. Angelini, M. Benvenuti, A. Schillaci (eds.) *Le nuove frontiere del diritto dell'immigrazione: integrazione, diritti, sicurezza, Atti del Convegno del 2-3 febbraio 2011*, Napoli Jovene 2011, 333 ff.

Online

Il Tribunale costituzionale spagnolo e la Costituzione europea, in www.associazionedeicostituzionalisti.it

Il Conseil constitutionnel si pronuncia sul Trattato che istituisce una Costituzione per l'Europa, in www.associazionedeicostituzionalisti.it

Il difficile avvio della Commissione Barroso, in www.associazionedeicostituzionalisti.it

Il Conseil Constitutionnel interviene sui rapporti tra diritto comunitario e diritto interno, in www.associazionedeicostituzionalisti.it

Il Consiglio di Stato e la CEDU, in www.diritticomparati.it (29 maggio 2010)

As Editor and co-Author, *Immigrazione* (Dossier) in www.rivistaaic.it n. 0/2010

Relazioni tra ordinamenti, comparazione e integrazione sovranazionale: a proposito dell'ultimo libro di Oreste Pollicino, in www.diritticomparati.it (January 20th, 2011)

L'ultima sentenza Lautsi: margine di apprezzamento, principio maggioritario e libertà di coscienza, in www.diritticomparati.it (March 23rd 2011)

Il diritto costituzionale e l'autodeterminazione delle persone omosessuali: a proposito dell'ultimo libro di Martha Nussbaum, in www.diritticomparati.it (June 27th 2011)

Translations

Legge 34/2006, del 30 ottobre, del Regno di Spagna, in materia di accesso alla professione di avvocato e procuratore legale, in *Rassegna forense*, n. 4/2006.

L. M. Díez Picazo, *Le relazioni tra Unione europea e Convenzione europea dei diritti dell'uomo*, in S.P.Panunzio, (ed.) *I diritti fondamentali e le Corti in Europa*, Napoli Jovene 2005, 267 ff.

P. Cruz Villalón, *Diritti e rapporti tra le Corti*, in *I costituzionalisti e la tutela dei diritti nelle Corti europee*, a cura di S. P. Panunzio, Padova, CEDAM, 2007, 735 ff.

F. Balaguer Callejón, *Le Corti costituzionali e il processo di integrazione europea*, in Aa. Vv., *Annuario 2006 - La circolazione dei modelli e delle tecniche del giudizio di costituzionalità in Europa*, Napoli Jovene 2006, 257-308.

F. Balaguer Callejón, *Il principio di sussidiarietà nella Costituzione spagnola e negli Statuti di autonomia, nella prospettiva europea*, in G.C. De Martin (ed.) *Sussidiarietà e democrazia*, Padova, CEDAM 2008, 47 ff.

F. Balaguer Callejón, *Lo Stato autonómico spagnolo: la stagione delle riforme*, in <http://www.issirfa.cnr.it/4199,949.html?PHPSESSID=c859b35404663760cf40384799f47e71>.

M. Carrillo, *Il nuovo Statuto di autonomia della Catalogna*, in *Giurisprudenza Costituzionale*, n. 4/2007, 3297 ff.

G. Maestro Buelga, *L'integrazione europea dopo il Trattato di Lisbona. Le filosofie dell'integrazione*, in A. Cantaro (Ed.) *Il costituzionalismo asimmetrico dell'Unione. L'integrazione europea dopo il Trattato di Lisbona*, Torino, Giappichelli 2010.

F. Balaguer Callejón, *Diritto e giustizia nell'ordinamento costituzionale europeo*, in A. Cantaro (Ed.) "Giustizia e diritto nella scienza giuridica contemporanea", a cura di, Torino, Giappichelli 2011, 31 ff.

G. Maestro Buelga, *Diritti e giustizia sociale nell'ordinamento europeo*, in A. Cantaro (Ed.) "Giustizia e diritto nella scienza giuridica contemporanea", a cura di, Torino, Giappichelli 2011, 173 ff.



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Anexo VI

Title: Legal philosophy and public law doctrine in Weimar Germany

Professor: Professor Massimo La Torre, Universidade Magna Graecia de Catanzaro

Course description: The Weimar Republic is, for its internal dynamism and for its terrible outcome, one of the most interesting and dramatic moments of the history of modern Europe. This is true regarding not only the history of "men", but also the history of "ideas". The conflict generated by the now inescapable pluralism of values, the clash of "Titans" opposing Max Weber and the "iron cage", i.e. the prevailing cold bureaucratic rationality that governs both the capitalist firm as the modern state: these are the poles that mark the boundaries of experience and reflection in this period. The course aims to cover the political and cultural climate, presenting and discussing the three models that dominated the panorama of legal philosophy and public law doctrine in Weimar Germany: decisionism, communitarianism and a specific form of normative platonism with distinctive anti-democratic traits. These models don't have a mere archeological relevance, even if they did dominate the inter-war European, particularly German, public law thought. Indeed, the same models are still active in the legal debates of the new millennium, setting the conceptual boundaries of the controversy concerning the relationship between the constitution, the rule of law and democracy.

MASSIMO LA TORRE

CURRICULUM VITAE

Date of Birth: 9 August 1954

Place of Birth : Messina, Italy

Marital Status : Married to Cristina García Pascual

Children: One daughter, Giulia, born on 1996

Nationality : Italian

Present academic positions: Professor ("Ordinario") of Legal Philosophy, "Magna Graecia" University of Catanzaro, Faculty of Law, Catanzaro, Italy; Visiting Professor, University of Hull, Law School, Hull, United Kingdom

I. EDUCATION

1982-1984 European University Institute, Florence -- Department of Law, Ph. D. student

1982 Johns Hopkins University -- School of Advanced International Studies, Bologna Center, Post-graduate student

1977-1981 University of Messina, Italy -- Faculty of Political Sciences, Graduate student

1972-1977 University of Messina, Italy -- Faculty of Law, Graduate student

1967-1972 Lycée "F. Maurolico" for Humanities and Ancient Languages, Messina, Italy, Undergraduate student

II. ACADEMIC DEGREES

1989 European University Institute, Florence -- Department of Law, *Doctor of the Science of Law*. Thesis on Karl Larenz and the national socialist legal doctrine (Chairman of the Jury: Professor Werner Maihofer; Supervisor: Professor Gunther Teubner)

1981 University of Messina -- Faculty of Political Sciences, *Dottore in Scienze Politiche*, summa cum laude. Thesis on the legal philosophy of Pierre-Joseph Proudhon (Supervisor: Professor Vincenzo Tomeo)

1977 University of Messina -- Faculty of Law, *Dottore in Giurisprudenza*. Thesis on problems in Norberto Bobbio's political philosophy (Supervisor: Professor Rodolfo De Stefano)

1972 Baccalauréat (*Maturità classica*)

III. PROFESSIONAL EXPERIENCE

2011- Visiting Fellow of the Research Group on Bioethics and Normative Justification

at the University of Münster, Germany

2009-2010 Visiting Fellow of the Institute of Public Law at the University of Münster, Germany

2008-2009 Distinguished Research Professor ("Cátedra de excelencia"), Universidad Carlos III, Madrid, Spain

2008 Visiting Professor, Universidad Carlos III, Madrid, Spain

2006-2007 Visiting Professor ("professeur invité"), Robert Schuman University, Faculty of Law, Strasbourg, France

2005- 2008 Adjunct Professor of Philosophy of Law, "Mediterranea" University of Reggio Calabria -- Faculty of Law

2003- Professor ("Professore ordinario") of Legal Philosophy, "Magna Graecia" University of Catanzaro -- Faculty of Law (with tenure)

2000- Professor of Legal Theory, University of Hull -- Law School

2000-2003 Professor ("Professore straordinario") of Legal Philosophy, "Magna Graecia" University of Catanzaro -- Faculty of Law

1999-2003 Adjunct Professor of Philosophy of Law, University of Messina -- Faculty of Law

1999-2001 Visiting Professor, European Academy of Legal Theory, Brussels

1997 Visiting Professor, Universidade Autonoma of Lisbon--Faculty of Law

1999-2000 Associate Professor (*professore associato*) of Philosophy of Law, University of Bologna -- Faculty of Law

1995-1999 Professor of Legal Philosophy and Legal Theory, European University Institute, Florence -- Department of Law

1995-2002 External Research Professor (*profesor asociado extranjero del Programa Propio*), University of Murcia, Spain -- Faculty of Philosophy

1994 Visiting Professor (*Gastprofessor*), University of Münster, Germany -- Faculty of Law

1993-1995 Senior Lecturer on Legal Philosophy and Legal Theory, European University Institute, Florence--Departement of Law

1993 Visiting Lecturer, Centro de Estudios Constitucionales, Madrid

1991-- 1993 Lecturer on Legal Philosophy and Legal Theory, European University Institute, Florence -- Department of Law

September 1991 Visiting Lecturer, Instituto de Administración Pública del Estado de Guerrero, Acapulco, México

September 1989 Visiting Research Fellow, Academy of Sciences of GDR, Berlin

Spring 1988 Visiting Lecturer (*Lektor*) of Political philosophy, University of Graz -- Faculty of Law (*Lehrauftrag*)

1987-1991 Senior Research Fellow (*ricercatore confermato*) of Legal philosophy, University of Bologna -- Faculty of Law (with tenure)

September 1987 Visiting Research Fellow, University of Edinburgh—School of Law
 1984-1987 Research Fellow (*ricercatore*) of Legal philosophy, University of Bologna --
 Faculty of Law
 1984 -- 1985 Visiting Research Fellow, University of Graz, Austria -- Faculty of Law,
 Institute of Legal Philosophy
 1981--1984 Secretary (*segretario*), Bologna State Archives (with tenure)
 1980--1981 Barrister at Law (*procuratore legale*), Messina Tribunals
 1977--1980 Apprentice Barrister at Law (*praticante procuratore legale*), Messina
 Tribunals

IV. GRANTS AND AWARDS

2012 – Alexander von Humboldt Stiftung, grant
 2009- Alexander von Humboldt Research Award
 2006 Alexander Von Humboldt Stiftung, grant
 2001 NIAS- Netherlands Institute of Advanced Studies, grant (refused)
 1997 Club dei giuristi italiani, nomination to the Book of the Year Award
 1995 Alexander Von Humboldt Stiftung, grant
 1993 Alexander Von Humboldt Stiftung, grant
 1987 British Council, grant
 1984--1985 Italian National Council for Research (CNR), grant
 1982--1984 European University Institute, Florence, grant
 1982 Johns Hopkins University-SAIS, Bologna Center, grant
 1981 Centre Européen Universitaire, Nancy, grant (refused)
 1980 Institut International des Droits de l'Homme, Strasbourg, grant
 1979 Alliance Française, Paris, grant

V. EDITORIAL EXPERIENCE

2005- Member of the Committee of Advisors of *Derechos y Libertades*, journal edited
 by the University Carlos III, Madrid
 2003- Member of the Editorial Board of "Biblioteca di Cultura Civile" (a series of
 books published by Diabasis, Reggio Emilia, Italy)
 2003- Co-director of the series of books Res Publica (published by Rubbettino, Soveria
 Mannelli, Italy)
 2002- Member of the Committee of Advisors of "Res Pública, Revista de Filosofía
 política"
 1995- Member of the Committee of Advisors of Revista de estudios autonómicos,
 journal of legal and political studies edited by the Generalitat Valenciana (Regional
 government), Valencia, Spain
 1995-1997 Member of the Committee of Advisors of Debats, journal edited by the

Institució valenciana d'estudis i investigació (Valencia Institute of Advanced Studies), Valencia, Spain

1995- Member of the Committee of Directors of the series of books Sociologia del diritto (published by Franco Angeli, Milan, Italy)

1992- Associate editor of Ratio Juris. An International Journal of Jurisprudence and Philosophy of Law (published by Basil Blackwell, Oxford, U. K.)

1988- Member of the Editorial Board of Sociologia del diritto (published by Franco Angeli, Milan)

1988-1991 Assistant editor of Ratio Juris. An International Journal of Jurisprudence and Philosophy of Law (published by Basil Blackwell, Oxford, U. K.)

1985-1991 Member of the Editorial staff of Current Legal Theory. International Journal for Documentation on Legal Theory (published by ACCO, Leuven, Belgium)

1983- Member of the Editorial Board of Legal Philosophical Library (series of books published by Antonio Giuffrè, Milan, Italy)

VI. COURSES AND SEMINARS TAUGHT

Philosophy of Law

Political Philosophy

Legal Theory

European Law

Comparative Law

Law in Context

Human Rights

Law and History

History of Political Ideas

VII. VARIA

2011 Chair of Philosophy of Law offered at the University of Luxemburg, refused

2007 Bevan Chair of Law offered at the University of Hull, refused

2003 - Director of the Ph. D. Programme on "Teoria del diritto e ordinamento giuridico europeo" at the University "Magna Graecia" of Catanzaro

1995 - 1996 Scientific Director (together with Profs. K. Eder and S. Lukes) of the European Forum (on "Citizenship") at the E. U. I.

1993- Member of the Committee of Advisors of the "Bartolomé de las Casas" Institute for Human Rights, Carlos III University, Madrid

June 1993 Formal acknowledgment by the Spanish High Council of Universities (Consejo Superior de las Universidades) of the qualifications required to be eligible for a Full Professorship (Catedrático de Universidad), that is, acknowledgment of academic qualifications equivalent to those of a Senior Associate Professor (Profesor titular con al menos tres años de ancianidad)

VIII. LANGUAGES

Italian: mother tongue

French: good

Spanish: good

English: good

German: good

Portuguese: reading knowledge

Dutch: reading knowledge

Catalan: reading knowledge

Russian: poor reading knowledge

Latin: reading knowledge

Ancient Greek: poor reading knowledge

April 2012



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Anexo VII

The lecture will propose a presentation of the main French legal provisions concerning bioethics, such as medically assisted procreation, contraception and abortion, medical researches, care consent, euthanasia.

Topics will be chosen according to the interest of students.

The lecture will include a presentation of the philosophical and political basis of French legislation, expressed in constitutional principles such as dignity, public order or health protection.

It will also take into account the decisions of the European court, and some other national provisions.

The aim is to provide students with informations about French rules, so that they can compare with what they know about their own country, considering that we are all facing the same questions, whenever the answers may sometimes be different.

Pierre-Henri PRELOT

Adresse personnelle : 8 Allée de la Treille
78700 Conflans Ste Honorine

Adresse professionnelle : Faculté de droit
33, Bd du Port
95011 Cergy-Pontoise Cedex

Téléphone personnel : 01 39 19 52 99

Téléphone professionnel : 01 34 25 67 03 (ou 62 12)

Fax : 01 34 25 60 32

E-mail : pierre-henri.prelot@droit.u-cergy.fr

Nationalité française,

Né le 7 avril 1959

Activité professionnelle : Professeur de droit public (Université de Cergy Pontoise)

Enseignements :

- Droit constitutionnel : théorie générale de l'Etat, droit constitutionnel français, droit constitutionnel approfondi
- Libertés publiques : théorie générale et régimes de protection

Recherches : travaux de recherche en droit constitutionnel, en libertés publiques et en droit des relations Eglises Etat (droit des religions et de la laïcité).

Publications :

- Traité de droit français des religions, Litec, 2003, 1417p. (ouvrage codirigé avec Francis Messner et Jean-Marie Woehrling)
- Droit des libertés fondamentales, Hachette, 2007, 317 p.
- Nombreux articles en droit constitutionnel, droit des libertés fondamentales et droit des religions.

Activités administratives :

- Directeur de l'Ecole doctorale de Droit et Sciences humaines.
- Ancien membre du Conseil national des Universités (section 02) (2003 à 2006).
- Doyen honoraire de la faculté de droit de l'Université de Cergy-Pontoise, de juin 1997 à juin 2002.
- Membre élu du Conseil d'administration de l'Université.



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Anexo VIII

Dr. Steffen Pabst, LL.M. (Stockholm)

University Leipzig, Faculty of Law

European Civil Procedural Law

The lecture will give an overview about the European Civil Procedural Law. First the European legislation will be presented and new developments shall be mentioned. The main focus of the lecture will be on Brussels I-Regulation (Reg [EC] 44/2001). I will describe detailed the scope of application before I present all the different grounds of jurisdiction. The problems of foreign lis pendency shall be discussed as well as questions of recognition and enforcement of judgements in other Member States. Finally the new system of a European Enforcement order shall be described. Additionally I will focus on conflict issues with the Lugano Convention 2007 and the Hague Convention on Choice of Court Agreements 2005.

CURRICULUM VITAE

DR. STEFFEN PABST LL.M. (STOCKHOLM)

WORK EXPERIENCE

- since May 1999 Institute of Foreign and European International Private
and Civil Procedural Law
University of Leipzig, Germany
chairman Prof. Dr. Thomas Rauscher
academic assistant
- Jul 2004 – Jul 2009 teaching assignment summer school “Legal issues of Globalisation”
Catholic University Lisbon, Portugal
- since Apr 2006 teaching assignment for legal clerkship in Saxony, specialisation
„European law and Private International Law “
- since Apr 2006 teaching assignment „European Civil Procedure Law“
ELTE-University Budapest, Hungary
- since May 2006 Examiner University part of First Exam in Law
Faculty of Law, University Leipzig
- since Jun 2007 Examiner Master’s programme „Europäischer Privatrechtsverkehr“
Faculty of Law, University Leipzig
- since Feb 2008 teaching assignment „Private International Law & European Law“
University of applied sciences Wiener Neustadt, Austria
- since Jan 2010 Examiner Master’s programme „Europäisches Recht“
Faculty of Law, University Leipzig
- since Feb 2011 teaching assignment „European Civil Procedure Law“
Classic University Lisbon, Portugal

EDUCATION

- Oct 1994 – Mar 1999 University of Leipzig, Germany
Law School, elective course: Private International Law,
International Civil Procedural Law, Comparative Law
First State Exam
- Jul 1999 (3 weeks) Hague Academy of International Law, Netherlands
summer course „Private International Law“
- Sep 2000 – Jun 2001 University of Stockholm, Sweden
Master’s Programme in Comparative and International Law
Master of Comparative and International Law (LL.M.)
- Nov 2001 – Nov 2003 legal clerkship at the district court of Leipzig, Germany
elective course: Private International Law and European Law
Second State Exam
- May 2005 – Jul 2009 University of Leipzig, Germany
PhD studies
Dr. iur.



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Anexo IX

Rainer Arnold

4.3. Monday :

Constitutional Justice (CJ) in Europe.

Introduction: The notion of Constitutional Justice. The forms of CJ existing in Europe. CJ on a supranational level.

5.3. Tuesday:

The New Concept of Rule of Law.

Primacy of the Constitution and CJ._The major constitutional law tendencies in Europe.

6.3. Wednesday:

The Review of Legislation as the Core Element of CJ.

_Historical Developments and Present Day Situation. The tension between sovereignty of Parliament and judicial review of legislation. Margin of appreciation of the legislator and constitutional review. The different approaches of UK, France and Germany. The developments of CJ in Central and Eastern Europe.

7.3. Thursday:

The Judicial Protection of Fundamental Rights.

The anthropocentric approach of modern Constitutions. The judicial means to protect Fundamental Rights. The characteristics of individual recourses to the Constitutional Courts for the protection of Fundamental Rights. The diverging systems of judicial protection in Europe.

8.3. Friday:

Constitutional Justice on a Supranational Level?

The Functions of the Court of Justice of the EU and of the European Court of Human Rights. The problem of their qualification as Constitutional Courts. The interaction between the European Convention of Human Rights, the EU Charter of Fundamental Rights and the national Constitutions. Forms of cooperation of these courts and issues of conflict.

11.3.Monday:

Controversies of State Institutions before the Constitutional Courts

Juridical framework of the political process. Examples from Germany in a comparative view: dissolution of Parliament; political parties before the Constitutional Court; parliamentary groups against European integration.

12.3. Tuesday:

Federal and Regional Disputes before the Constitutional Courts

Developments of federalism and regionalism in Europe: a tendency of convergence. The function of CJ: competence control and power balancing.

13.3. Wednesday:

Dialogue of Judges as a Significant Element of Modern Constitutionalism

Horizontal and vertical dialogues: the emergence of a European interpretation method. The Constitutional Court as a guardian of national, international and supranational law. "Open constitutionalism" as a new approach of CJ.

14.3. Thursday:

Constitutional Courts and their Acceptance by State and Society

The independence guarantees. Judicial self-restraint and political process. A government of judges? Tendencies to strengthen or to weaken CJ in European politics.

15.3. Friday:

Conclusion and summaries

General Description of the Intensive Course

Constitutional justice is of main importance for the new constitutionalism in Europe. Constitutional courts interpret constitutions as "living instruments" often in a dynamic way and contribute essentially to the development of constitutional law concepts destined to moderate the political process and to protect the individual by fundamental rights. This active role of constitutional courts corresponds to the new understanding of Rule of Law.

The intensive course analyses the different models of constitutional justice in Europe, gives an insight into the various forms of actions and procedures and includes the international law impact on national constitutional jurisprudence.

Literature:

R. Arnold (ed.), The emergence of European constitutional law, XVIIth Congress of the International Association of Comparative Law, Utrecht 2006, National Reports, Athens/Brussels 2009, 429 p.

Wojciech Sadurski, Constitutional Justice, East and West: Democratic Legitimacy and Constitutional Courts in Post-Communist Europe in a Comparative Perspective, 2002

R. Arnold, European constitutionalism after the Second World War, in: Susana Galera (ed.), *Judicial review. A comparative analysis inside the European legal system*, Strasbourg 2010, 37 – 47

Prof. Dr. Rainer ARNOLD

CV

1. Full Professor at University of Regensburg/Germany

Chair of Public Law / Comparative Law, EU Law, Economic Administrative Law
(nomination 1978)

1976-1978 Professor at the University of Konstanz

Jean Monnet Chair of EU Law (since 1999)

Jean Monnet Chair ad personam: Legal Relations of the EU with Central, Eastern
and South Eastern Europe (at present, since
2008 until October 2013)

Dean of the Faculty 1981 -1983

2. Director of the German Law Studies Programme at Moscow Lomonossov State University (since 2002)

German Director of the EU Law Center at Istanbul Bahcesehir University (since
2009)

3. Visiting Professor:

Charles University of Prague (permanently since 1999)

University of Paris I (Panthéon-Sorbonne):1993,1995, 1998, 1999, 2002, 2006,2007

University of Paris II (Panthéon-Assas):2000, 2001, 2003, 2004 - 2008 (each year)

University of Strasbourg (Collège doctoral européen): 2010 (March and September)

Université de Pau (Faculté Pluridisciplinaire de Bayonne, Anglet et Biarritz) 20003 - 2008

University of Rome (La Sapienza): 1995, 2000

University of Bologna: 2002, invited also for 2012

Moscow State University Lomonossov: since 1994 every year

Universidad de los Andes, Santiago de Chile:2003, seminar in 2010

Università degli Studi di Trento 2012

Université de Toulouse 2012

4. European University Institute

Fiesole/ Florence

Fernand Braudel Fellow 2008 (3 months)

Visiting Fellow: 2003/2004 (2 months), 2006

5. Oxford European and Comparative Law Institute:

Research 2004 (2 months), 2005, 2006, 2008

6. Harvard Law School: Research 2008 (1 month)

7. International Association of Constitutional Law

Secretary General of the Forum Constitutionnel Européen (European Constitutional Network (since 2008)

Co-Director of workshops at the World Congresses in Athens (2006) and Mexico City (2010)

8. Académie internationale de droit comparé

Membre associé (since 2002); General Reporter at the World Congresses in Utrecht (2006) on European Constitutional Law and in Washington (2010) on Human Rights

9. Academy of Science of Bologna

Corresponding Member since 2002

10. National Associations of Constitutional Law

Honorary member of the Russian Association of Constitutional Law
Honorary member of the Slovenian Association of Constitutional Law
Member of the Polish Association of Constitutional Law
Member of the French Association of Constitutionalists
Member of the German Staatsrechtslehrervereinigung, the German Association of Comparative Law, the German Association of EU Law, the German Association of International Law

11. Organization of 14 International Congresses on European and Comparative Constitutional Law at Regensburg, with internationally renowned academics and Presidents and Judges of Constitutional Courts in Central, Eastern and South Eastern Europe

Creation of an International Research Network

12. Member of the Board of Editors of various international journals

Tulane European & Civil Law Forum, New Orleans,
Revue française de droit constitutionnel, Paris,
Revista Europeo de Derechos Fundamentales, Madrid,
Revista de Derecho Constitucional Europeo, Granada,
Rivista Diritto Pubblico Comparato ed Europeo, Torino,
Review of Central and East European Law, Leiden,
Ukrainian Journal of European Studies, Kiev
Právní Rozhledy (for 10 years until 2011), Praha
European Review of Public Law, Paris, Athens
Evaluation Committee of the bookseries «Temi comparatistici – I
diritti e le istituzioni», ed. by L. Pegoraro, Bologna
Comitato di direzione Collana «Ricerche di diritto comparato – Diritto
pubblico», ed. by Bononia University Pre
Comitato di direzione Collana „Diritto pubblico contemporaneo – gli
ordinamenti costituzionali“, ed. by Giappichelli, Torino

13. Editor

Developments in European Law / Développements en droit
européen/ Entwicklungen im Europäischen Recht,
Vol. 1 – 36 by Jean Monnet Chair, vol. 37 - by University
Publishing House Regensburg

German – Russian Law Developments, University Publishing
House, Regensburg, together with the Law Faculty of Moscow
Lomonossov State University, Dean Prof. A. Golitschenkov

German – Ukrainian Law Discussions (Deutsch-Ukrainische
Rechtsgespräche), Vol. 1 – 3, Jean Monnet Chair R. Arnold

14. Publications:

more than 400 publications (books and articles) in international
publishing houses and journals in the fields of German and Comparative
Law, EC/EU Law, Constitutional and Administrative Law

Most recently:

Evropské Právo, C.H. Beck Praha, 4th ed., 2011, together with L. Tichý, J. Zémánek, R. Král, T.
Dumbrovský, 953 p.; R. Arnold (ed.), The Emergence of European Constitutional Law,
Sakkoulas/Athens and Bruylant/Brussels, 2009, 429 p.. In print: The Universalism of Human
Rights, Springer Publishing House 2012

15. Seminars/conferences/courses

In many universities in Europe (in particular in Spain, Italy, France, Poland, Czech
Republic, Russia) and overseas (Korea, Canada, Chile, Mexico, Morocco, Tunisia)

16. Honours

Commemoration Honour Medal by the Charles University Prague at its 650 years celebration (for contributing to establishing the European Law Chair and to integrating the Faculty into the internationalo academic society)

Prize of the Moscow Lomonossov State University, Law Faculty, „Tradition and Progress“ 2008 (for establishing German and European Law Studies at this University and promoting Russian-German-European research activities)

Election as a corresponding member of the Academy of Science of Bologna (for contributing essentially to international scientific collaboration)

Election as a Membre associé of the Académie internationale de droit comparé (for international comparative law studies)

Award of the Czech Association for European Studies 2011 (for promoting EU Law studies and research in Czech Republic and other European States)

Nomination as a Honorary Member of the Slovenian and Russian Associations of Constitutional Law (for internationally recognized constitutional comparative research)

Honorary Sign in Silver of the University of Granada (for contributing essentially to promote German-Spanish scientific collaboration)

Medal of the Real Academia de Jurisprudencia y Legislación de Granada

16. Languages:

English, French, Italian, Spanish, Russian, Czech (in Czech reading knowlege)



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Anexo X

COURSE SYLLABUS
COMPREHENSIVE LECTURE ON EUROPEAN COMPETITION LAW
(10 Hrs.)

Class 1 (2 hrs.)

Introduction concerning the course structure and the materials; introduction on European competition law; legal reasoning in Europe for comparative law and for competition law.

A concept of “competition”; markets and market structure; competition theory; history of European competition law; European competition law and National competition law

Assigned reading: course script overview; Assigned Reading: course script pg. 2, 3, 4 – 19, 67 – 75

Class 2 (2 hrs.)

Topic: competition law and cartel law: horizontal trade restraints, concerted practices; the structure of a European statute (Art. 81 EC).

Enforcement of European and National competition law; fundamental rights and enforcement matters

Assigned reading: course script pg. 15 – 19, 21 – 23, 77 - 89

Class 3 (2 hrs.)

Topic: European cartel law: vertical trade restraints, distribution systems, licensing; the structure of general and specific exemptions of European cartel law

Assigned reading: course script pg. 35 – 43, 121 - 127

Class 4 (2 hrs.)

Introduction into Merger and acquisition control in relation to European competition law

Assigned reading: (see Class 4) plus course script pg. 21 – 33, 35 – 43, 187 – 191; 115 – 119, 141 – 149

Class 5 (2 hrs.)

Anti-discrimination clauses under European law and National law; basic concepts;
Doctrine of Essential Facilities; Relationship to the law of market behaviour (unfair
competition) in Europe

Assigned reading: course script pg. 45 – 63, 129 – 133, 135 - 139

Basic liberties of the European market and the Competition Law; fundamental rights and
substantial competition law

Assigned reading: course script pg. 15 – 19, 91 - 113

Prof. Dr. Bernd H. Oppermann
LL.M. (UCLA)

Curriculum vitae

- Born 29.2.1956 in Büdingen, Germany
- 1974 Studies in law, physics, and philosophy at J. W. Goethe University Frankfurt, grantee of German National Fellowship Foundation
- 30.1.1981 First state exam in law (Frankfurt)
- 1981 Graduate studies in law and assistantship at University of California, Los Angeles (UCLA), School of Law, USA, final degree: Master of laws (LL.M.)
- 1982 Employment at the patent and copyright law firm Spensley, Horn, Jubas & Lubitz, Los Angeles, USA
- 1983 Clerkship OLG Frankfurt, 1986 second state exam in law (Wiesbaden)
- 1985 Dissertation, Ph.D.-degree in law at J. W. Goethe-University, Frankfurt
- 1986 Commission assistant for a cable-TV project, Ministry for Cultural Affairs Rhine-Palladium, Mainz, Germany
- 1987 Assistant professor at University of Hamburg, faculty of law
- 1992 Habilitation, *venia legendi* for private law, commercial law, procedural law, legal theory
- 1993 Deputy professor at the chair for European and international business law, faculty of law, European University Viadrina (Frankfurt/Oder), Germany
- *Since 1992* full professor, *since 1994* Chair for German, European and International private law and commercial law, faculty of law, Leibniz University of Hanover
- 2000 - 2002 Dean of the faculty of law at Leibniz University of Hanover
- 2002-2004 Vice-Dean of the faculty of law at Leibniz University of Hanover
- 2003 – 2006 Scientific co-ordinator of TEMPUS pilot projects in Russia (Ekaterinenburg, Izhevsk, Perm, Tjumen)
- *Since 2004* ERASMUS MUNDUS co-ordinator of the Consortium “European Legal Practice – LL.M. Eur” (Hanover, Le Havre, Rouen, Lisbon - <http://www.elpis.eu>)

Grants

- Japan (1994, Keio Univ., Yokohama City Univ.); UK (1996, Strathclyde Univ., Glasgow); Poland (1994, 1998, 2002, 2003 Marie-Curie Univ. Lublin; 1996, 1998 Center for New Europe, Krakow); Greece (1998, 2005 Aristotle Univ. Thessaloniki); Turkey (1998, 2000 Bilgi Univ. Istanbul); 2001, 2004, 2005 Russia (State Univ. Perm; Law Academy Ekaterinenburg); 2005, 2006, 2007 China (Shanghai, Jiao-Tong Univ.; Xi'an North-West Univ. for Law and Politics); 2006 Brasil (UNIPAC, Brasilia)
- *Since 2001* annually Portugal (Catholic Univ. of Portugal, Lisbon) ELPIS summer university
- *Since 2002* visiting scholar at the faculty of law, Chulalongkorn Univ., Bangkok, Thailand.

Other functions

- Member of the International Committee of Protestant Academy Loccum, Germany, preparing EXPO 2000
- Chairman of the ELPIS network (<http://www.elpis.eu>)
- Advising professor of German National Fellowship Foundation (####link?####)
- Chairman of Learned Society for Legal Studies, Hannover (####link####)



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Anexo XI

EUROPEAN TAX LAW: VAT

Rita de la Feria (Oxford University)

DAY	DATE	TOPIC
1 (2,5h lecture)	TBC	The European VAT Experience
2 (2,5h lecture)	TBC	Problematic VAT Areas – Rates Structures
3 (2,5h lecture)	TBC	Problematic VAT Areas – Exemptions
4 (2,5h lecture)	TBC	VAT Planning, Avoidance and Fraud

Rita de la Feria is a Senior Research Fellow at the Centre for Business Taxation, University of Oxford. She received her law degree from the University of Lisbon, having specialised in Economic Law. She then began her professional career as a tax consultant with Arthur Andersen, working in both their Lisbon and Dublin offices. In 2006, she completed her PhD on EU VAT harmonization at the Law School of the University of Dublin, Trinity College. Prior to joining Oxford University in 2007, Rita de la Feria held lecturing positions on Tax Law and EU Law at both the University of Dublin, Trinity College and Queen's University Belfast. She was a visiting scholar at New York University, Law School in 2008, an ATAX Visiting Research Fellow at the University of New South Wales, Sydney in 2009, and a Visiting Professor at the Law Faculty, University of Lisbon in 2010. She teaches regularly at the Catholic University of Portugal, Global Law School, Lisbon. She has published widely on tax issues, particularly on European VAT, and presented to academic, practitioner, and tax administration audiences, the latter amongst others within the framework of the European Commission's Fiscalis Programme. Most notably, she is the author of the book *The EU VAT System and the Internal Market* (IBFD, 2009), editor of the loose-leaf *A Handbook of EU VAT Legislation* (Kluwer Law International, 2004-), which is updated bi-annually, and co-editor of the compilation on *Prohibition of Abuse of Law: A New General Principle of EU Law?* (Hart Publishing, 2011). She is a member of the editorial board of the *British Tax Review*, a contributing author for *Highlights & Insights on European Taxation*, and a correspondent for *Revista de Finanças Públicas e Direito Fiscal*. Her work is regularly cited by the courts, including the EU Court of Justice.



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Anexo XII

Presentation of the lectures on European Human Rights facing globalisation

by Marine TOULLIER

Content

Nowadays, one of the greatest preoccupation is the theme of globalisation. Is it a positive or a negative fact to live in a global world? Day by day we are discovering it.

First, we will study the different definitions of the notion of globalisation to know what are talking about. Then, we will discover some of the questions raised by globalisation, like what are the relations between economy and Human Rights, what are the Human Rights' place in that phenomenon or, which is the respective place of concepts like unity and diversity in a global world, with the problematic question of universality of Human Rights: do they have to be the same all over the world? Taking into consideration that we do not have the same conception of Fundamental rights, which concept of them have to be spread out?

We will realise that globalisation raised new problems like criminal networks on global step, migrants trafficking or, modern form of slavery (a fascinating case law of the European Court of Human Rights on domestic slaves will be studied).

After this overview, we will concentrate on Europe. The first aspect to understand is why Europe have two sources of Human Rights? In fact, we have on one hand the Council of Europe with the European Convention on Human Rights and the other hand the European Union with the Charter of the Fundamental Rights of the European Union, which is now binding since the entry into force of the Treaty of Lisbon.

We will study the different steps which have led to this text, the content of the Charter, the case law referring to it and also what are the modifications implied by the existence of a catalogue of Fundamental Rights in the balance of an economy based system.

Last aspect which is interesting to understand is, what are going to be the new relationships between the two European jurisdictions (the European Court of Human Rights one side and the Court of Justice of the European Community on the other). We will identify what are the sources of conflict between the two texts and the two jurisprudences and the solutions to these potential antagonisms (like the accession of the EU to the European Convention on Human Rights). But we will also use our imagination (which is not prohibit even in law field) to make some political fiction to anticipate if these evolutions are going to be positive or negative for the standard of protection of the Fundamental Rights in Europe.

Here I give you a draft of the structure of the lectures, but please be aware that it could be changed in some details from now till May

- Chapter 1. Definition of globalisation
- Chapter 2. Questions linked to globalisation
 - a) Relations between economy and Human Rights
 - b) Human Rights' place in that phenomenon
 - c) Unity and diversity
- Chapter 3. Raise of new problems from globalisation
- Chapter 4. Why Europe have two sources of Human Rights?
- Chapter 5. EU law taking into account Human Rights
- Section 1. EEC original system: economy preeminence
 - § 1. The functionalist theory
 - § 2. The implementation by the Court of Justice of European Communities (CJEC) of the functionalist theory
 - § 3. Implementation of the functionalist theory by Member States: the national resistances
- Section 2. The current Community system or "preeminence of the rights"
 - § 1. The case law compensation to the lack of protection of the fundamental rights
 - § 2. The textual contribution to the protection of the rights: the Charter of Fundamental Rights of the European Union
 - A. Community's evolution towards a codification
 - B. A catalogue of Fundamental rights
- Chapter 6. Conflicts arising from the existence of two sources of Human Rights in Europe and solutions

Methodology

These are going to be interactive seminars more than lectures, in other words, you will be asked to give a very active participation. The teacher will proceed by Socratic method (a pedagogical technique in which a teacher does not give information directly, but instead asks a series of questions, with the result that the student comes either to the desired knowledge by answering the questions or to a deeper awareness of the limits of knowledge).

The goal is to develop a legal culture in European Law field and especially in protection of Human Rights, ie to have a framework of information and ideas that allows you to quickly find the information needed in your professional life and to use it with relevance and coherence; and this whatever field you will work in. A second aim will be to have the means to understand the mechanisms of the world to understand it better in order to have an impact on it.

We will learn or review, *inter alia*, how to examine a text (which could be an article of the European Convention on Human Rights or the Charter or one of the UE treaty or a passage of a case law), technique that will always be useful in any job you will have, and to identify arguments to analyse it in order to be able to use it afterwards.

Marine TOULLIER

Since 2007 **Director of the International Relations of the Law Faculty (University of Rouen):
Director of the Master “LLM Eur European Legal Practice”.**

Teaching In France Since 2005 Senior Lecturer at Rouen University. Major subjects taught: European Protection of Human Rights (Master 1), European Union Litigation and European Convention on Human Rights litigation (Master1), Legal Methodology (Erasmus Mundus students), Fundamental Rights and Freedoms (Seminar Master2), Freedoms and liberties (Licence 3).

Abroad

- 2012 July **Mykolo Romerio Universiteto Vilnius, Lithuania**, teaching in English, leading the French delegation and co-management of the « International Human Rights law summer study » (2 weeks). Experience renewed since 2009.
- 2012 June **Università Roma 3, Italy**, teaching in Italian to PHD students on « I diritti della CEDU nella dottrina e la giurisprudenza francese.
- 2012 April **Faculdade de Direito de Lisboa Lisbonne, Portugal**, teaching in English an intensive course on « European Human Rights facing globalisation » (20 hours on a two weeks basis). Experience renewed since 2010.
- 2010 Novembre **Leibniz Universität Hannover, Germany**, “The paradox of the right to life: the most important right with a relative protection in the ECHR”, Intervention at the congress organised for the Erasmus Mundus diploma awarding ceremony.
- 2010 May **Facoltà di Giurisprudenza dell’Università di Sassari, Sardinia, Italie**, « Protezione dei diritti umani nell’Unione europea: da un monopolio a un duopolio » et « I diritti umani nell’Unione europea ». Expérience renouvelée depuis 2009.
- 2010 April **Università La Sapienza, Rome, Italy**, teaching in Italian to PHD students on « I diritti della CEDU nella dottrina e la giurisprudenza francese ».
Università Roma 3, Italy, teaching in Italian to PHD students on « I diritti della CEDU nella dottrina e la giurisprudenza francese » and at the Master students on « Protezione dei diritti in Europa » ;
- 2009 July **Universidade Católica Portuguesa Lisbon, Portugal**, teaching in English (one week) Summer Academy on « Trafficking in Humans Beings » and "Legal issues on globalisation". Experience renewed since 2007.
- 2009 June **Università Roma 3, Italy**, teaching in Italian to Master students on “La responsabilità da danno ambientale”.
- 2008
(4 months) Scholar of **Erasmus Mundus’ Program**, teaching in English EU Law, European Law and Environmental Law at Symbiosis Law College, Pune, **India**.
- 2007 May **Università Roma 3, Italy**, teaching in Italian to Master students on « Dell'Europa del diritto all'Europa dei diritti ».
- 1999-1995 **Urbino’s University and Teramo’s University (Italy): Teaching** in Italian on French constitutional’s justice and Human Rights Law.

Lawyer

Trilingual Italian, English and French

Publications 2013: “The paradox of the right to life: the most important right with a relative protection in the ECHR”, *Elpis II International Legal Studies*, (publication in process). 2004: « Administrative supreme judge facing balance between forms of commerce », *Revue A.J.D.A.*, n°15/2004, 19 April 2004, p.801-810



FACULDADE DE DIREITO
Universidade de Lisboa



GABINETE ERASMUS
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Anexo XIII

Seminário:

História da Teoria do Crime: *da formação da dogmática ao direito constitucional penal*

Professor Doutor CLÁUDIO BRANDÃO

Programa:

Aula 1 – História e Trajetória do Direito Penal: *linhas mestras*.

- a) Sociedades simples e o seu Direito Penal: características e principais sanções.
- b) Direito Penal Romano.
- c) Direito Penal no Medievo. Características da alta e da baixa Idade Média. O sistema penal da inquisição. Glosadores e Comentaristas.
- d) Conclusão da aula: *Comentaristas e formação da primeira parte geral do direito penal. Elementos da trajetória penal e sua utilização hodierna.*

Aula 2 – História e Trajetória do Direito Penal: *iluminismo penal e construção conceitual da dogmática*.

- a) Características do Direito e do Direito Penal na Modernidade.
- b) O Iluminismo Penal: *postulados, princípios e formação política do princípio da legalidade*.
- c) Formação Jurídica do Princípio da Legalidade Penal.
- d) Construção da Nomenclatura da Teoria do Crime: *culpa, ilícito e tipo*.
- e) Conclusão da aula: *Consequências do iluminismo para o direito penal atual, sua face política e o papel do Princípio da Legalidade*.

Aula 3 – Tipicidade Penal e Antijuridicidade.

- a) A tipicidade como conceito equivalente ao crime e como elemento constitutivo do delito.
- b) A tipicidade como condição para os elementos da teoria do crime
- c) O tipo como continente da ação
- d) Tipicidade, antinormatividade e antijuridicidade.
- e) Conclusão da aula: *Antinormatividade e bem jurídico*.

Aula 4 – Bem Jurídico.

- a) Nascedouro do conceito de bem jurídico: a tese de Johann Birnbaum sobre a necessidade da lesão de direitos.
- b) O bem jurídico no positivismo normativo de Binding.
- c) O bem jurídico no positivismo sociológico de von Liszt.
- d) A construção do bem jurídico a partir do neokantismo.
- e) Conclusão da aula: *A função do bem jurídico no direito penal atual*.

Aula 5 – Culpa. Aplicação Constitucional da Teoria do Crime.

- a) Trajetória da Culpa: *características do positivismo, do neokantismo e do finalismo*.
- b) Concepções Funcionalistas e Finalistas da Culpa.
- c) Método Constitucional de Aplicação da Teoria do Crime.
- d) Conclusão da aula: *Princípios e valores constitucionais e sua função na aplicação da teoria do crime*.

Bibliografia básica:

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- SABADELL, Ana Lucia. *Tormenta juris permissione*. Rio de Janeiro:Revan. 2006.
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- WELZEL, Hans. *Das Deutsche Strafrecht. Eine systematische Darstellung*. Berlin: De Gruyter. 1958.

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Professor Doutor CLÁUDIO BRANDÃO – Currículo resumido:

A) Atividades Docentes

- a.1.) Professor Catedrático da Faculdade de Direito do Recife – Universidade Federal de Pernambuco
- a.2.) Professor Catedrático e Coordenador da Faculdade de Direito Damas da Instrução Cristã
- a.3.) Professor Colaborador do Doutorado em Altos Estudos Contemporâneos – Instituto de História e Teoria das Idéias da Universidade de Coimbra
- a.4.) Professor Visitante, ao abrigo do Programa Erasmus, da Licenciatura em Direito da Universidade Católica Portuguesa – Escola de Lisboa (2007)
- a.5.) Professor Visitante, ao abrigo do Programa Erasmus, da Licenciatura em Direito da Universidade de Lisboa (2010)
- a.6.) Professor Convidado no Instituto de Filosofia e Sociologia do Direito da Universidade de Salzburg (2012)

B) Atividades de Regulação do Ensino Superior

- b.1.) Membro da Comissão de Avaliação da Área do Direito da CAPES/MEC (2005-2007)
- b.2.) Avaliador do INEP/MEC e SESu/MEC para os cursos de Direito (2001-atualmente)

C) Participação em Bancas Examinadoras de Concursos Públicos

- c.1.) Elaborador do Exame de Direito Penal e Direito Processual Penal no Concurso de Ingresso para o cargo de Juiz Federal Substituto – Tribunal Regional Federal da 5ª Região (2007 -)
- c.2.) Participação em Banca de Ingresso na carreira docente na área de Direito Penal nas Universidades Federais de Pernambuco, Universidade Federal do Paraná, Universidade Federal de Minas Gerais e Universidade Federal de Alagoas.

D) Principais Publicações

- d.1.) BRANDÃO, Cláudio . Tipicidade Penal – Dos elementos da dogmática ao giro conceitual do método entimemático. Coimbra:Almedina. 2012.
- d.2.) BRANDÃO, Cláudio; SALDANHA, Nelson; FREITAS, Ricardo (Organizadores). História do Direito e do Pensamento Jurídico em Perspectiva. São Paulo:Atlas. 2012.
- d.3.) BRANDÃO, Cláudio. Curso de Direito Penal. Parte Geral.. Rio de Janeiro: Forense, 2010.
- d.4.) BRANDÃO, Cláudio (Org.) ; CAVALCANTI, Francisco (Org.) ; ADEODATO, João Maurício (Org.) . Princípio da Legalidade: da dogmática jurídica à teoria do direito. 1. ed. Rio de Janeiro:Forense, 2009. v. 1. 613 p

- d.5.) CAVALCANTI, Francisco (Org.) ; BRANDÃO, Cláudio (Org.) .
Constitucionalização do Direito Positivo: Teoria Hermenêutica e Aplicação. 1. ed.
Recife: Nossa Livraria, 2009.
- d.6.) BRANDÃO, Cláudio (Org.) ADEODATO, João Maurício (Org.). Direito ao
Extremo. 1. ed. Rio de Janeiro: Forense, 2005. 550 p.
- d.7.) BRANDÃO, Cláudio . Teoria Jurídica do Crime. 2. ed. Rio de Janeiro: Forense,
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- d.8.) BRANDÃO, Cláudio . Introdução ao Direito Penal - Análise do sistema penal à
luz do Princípio da Legalidade. 1. ed. Rio de Janeiro: Forense, 2002. 199 p.
- d.9.) BRANDÃO, Cláudio . Legalidade e Cristianismo: aproximação hermenêutica.
In: Brandão, Cláudio; Cavalcanti, Francisco; Adeodato, João Maurício. (Org.).
Princípio da Legalidade: da dogmática jurídica à teoria do direito. 1 ed. Rio de
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de Janeiro: Lumen Juris, 2008, v. 1, p. 373-384.
- d.13.) BRANDÃO, Cláudio . Significado Político-Constitucional do Direito Penal. In:
Luiz Regis Prado. (Org.). Direito Penal Contemporâneo. 1 ed. São Paulo: Revista dos
Tribunais, 2007, v. 1, p. 120- 130.
- d.14.) BRANDÃO, Cláudio . O Homicídio na Cultura Greco-Romana e sua Posição na
Dogmática Penal. In: Claudio Brandão; João Maurício Adeodato. (Org.). Direito ao
Extremo. Rio de Janeiro: Forense, 2005.



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Anexo XIV

Impact of EU law on direct taxation

Day One - Introduction & impact of TFEU freedoms

- Introduction and overview of the program
- Impact of the TFEU freedoms on direct taxation (assessment framework applied by the CJEU': access, restriction, justification grounds)

Day Two - EU tax Directives and the prohibition of state aid

- Parent-subsidiary Directive
- Interest & royalty Directive
- Merger Directive
- Savings Directive
- State aid & Code of Conduct for Business Taxation
- CCCTB proposal

Day Three - Corporate mobility within the EU

- exit taxes (National Grid Indus, Commission vs Portugal, Arcade Drilling, Commission vs Netherlands)
- cross-border mergers and divisions
- cross-border transfer of assets from branch to head-office
- Communication of the European Commission Memo 06/499 and ECOFIN Resolution 2 December 2008

Day Four - Withholding taxes within the EU and in the relations with non-EU Member States

- Determination of tax base (Denkavit, Amurta, Bouanich, Aberdeen)
- System of withholding taxes as such (Truck Center, Commission vs Spain, Feyenoord)
- External dimension: WHTs and non-EU Member States (Santander)

Day Five - Tax avoidance within the EU

- Difference between tax planning and tax avoidance
- The concept of tax avoidance under EU law (ICI, Cadbury Schweppes, Halifax, Foggia)
- Action plan of the European Commission against aggressive tax planning dated 6 December 2012
- Presentation of case study

Dr Daniel S. Smit LL.M. first studied classical piano at the Royal Conservatory of The Hague. After that, he attended Erasmus University Rotterdam, where he studied Netherlands Law and Netherlands Tax Law and graduated cum laude. He currently teaches European and international tax law and is employed as a faculty staff member at the Fiscal Institute of the University of Tilburg; he also works as a tax advisor at Ernst & Young Tax Advisers in Rotterdam. He furthermore completed the post-graduate course in European Fiscal Studies at the Erasmus University Rotterdam in 2006. He is the author of various national and international publications in the field of European tax law. Daniel Smit is a regular guest speaker at national and international seminars, courses and lectures.

Anexo XV



The Foundations of International Economic Law

Professor Miguel Moura e Silva
Professor, University of Lisbon Law School

Course Syllabus (Duration: 10 hours)

Course objectives: This seminar will address general topics of International Economic Law, providing an overview of the evolving global legal regulation of international economic relations, particularly regarding the role of international economic organizations in limiting or legitimating national economic regulation.

May, 6-10, 2013

OUTLINE

The Foundations of International Economic Law

I – The nature of International Economic Law

1. Defining International Economic Law
2. International Economic Law and related subjects
3. International Economic Law and the International Economic Order

II – Sources of International Economic Law

4. Overview
5. Principles of International Economic Law
6. Standards of International Economic Law
7. Self-regulation by economic actors

III – The subjects of International Economic Law

§1 - States

8. Economic sovereignty
9. The extraterritorial enforcement of economic law

§2 - International Economic Organizations

10. Overview
11. Universal organizations: The U.N. System
12. Regional Organizations

§3 - Economic Actors and Multinational Companies

13. Private economic actors and International Economic Law
14. International regulation of Multinational Companies
15. Civil society's role in the formation and development of International Economic Law: The role of NGOs

IV – Dispute settlement and sanctions

16. Diplomatic and judicial methods
17. Building dispute settlement institutions
18. Unilateral sanctions
19. Economic sanctions in the context of International Economic Organizations

Class Schedule

Class	Topic
1	I – International Economic Law
2	II - Sources
3	III - Subjects
4	Id.
5	IV – Dispute settlement and sanctions

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- Ignaz SEIDL-HOHENVELDERN, *International Economic Law*, 3rd ed., Kluwer Law International, The Hague, 1999.
- Asif H. QURESHI, Andreas ZIEGLER, *International Economic Law*, 3rd ed., Sweet & Maxwell, London, 2011.
- Eduardo PAZ FERREIRA, *Valores e Interesses – Desenvolvimento Económico e Política Comunitária de Cooperação*, Almedina, Coimbra, 2004.
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- Miguel MOURA E SILVA, *Direito Internacional Económico – Jurisprudência relativa ao Sistema GATT/OMC*, AAFDL, Lisboa, 2002.
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- Marco BRONCKERS, Reinhard QUICK, *New Directions in International Economic Law - Essays in Honour of John H. Jackson*, Kluwer, The Hague, 2000.
- Christian JOERGES, Ernst-Ulrich PETERSMANN (Eds.), *Constitutionalism, Multilevel Trade Governance and Social Regulation*, Hart Publishing, Oxford, 2006.
- Wenhua SHAN, Penelope SIMONS, Dalvinder SINGH (Eds.), *Redefining Sovereignty in International Economic Law*, Hart Publishing, Oxford, 2008.

Articles in Portuguese

- Miguel MOURA E SILVA, “O desenvolvimento do conceito de Direito Internacional Económico”, *Estudos Jurídicos e Económicos em Homenagem ao Prof. Doutor António de Sousa Franco*, Faculdade de Direito da Universidade de Lisboa - Coimbra Editora, Coimbra, 2006, p. 325.
- Miguel MOURA E SILVA, “As Fontes e Princípios do Direito Internacional Económico”, in Jorge MIRANDA; António Menezes CORDEIRO; Eduardo PAZ FERREIRA; José Duarte NOGUEIRA, (Eds.) *Estudos em Homenagem ao Prof. Doutor Paulo de Pitta e Cunha*, Vol. II, 2010, p. 579.

Law Journals

1. International Law Journals that publish articles on different topics of International Economic Law

- American Journal of International Law
- European Journal of International Law
- Annuaire Français de Droit International
- Journal de Droit International

2. Specialized Journals

- Journal of International Economic Law
- Journal of World Trade
- International Trade Law and Regulation
- World Trade Review
- World Competition
- Legal Issues of Economic Integration
- Minnesota Journal of Global Trade
- Northwestern Journal of International Law and Business



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Faculdade > Docentes > Miguel Moura Silva

Professor Miguel Moura Silva



Miguel José Pinto Tavares Moura e Silva nasceu em Coimbra em 1968. É doutorado em Direito – Ciências Jurídico-Económicas – pela Faculdade de Direito da Universidade de Lisboa, obteve os graus de Licenciado em Direito (1990) e Mestre em Direito (1998), menção de Ciências Jurídico-Comunitárias, pela Faculdade de Direito da Universidade Católica Portuguesa – Lisboa, estudou ainda no College d'Europe, Bruges (1990-91) e na Faculdade de Direito da Universidade de Michigan (1994-95), onde foi bolseiro Fulbright. É actualmente Professor Auxiliar da Faculdade de Direito da Universidade de Lisboa, aí tendo exercido funções docentes como assistente desde 1993, leccionando várias disciplinas da área de ciências jurídico-económicas. É associado efectivo do Instituto Europeu (IE) da Faculdade de Direito da Universidade de Lisboa. Desde 2011, integra como membro efectivo a Assembleia da Faculdade e o Conselho Científico daquela Faculdade. É ainda associado fundador do Instituto de Direito Económico, Financeiro e Fiscal (IDEFF) da Faculdade de Direito da Universidade de Lisboa, vogal da respectiva direcção e docente no Curso de Pós-Graduação em Direito da Concorrência e da Regulação. É membro do Conselho Científico da Revista Concorrência e Regulação e integra a Comissão de Redacção da Revista de Finanças Públicas e de Direito Fiscal, ambas editadas pelo IDEFF.

Entre 1991 e 1996 exerceu advocacia nos domínios do direito comunitário, direito da concorrência e propriedade industrial. Em 1998-99 integrou a Comissão de revisão do Código de Propriedade Industrial de 1995. É membro da Associação Portuguesa de Direito Intelectual (APDI). Entre Fevereiro de 1999 e Agosto de 2004 foi Director Assessor para as Relações Internacionais do Instituto Nacional do Transporte Ferroviário (INTF). Integrou o Conselho da Concorrência desde Janeiro de 1999 até à extinção daquele órgão em Março de 2003. Exerce funções como Director do Departamento de Práticas Restritivas da Autoridade da Concorrência desde Setembro de 2004 até ao presente.

A sua página Web é <http://homepage.mac.com/mmsilva>

Miguel MOURA E SILVA was born in Coimbra in 1968. He has a PhD in Law from the University of Lisbon Law School (2009), a graduate degree in Law of the Portuguese Catholic University Law Faculty (1990) where he also obtained a Master Degree in Law – EC Law (1998). He also studied at the College d'Europe, Bruges (1990-91) and, as a Fulbright scholar, at the University of Michigan Law School (1994-95). He is a Professor at the University of Lisbon Law School, where he has been teaching since 1993 in the area of Economic and EC Law. Since 2011, he is an elected member of the Law School Assembly and of the Scientific Board. He is a member of the European Institute of the University of Lisbon Law School, where he co-lectured EC Competition Law at post-graduate level. He is also a founding member of the Institute for Economic, Financial and Tax Law of the University of Lisbon Law School, where he currently serves as Lecturer at the Post-Graduate Degree on Competition and Regulation Law. He is a member of the Scientific Advisory Board of the Competition and Regulation review (published by the Portuguese Competition Authority and the Institute for Economic, Financial and Tax Law).

Between 1991 and 1996 he practised Law as an Attorney, in the areas of EC Law, Competition Law, and Industrial Property. In 1998-99 he was a member of the expert committee appointed by the Portuguese government to reform the Industrial Property Code. He is also a member of the Portuguese Intellectual Property Association (APDI). Between February 1999 and August 2004, he served as Assistant Director for International Relations at the Portuguese Rail Regulator, where he participated in the negotiation of the First and Second Railway Packages. He was a member of the Competition Council from January 1999 until the replacement of that independent body by the current Portuguese Competition Authority where he serves, since September 2004, as Director of the Department for Restrictive Practices.

His homepage is <http://homepage.mac.com/mmsilva>

Publicações

Autor de diversos livros e artigos sobre temas de direito comunitário, direito da concorrência, direito internacional económico e propriedade intelectual, incluindo os livros:

Direito Internacional Económico – Jurisprudência relativa ao sistema GATT/OMC, Lisboa : AAFDL, 2002;
Inovação, Transferência de Tecnologia e Concorrência – Estudo Comparado do Direito da Concorrência dos Estados Unidos e da União Europeia, Coimbra : Almedina, 2003;
Direito da União Europeia – Jurisprudência Fundamental, Lisboa : AAFDL, 2007;
Direito da Concorrência – Uma introdução jurisprudencial, Coimbra: Almedina, 2008;
Abuso de Posição Dominante na Nova Economia (Dissertação de Doutoramento), Coimbra: Almedina, 2010.

He is the author of several books and articles on EC Law, Competition Law, International Economic Law and Intellectual Property. His most recent publications in English are the articles:

"Predatory Pricing under Article 82 and the Recoupment Test: Do Not Go Gently into that Good Night", 30 European Competition Law Review 61 (2009)

"Anti-cartel enforcement in Portugal: A short chronicle of an uphill struggle". 32 European Competition Law Review 37 (2011).

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FACULDADE DE DIREITO
Universidade de Lisboa



GABINETE ERASMUS
ERASMUS OFFICE

Anexo XVI

Legal English

Course Syllabus

Faculdade de Direito da Universidade de Lisboa, 6-10 May 2013

Course Outline (subject to changes):

	Topic	Materials to prepare in advance
Monday, 6/05/2013	Introduction Common law and the English language	
Tuesday, 7/05/2013	Legal institutions and the legal profession Contract law	<i>File 1 - Case Mirvahedy v Henley</i> <i>File 2 - Hand-out on case Mirvahedy v Henley</i>
Wednesday, 8/05/2013	Tort Law Criminal Law	<i>File 3 - Hand-out on barristers v solicitors</i> <i>File 4 - Hand-out on breach of contract</i>
Thursday, 9/05/2013	Commercial Law	<i>File 5 - Hand-out on traffic accident</i>
Friday, 10/05/2013	Dealing with clients, negotiating and litigation Evaluation	
	Future reference	<i>File 6 - Hand-out on cross-examination</i> <i>File 7 - Glossaries</i> <i>File 8 - Bibliography on English the legal system</i> <i>File 9 - Web resources on researching, studying and working in English</i>

Course Director:

Dr Nuno Ferreira, Senior Lecturer in Law
<http://www.liv.ac.uk/law/staff/ferreira-nuno/>

School of Law and Social Justice, University of Liverpool
Eleanor Rathbone Building, Bedford Street South
Liverpool, L69 7ZA, UK
Phone: +44 (0)151 794 2883 / Fax: +44 (0)151 7942829
Email: Nuno.Ferreira@liverpool.ac.uk

Bibliography

Recommended:

Rupert Haigh, *Legal English*, 3rd Edition, London: Routledge-Cavendish, 2012

Amy Krois-Lindner, Matt Firth, and TransLegal, *Introduction to International Legal English Student's Book with Audio CDs (2): A Course for Classroom or Self-Study Use*, Cambridge: CUP, 2008

Amy Krois-Lindner and Translegal, *International Legal English - Student's Book with Audio CDs (ILEC)*, Cambridge: CUP, 2006

Others:

a) British / European editions

Nick Brieger and Joanna Kosta, *Success with ILEC: International Legal English Certificate*, London: Summertown Publishing, 2008

Helen Gubby, *Practical Legal English: Legal Terminology*, Amsterdam: Boom Juridische Uitgevers, 2006

b) U.S. American editions

Mark E. Wojcik, *Introduction to Legal English: An Introduction to Legal Terminology, Reasoning, and Writing in Plain English*, 3rd Edition, Washington: International Law Institute, 2009

Debra S. Lee, Charles Hall, and Susan M. Barone, *American Legal English: Using Language in Legal Contexts*, 2nd Revised Edition, Ann Arbor (MI): The University of Michigan Press, 2008

Teresa Kissane Brostoff and Ann Sinsheimer, *Legal English: An Introduction to the Legal Language and Culture of the United States*, 2nd Edition, New York, Oceana Publications, 2003

c) Business and Commercial Legal English

Edward W. Daignault, *Drafting International Agreements in Legal English: Pocket Guide*, 2nd Edition, Leiden: Kluwer Law International, 2009

William McKay and Helen Elizabeth Charlton, *Legal English: How to Understand and Master the Language of Law*, Essex: Pearson Longman, 2005

C. Douglas Billet, *Business Law and Contracts: A Short Course and Guide to Legal English*, Cannes: MTC (Media Training Corporation), 2005

N.B.: Copies of the relevant materials will be provided to the students (electronically or in paper) throughout the duration of the course. Students do not have to acquire any book.

CURRICULUM VITAE

Nuno Ferreira

PERSONAL RECORD

1. Education

(2004-2008) Law doctoral studies at the University of Bremen, Germany (*summa cum laude*)

Theme of dissertation “Fundamental Rights, Constitutional Principles, and the Law of Torts in the European Union: The Case of Fundamental Rights of Children and their Liability in Tort”

(1995-2000) Law studies at the University of Coimbra, Portugal (Mark: 15/20, Class ranking: top 5%)

Five year law degree with a final year specialisation in Public Law

Including one semester Erasmus programme at the University of Bologna, Italy

2. Academic and professional qualifications

Doctor in Law (2009)

Professional Trainer (Portugal) since 2003

Barrister (Portugal) since 2002

Graduate in Law (2000)

Language proficiency: English (Certificate of Proficiency in English, C2), French (Diplôme de Hautes Etudes Françaises, C2), German (Kleines Deutsches Sprachdiplom, C2), Italian (Certificato di Italiano come Lingua Straniera, C2), Portuguese (mother tongue), Spanish (working knowledge)

3. Employment and appointments

(2012-) Senior Lecturer in Law at the School of Law and Social Justice of the University of Liverpool

(2006-2012) Lecturer in Law at the School of Law of the University of Manchester

(2003-2006) Research Fellow at the Centre of European Law and Politics at the University of Bremen (ZERP), Germany

(2001-2003) Legal consultant at the Legal Affairs and Litigation Department of the Portuguese Securities Market Commission, Lisbon, Portugal

(2000-2001) Legal Traineeship at Miranda, Correia & Amendoeira, Law Firm, Lisbon, Portugal

4. Visiting appointments/secondments

(2009-) Visiting Professor at the School of Law of the University of Lisbon, Portugal

(2007) Visiting Professor at the School of Law of Wuhan University, China

(2005) Guest Researcher at the Institute of European and Comparative Private Law, University of Girona, Spain

5. Distinctions

(2006) First prize of the Young Researchers Network of the Research and Training in Medical Law Association (ARFDM), 16th World Congress in Medical Law, World Association for Medical Law

(1999) Winner of the Portugal-Brazil 2000 Colloquium essay contest with the essay “The fifth power: Organized crime as a disturbing element of the free development of the human being and social peace, and the Portuguese-Brazilian cooperation” (co-authorship with S. Cardoso)

6. Memberships of academic and professional bodies

Member of the Society of Legal Scholars (SLS), the United Kingdom Association for European Law (UKAEL), the University Association for Contemporary European Studies (UACES), and the Socio-Legal Studies Association (SLSA)

Associate of the Centre for Family Law of the University of Coimbra [Centro de Direito da Família da Universidade de Coimbra] since 2010 (by invitation of the Board), Member of ECRU - European Children's Rights Unit, University of Liverpool since 2011, and associate of the Centre for Biomedical Law of the University of Coimbra [Centro de Direito Biomédico da Universidade de Coimbra] since 2012 (by invitation of the Board)

Member of the trainers' directory of the Employment and Professional Training Institute (Portuguese government agency) since 2003

Member of the Portuguese Bar since 2002

A. RESEARCH AND ACADEMIC/PROFESSIONAL STANDING

1. Publications

Books and edited collections

(2011) *Fundamental rights and private law in Europe: The case of tort law and children*, Routledge, London and New York

[The book explores, from a comparative and inter-disciplinary perspective, the relationship between fundamental rights and private law in Europe. This study draws insights from several legal fields (international, European, tort, constitutional and child law), sociology, psychology, and feminist studies. It considers policy implications and advances proposals which would ensure the optimisation of the effect, and maximisation of the effectiveness, of fundamental rights in tort law, and more generally in private law. This book departs from traditional legal doctrines and offers a more pragmatic, comprehensive and just legal analysis of the role of fundamental rights in private law.]

[extensively referenced in Bas De Gaay Fortman, 'Human Rights as *Regulae Iuris* : An Inquiry into the Dialectics of Legality versus Legitimacy', *European Review of Private Law* 2-2012, 409–424, in particular 417-9]

(2008) *European Review of Private Law*, Volume 16, No. 5 (2008) (with P. O'Callaghan, editors of special issue on the constitutionalisation of private law in Europe)

Academic journal papers

(2013) "The EU free movement of persons from a Spanish perspective: Exploring its evolution and derogations", *European Public Law*, Vol. 19, Issue 2, 397-424

[This article, published in the top legal journal specialised on the impact of EU law on Member States' public law, discusses the free movement of EU citizens across Spanish borders and within Spain. It assesses the implementation by Spanish authorities of EU law in this field, and looks critically into the evolution of the relevant statutory framework and, above all, its judicial application. The analysis focuses on the obstacles to the free movement of EU citizens and their family members, by exploring in detail for the first time in legal scholarship the rules and case law (mainly produced by the Spanish Supreme Court) that have dealt with the possibility of expulsion of EU citizens and their family members.]

(2011) "The harmonisation of private law in Europe and children's tort liability: A case of fundamental and children's rights mainstreaming", *International Journal of Children's Rights* Vol. 19, No. 3, 571–594

[This article, published in the world top children's rights journal, explores the impact of the European private law harmonisation process on children's rights, and uses the issue of children's tort liability as a case-study. The legal solutions in this field are analysed and compared, and the academic proposals for harmonisation are assessed. The advisability of further harmonisation is assessed, whilst also illustrating the importance of socio-economic factors in this process, and highlighting the relevance of children's rights and fundamental rights to this debate. This article tackles the rarely acknowledged relationship between private law harmonisation in the EU and children's rights.]

(2008) "Putting the age of criminal and tort liability into context: A dialogue between law and psychology", *International Journal of Children's Rights* Vol. 16, No. 1 (2008), 29-54

[This article, published in the world top children's rights journal, carries out an interdisciplinary analysis of the concepts of 'liability age' and 'capacity responsibility' in the context of children's criminal and tort liability, and considers the potential impact of the former on the latter. The text endeavours to improve the applicable legal norms with support from findings in the field of psychology and sociology, particularly in respect of children's moral development. The text proposes a criminal and tort liability age framework, based upon presumptive age milestones, and an integrated approach to all relevant circumstances in casu.]

(2007) "Joint parental care: Considerations on the state of play in the European Union and in Brazil", *Lex Familiae' Revista Portuguesa de Direito da Família* [Portuguese Journal of Family Law] Year 4, No. 7, 75-97 (with M. A. Tedesco Vilardo)

(2007) "Latest legal and social developments in the euthanasia debate: Bad moral consciences and political unrest", *Medicine and Law* Volume 26, Number 2 (June 2007), 387-407

(2006) "The fifth power: Organised crime as a disturbing element of the free development of one's personality and of social peace, and the Portuguese-Brazilian cooperation", *Boletim da Faculdade de Direito* [University of Coimbra's Law School Journal] LXXXII, 613-638 (with S. Cardoso)

(2006) "Euthanasia: Amid the legal debate and the evolution of the public opinion", '*Lex Medicinæ*' *Revista Portuguesa de Direito da Saúde* [Portuguese Journal of Health Law] Year 3, No. 6, 137-151

(2005) "State international responsibility for wrongful acts: Evolution within the tradition", *Revista da Faculdade de Direito da Universidade de Lisboa* [University of Lisbon' Law School Journal], XLVI, No. 1 (2005), 515-535

Book chapters

(2014) "Children in the EU labour law and policy: A legal analysis of the internal dimension", in Helen Stalford and Ingi Iusmen (eds.), *The EU and the Global Protection of Children's Rights: Norms, Laws and Policy Dimensions*, Leverkusen, budrich academic (forthcoming)

(2010) "National Reports: Germany", in G. Brüggemeier, A. Colombi Ciacchi and G. Comandé (eds.), *Fundamental Rights and Private Law in the European Union: A Comparative Overview*, pp. 253-324, Cambridge, CUP (*et al.*)

[This book chapter, published by one of the world's top law publishers, analyses the 'horizontal effect of fundamental rights' debate in the German context. It offers an overview of the historical development of this debate in the German legal system and analyses the relevant doctrines and case law. This contribution to a two-volume comparative study offered for the first time a comprehensive and in-depth analysis of the subject-matter across all legal fields of German law. Co-authors contributed in equal shares towards the final work.]

(2010) "Horizontal Effects of Fundamental Rights and Freedoms in European Union Law", in G. Brüggemeier, A. Colombi Ciacchi and G. Comandé (eds.), *Fundamental Rights and Private Law in the European Union: A Comparative Overview*, pp. 8-116, Cambridge, CUP (with J. Krzemińska-Vamvaka and T. Russo)

[This book chapter, published by one of the world's top law publishers, analyses the 'horizontal effect of fundamental rights and freedoms' debate in the context of European Union law. It offers an overview of the historical development of this debate in the European Union legal system and analyses the relevant doctrines and case law. This contribution to a two-volume comparative study offered for the first time a comprehensive and in-depth analysis of the subject-matter across all legal fields of European Union law. Co-authors contributed in equal shares towards the final work.]

(2010) "Different treatment of married and unmarried couples in the European Union", in G. Brüggemeier, A. Colombi Ciacchi and G. Comandé (eds.), *Fundamental Rights and Private Law in the European Union: Comparative Analyses of Selected Fact Patterns*, pp. 325-374, Cambridge, CUP (with C. Favilli)

[This book chapter, published by one of the world's top law publishers, analyses the different treatment of married and unmarried couples in the EU from the perspective of the application of fundamental rights to private law matters - the 'horizontal effect of fundamental rights' debate. This theme is usually discussed exclusively within the context of public or private law, so this work constitutes an original contribution to the debate on the subject-matter. The chapter compares relevant statutory instruments and case-law from nine jurisdictions, and concludes with policy recommendations. Co-authors contributed in equal shares towards the final work.]

"[P]rovides a comprehensive and richly detailed discussion of the legal position in these countries, including valuable accounts of the pathways whereby the historical discrimination against non-marital partnerships has come to be alleviated. It contains a nuanced assessment of national differences in the role played by fundamental rights reasoning in this development, frankly acknowledging what its empirical survey shows: 'the level of protection of fundamental rights in the different Member States depends more on legislative measures than on a sporadic resort to fundamental rights in courts'". [Review by François du Bois, HRLR 12 (2012), 623]

(2010) "Portuguese Report", in G. Brügge-meier, A. Colombi Ciacchi and P. O'Callaghan (eds.), *Personality Rights and Tort Law in Europe*, Cambridge, CUP (with P. Vasconcelos)

(2009) "Fundamental Rights, Constitutional Principles, and the Law of Torts: *Tortfeasors v. Tort Victims*", in A. Colombi Ciacchi et al. (eds), *Haftungsrecht im dritten Millennium / Liability in the Third Millennium: Liber Amicorum Gert Brügge-meier*, Baden Baden, Nomos, 49-84

Working papers and publications in conference proceedings

(2007) "Building a bridge between psychology and law: The criminal and civil liability age limits and the child's cognitive and moral development", in Alen, Bosly, De Bie, et al. (eds), *The UN Children's Rights Convention: Theory meets practice*, Intersentia. 2007, pp. 531-548

(2006) "Latest legal and social developments in the euthanasia debate: Bad moral consciences and political unrest", Book of Proceedings of the 16th World Congress on Medical Law, *Les Études Hospitalières*, Bordeaux

(2005) "Revisiting euthanasia: A comparative analysis of a right to die in dignity", *ZERP Discussion Papers*, DP 4/2005

Reports, Editorials, Book reviews, Translations and Notes

(2011) Portuguese report for the project 'Fleeing Homophobia, Seeking Safety in Europe: Best Practices on the (Legal) Position of LGBT Asylum Seekers in the EU Member States', VU University Amsterdam and COC Netherlands, <www.rechten.vu.nl/nl/Images/Portugal_questionnaire_tcm22-236623.pdf> and <http://www.rechten.vu.nl/nl/Images/Portugal%20-%20Annexes_tcm22-236621.pdf>

(2011) "Human Rights Education with Children: A Review of Council of Europe's *Compasito*", *Essex Human Rights Review* Vol. 7, No. 2, 109

(2009) *Sexual Equality in an Integrated Europe, Virtual Equality*, by R. Amy Elman (New York/Houndmills, Palgrave Macmillan, 2007, ISBN 9781403982759), reviewed in *JCMS: Journal of Common Market Studies*, Volume 47, Issue 2 (March 2009), 443-444

(2008) "Evaluating the 'new culture' of human rights in European Private Law", *European Review of Private Law*, Volume 16, No. 5 (2008), 657-663 (with P. O'Callaghan, editors of special issue)

(2006) "Justiça Social no Direito Europeu dos Contratos: um Manifesto", *Cadernos de Direito Privado*, No. 12 October-December 2005, 65 (translation to Portuguese of "Social Justice in European Contract Law: a Manifesto", by the Study Group on Social Justice in European Private Law, *European Law Journal*, Vol. 10, No. 6, 653-674, November 2004)

(2001) "Comment on the decision of 17 June 1997 of the civil section of Lisbon High Court: The stock option contract", *Cadernos do Mercado de Valores Mobiliários* [Securities Market Publications], No. 12 (December 2001), 303-316

2. Research grants

Grants awarded

(2012) ‘The human face of the European Union: Humane enough?’, workshop co-funded by the Manchester Jean Monnet Centre of Excellence (£1,000) and UACES - University Association for Contemporary European Studies (£655)

(2010-2012) ‘The Reconceptualization of European Union Citizenship’, Multilateral Research Group including the University of Manchester, the Centre for Migration Law (Faculty of Law, Radboud University Nijmegen), and the Comillas Pontifical University (Madrid). Financed by the Jean Monnet / Lifelong Learning Programme (€80,000 / individual funding: €5,000)

(2010-2011) Portuguese rapporteur for the project ‘Fleeing Homophobia, Seeking Safety in Europe: Best Practices on the (Legal) Position of LGBT Asylum Seekers in the EU Member States’, financed by the European Refugee Fund and coordinated by the VU University Amsterdam and the NGO COC Netherlands (€479,824 / individual funding: €5,500)

(2006) Grant from the German Research Foundation to present papers at two international conferences in Canada (€1,250)

(2003–2006) Doctoral fellowship funded by the European Commission to work in a European research project examining the interaction between fundamental rights and private law in the EU (€56,790)

3. Supervision of research students

MPhil / PhD students

Tawseef Khan, ‘Re-thinking the asylum model for sexual-orientation based claims: a comparative and empirical perspective on legitimacy and effectiveness’ (co-supervisor, since March 2012)

Swati Gola, ‘The WTO and the human right to health’ (co-supervisor, since September 2010)

Stephanie Fehr, ‘Religious Discrimination in Employment: A Comparative Analysis of the Law in Germany, France and the UK with Reference to International Obligations’ (main supervisor, since September 2006)

Julia Bradshaw, ‘The Democratic Deficit, European Expansion and the EU’s Future’ (second supervisor, since October 2006, concluded in 2012 with minor corrections)

Valerie Dye, ‘Enhancing post-national legitimacy: A proposed framework for EU and International economic governance’ (second supervisor, concluded in 2011 with minor corrections)

Carlo Petrucci, ‘Horizontal Cooperation under Competition Law: A Comparison between the EU and the US’ (main supervisor, concluded in 2008 without corrections)

4. Lectures and conference activity

*Presentation of conference / workshop papers (selection; by invitation indicated with *)*

(2013) “Children as addressees of the EU labour policy: Assessment and scope for improvement”, Socio-Legal Studies Association Annual Conference, York, UK

(2010) “The harmonisation of private law in Europe and children’s tort liability: A case of fundamental and children’s rights mainstreaming”, EU Children’s Rights Symposium, Liverpool Law School, Liverpool, UK

(2010) “The European Human Rights Protection System in the Post-Lisbon Era”, Fifth Pan-European Conference on EU Politics, Porto, Portugal

* (2010) “The United Kingdom perspective”, at the conference “The Master in Law and the Bologna process”, Rotterdam Law Network Annual Meeting, University of Lisbon, Portugal

(2009) “The Public/Private Divide and the Horizontal Effect of Fundamental Rights in European Private Law: An Analysis of Sexuality-Related Case-Law”, at Society of Legal Scholars Annual Conference, Keele, UK

(2009) “Asylum claims on the basis of sexual orientation or gender identity in England: decision-making process, credibility findings, and the ‘gay check-list’”, at World Outgames 2nd International Conference on LGBT Human Rights, Copenhagen, Denmark

(2009) “Gender- and Sexual Orientation-Related Asylum Claims in English Courts: Credibility in Judicial Decision-Making”, at the conference “Seeking Refuge: Caught between bureaucracy, lawyers and public indifference?”, Centre of African Studies, SOAS, University of London, UK

(2008) “Playing with Fire: The Violation of Fundamental Rights by EU Member States and the Role of EU Institutions”, at the Sixteenth International Conference of the Council for European Studies at Columbia University, Chicago, USA

(2007) “Freedom of Religion and Belief, Dress Codes, and Private Law”, at the Law, Religion, Culture: An Interdisciplinary Symposium”, Lancaster University, UK

(2006) “Human Rights Protection in the Framework of the European Union: From Rhetoric to Inertia”, at the First British-German Socio-Legal Workshop, Keele University, UK

(2006) “Evaluating the ‘New Culture’ of Human Rights in Europe”, at the Comparative Law Subject Section, Society of Legal Scholars Annual Conference, Keele University, UK (with P. O’Callaghan)

(2006) “Latest Legal and Social Developments in the Euthanasia Debate: Bad Moral Conscience and Political Unrest”, at the 16th World Congress on Medical Law, Toulouse, France

(2006) “Sexual Orientation and Private Law: Enforcing Fundamental Rights of GLBT Persons in Relations between Private Parties”, at the International Conference on LGBT Rights, 1st World Outgames Montreal 2006, Montreal, Canada

(2006) “Building a Bridge between Psychology and Law: The Criminal and Civil Liability Age Limits and the Child’s Cognitive and Moral Development”, at the International Interdisciplinary Conference on Children’s Rights: An appraisal of the Children’s Rights Convention. Theory meets practice, Belgian IAP Research Network on Children’s Rights, Ghent, Belgium, and at the conference “Investment and Citizenship: Towards Transdisciplinary Dialogue in Child and Youth”, Brock University, Canada

* (2005) “Considerations on Joint Parental Care in the European Union: The State of Play in Germany, Portugal, France and Italy”, at the conference “New Trends in Parental Care: Joint Parental Care”, Judiciary School of Rio de Janeiro, Brazil

* (2005) “The Horizontal Effects of the Fundamental Right to Gender Equality in the European Union”, at the conference “The Right to Gender Equality”, Judiciary School of Rio de Janeiro, Brazil

Other functions

- * (2012) “International PhD Symposium on Children’s Rights”, School of Law of the University of Liverpool, Liverpool, UK (discussant)
- (2012) “The human face of the European Union: Humane enough?” (workshop), School of Law of the University of Manchester, Manchester, UK (co-convenor and chair of panel)
- (2011) “LGBT Refugees in the UK: Life experiences of a legal limbo” (round-table), University of Manchester, Manchester, UK (convenor and chair)
- (2011) “The Reconceptualisation of European Union Citizenship - Workshop 1”, School of Law of the University of Manchester, Manchester, UK (co-convenor and chair of panel)
- * (2009) “Seeking Refuge: Legal and Social Issues in Asylum Claims by LGBT/HIV+ persons”, at World Outgames 2nd International Conference on LGBT Human Rights, Copenhagen, Denmark (chair of panel)

5. Major academic visits and collaborations

(2012-2013) Contributor to Common Core of European Private Law/Trento Project on Immoral Contracts in Europe. Results to be published by CUP in 2015. Project funded by European Commission.

(2010-2012) Contributor to project ‘The Reconceptualization of European Union Citizenship’, Multilateral Research Group led by Professor Dora Kostakopoulou (University of Southampton) and in collaboration with Centre for Migration Law (Radboud University Nijmegen) and the Comillas Pontifical University (Madrid). Financed by the Jean Monnet / Lifelong Learning Programme (€80,000).

(2010-2011) Portuguese rapporteur for the project ‘Fleeing Homophobia, Seeking Safety in Europe: Best Practices on the (Legal) Position of LGBT Asylum Seekers in the EU Member States’, financed by the European Refugee Fund and coordinated by the VU University Amsterdam and the NGO COC Netherlands (€479,824).

(2003-2006) Contributor to the Research Training Network “Fundamental Rights and Private Law in the European Union”, project co-ordinated by the Centre of European Law and Politics at the University of Bremen (ZERP) and the Scuola Superiore di Studi Universitari e di Perfezionamento “S. Anna”, Pisa (SSSUP). Results published by CUP in 2010. Project funded by European Commission (€1,500,000).

(2005-2006) Contributor to Common Core of European Private Law/Trento Project on Personality Rights and Tort Law in Europe. Results published by CUP in 2010. Project funded by European Commission.

B. TEACHING

Human Rights (UG) (Liverpool, course leader, 2012-)

Law and Social Justice (UG) (Liverpool, 2012-)

Discrimination Law (UG/PG) (Manchester/Liverpool, course leader, 2010-)

Legal English (Lisbon, course leader, UG/PG) (2009-)

European Dimensions of Legal Research (Manchester, Methodology Programme for PGR Students; 2007-2011)

EU Law (UG) (Manchester, 2006-2011)

International and European Labour Law (course leader, UG/PG) (Manchester, 2006-2011)

Law with Politics Dissertation (UG) (Manchester, 2008-2009)

European Environmental Law and Policy (course leader, UG/PG) (Wuhan, 2007)

European Competition Law (course leader, UG/PG) (Bremen/Manchester, 2006-2009)

European Single Market (PG) (Manchester, 2006-2009)

C. ADMINISTRATION

(2012-2013) Undergraduate Exams Officer (UoL)

[including managing arrangements for preparation, scrutiny and marking of all UG assessment, supervision of examination processes during examination periods, overseeing marking, appointing and liaising with external examiners, member of Mitigating Circumstances and Exams Committees and Appeal Panels]

(2012) Teaching and Learning Co-director (UoM)

[including Chair of Teaching & Learning Committee; member of Senior Management Team; representative on Faculty Teaching & Learning committees; Chair of Academic Appeals Board for UG & PG appeals; liaison with Faculty re QA issues; advice to Programme Directors on QA processes including proposals for new programmes; advice on Annual and Periodic Reviews; member of the Faculty PGT working group]

(2010-2011) LLB (English Law with French Law) and Certificate of Legal Studies Programme Director (UoM)

[including induction, registration, oversight of teaching and assessment of LLB(ELFL)/CLS students; liaison with French partner institutions; senior adviser for LLB(ELFL)/CLS students, including advice meetings; oversight of work and attendance regulations; quality assurance reporting for the LLB(ELFL)/CLS programme including producing proposals for any new or revised components of the programme; oversight of nominations for external examiners from course unit directors; liaison with chairs of boards of studies on all aspects of the programme as appropriate, including staff members' teaching duties; production of LLB(ELFL)/CLS documents; member of Law Board of Studies; member of Appeals Board]

(2008-2011) Erasmus, Visiting and Exchange Students Officer (UoM)

[including arrangements for publicity of exchange schemes and selection of students to go on current exchange schemes in Europe and world-wide; arrangements for any future exchange schemes; liaison with University International Office and Study Abroad Unit; advise on selection of course units to, and translation of marks of, outgoing exchange students; selection of, and advise on selection of course units to, incoming exchange students; academic adviser to incoming exchange and visiting students; member of External Relations Committee and Teaching and Learning Committee]

(2008-2012) Member of the Steering Group of the Manchester Jean Monnet Centre of Excellence (JMCE) (UoM)

[including liaison between School of Law and Manchester JMCE; promotion of Manchester JMCE activities and calls for bids within School of Law; contribution to organisation of seminar and workshop activities]

(2006-2008) LL.M. Assistant Programme Director (European Law streams) (UoM)

[including assisting LLM Programme Director in relation to European Law streams with regard to induction, registration, management of teaching and assessment; quality assurance; production of documents – e.g. programme handbook; member of Law Board of Studies, member of Appeals Board]

D. ACADEMIC SERVICE

Service as an external referee for the:

- journals Journal of Social Security Law, Review of Central and East European Law, Political Perspectives, Manchester Jean Monnet Centre of Excellence Yearbook, St Antony's International Review (STAIR), and 'Lex Medicinæ' Revista Portuguesa de Direito da Saúde [Portuguese Journal of Health Law];

- publishers Routledge Cavendish, Sweet & Maxwell, and Pearson Education/Longman; and,

- Manchester Jean Monnet Centre of Excellence and Italian state research funding scheme (FIRB - Fondo per gli Investimenti della Ricerca di Base).

(2013-) Member of the editorial board of the journal *Frontiers of Legal Research*

(2012) Delivery of session on designing and delivering institutional simulation exercises, within the framework of the Faculty of Humanities Teaching & Learning Showcase

(2012) Participation in roundtable on 'Same sex adoption – the options and support available at the University', as part of the LGBT History Month 2012 events

(2011) Publication of a note on 'Simulation exercises in class and on-line', *Faculty of Humanities Teaching and Learning News*, May 2011 (with Anna Verges)

(2011) Delivery of session on institutional simulation exercises, within the framework of the School of Law Good Teaching & Learning Practice Series

(2010) Member of School of Law's International Programmes Review Group (comprehensive review of the School's existing and potential programmes with an international component)

(2009) Participation in the debate 'The European Union: United for what?', organised by the University of Manchester Students' Union Challenging Orthodoxies Society

(2009) Member of LLM Review Group (comprehensive review of the LLM curriculum, structure and overall effectiveness)

(2009) Delivery of session on e-learning within the framework of the Faculty of Humanities' New Academics Programme

(2008-) Mooting competition judge

(2008) Member of short-listing and interview panel to appoint four new staff members

E. KNOWLEDGE TRANSFER

(2012) Interview to BBC3 (<http://www.bbc.co.uk/news/magazine-18588612>) and Daily Telegraph (<http://www.telegraph.co.uk/news/9372735/Gay-flatmate-wanted-ads-break-equality-laws.html>) on discrimination in the property market

(2012) Participation in discussion panel on refugee-related matters after show 'Souvenir d'Anne Frank' (Ensemble), at the Zion Arts Centre, Manchester.

(2011) Organisation of a roundtable on 'LGBT Refugees in the UK: Life experiences of a legal limbo', open to non-academics and non-specialists, in which NGO members and activists participated.

(2010) Interview for Russian Newsweek on the French 'national identity' debate and immigration-related issues.



FACULDADE DE DIREITO
Universidade de Lisboa



GABINETE ERASMUS
ERASMUS OFFICE

Anexo XVII

INTRODUCTION TO U.S. LAW
PROFESSOR WEAVER
APRIL, 2013

Course Goals and Objectives: This course is designed to give students a comprehensive introduction to the U.S. governmental system, as well as to the U.S. approach to “rights,” in particular the right to freedom of expression.

Topics to be Covered.

- I. The U.S. Declaration of Independence in historical perspective.
- II. The Events That Led to the Creation of the U.S. Constitution.
- III. The Structure of the Federal Government (separation of powers, checks and balances, judicial review, and the role of the courts).
- IV. The Relationship between the Federal Government and the States (the system of dual competencies, and the Supremacy Clause).
- V. The American Concept of Rights (the Bill of Rights) and Due Process (both procedural and substantive).
- VI. The American Approach to Freedom of Expression.
 1. Justifications and Philosophical Approach.
 2. Categorical Approach and Balancing (child pornography, obscenity & fighting words).
 3. American Exceptionalism (defamation, privacy, advocacy of illegal action, intentional infliction of emotional distress, content neutrality).
 4. Prohibition Against Prior Restraints.
 5. Public Forum Doctrine
 6. Evolving Standards Regarding Media and New Technologies (the press, radio, television, satellite and cable television).
 7. The Implications of the Internet for Democracy.
- VII. The Religion Clauses (the Establishment Clause and the Free Exercise Clause).

Russell L. Weaver
(502) 852-6559 (W) .

TEACHING EXPERIENCE

Current Position: Professor of Law and Distinguished University Scholar, Louis D. Brandeis School of Law, University of Louisville (1999-present) (at the University of Louisville since 1982).

Courses: Constitutional Law (I & II), Torts, Advanced Constitutional Law, First Amendment, Negotiations, Administrative Law, Criminal Law, Criminal Procedure, Remedies, & Trial Practice.

Visitorships: Judge Spurgeon Bell Distinguished Visiting Professor, S. Texas College of Law (1998-99); Herbert Herff Chair of Excellence, Cecil C. Humphreys School of Law, University of Memphis (1992).

Awards: Distinguished University Scholar (University of Louisville) (1999-present); President's Award (University of Louisville) for Outstanding Research, Scholarship and Creative Activity in the Career Achievement Category (2002); President's Award for Distinguished Service (1998); President's Award for Outstanding Research, Scholarship and Creative Activity in the Social Sciences (1993); Louis D. Brandeis School of Law awards for scholarship (1992, 1993, 2001 & 2002), teaching (1995), & service (1998); Brown, Todd & Heyburn Fellow (1995-97 & 1998-99); Honorary Associate, Macquarie University School of Law (Sydney, Australia. 1998).

EDUCATION

Legal

Degree: J.D., *cum laude*, University of Missouri, 1978.

Honors and Activities: Order of the Coif; Missouri Law Review; Judge Roy Harper Prize; Omar E. Robinson & Edward Jayne scholarships; & various American Jurisprudence prizes

Undergraduate

Degree: B.A., University of Missouri, 1974.

Honors and Activities: University of Missouri Speech and Debate Team; speech and forensics scholarships.

PUBLICATIONS

(SELECTED) BOOKS & BOOK CHAPTERS

2011: R. WEAVER, FROM GUTENBERG TO THE INTERNET: FREE SPEECH, ADVANCING TECHNOLOGY & THE IMPLICATIONS FOR DEMOCRACY (Carolina Academic Press 2011)

(draft, 200+ pages).

R. WEAVER, S. FRIEDLAND, C. HANCOCK, B. FAIR, J. KNECHTLE & R. ROSEN, CONSTITUTIONAL LAW: CASES, MATERIALS & PROBLEMS (Aspen, 2d ed., 2011) (in press).

R. WEAVER, C. HANCOCK, D. LIVELY & J. KNECHTLE, THE FIRST AMENDMENT: CASES, MATERIALS & PROBLEMS (Aspen, 3d ed., 2011) (in press).

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2010: R. WEAVER AND F. LICHÈRE (EDS), REMEDIES AND ECONOMICS, Presses Universitaires d'Aix-Marseille (PUAM) (2010).

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R. WEAVER & W. ARAIZA, THE FIRST AMENDMENT: QUESTIONS & ANSWERS (LexisNexis 2010).

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R. WEAVER, L. ABRAMSON, R. BACIGAL, J. BURKOFF, D. LIVELY, & C. HANCOCK,

2010 SUPPLEMENT TO CRIMINAL PROCEDURE: CASES, PROBLEMS & EXERCISES (Thomson/West 2010).

R. WEAVER & W. ARAIZA, QUESTIONS & ANSWERS: THE FIRST AMENDMENT (Lexis Nexis, 2d ed., 2010).

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R. WEAVER, L. ABRAMSON, J. BURKOFF & C. HANCOCK, 2010 SUPPLEMENT TO CRIMINAL LAW: CASES, PROBLEMS AND EXERCISES (Thomson/West Group, 2010).

2009: R. WEAVER & D. LIVELY, UNDERSTANDING THE FIRST AMENDMENT (LexisNexis 2009).

R. WEAVER, S. FRIEDLAND, C. HANCOCK, D. LIVELY & W. SCOTT, INSIDE CONSTITUTIONAL LAW: WHAT MATTERS & WHY (Aspen Pub. 2009).

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R. WEAVER, J. BAUMAN, J. CROSS, A. KLEIN, E. MARTIN & P. ZWIER: TORTS: CASES, MATERIALS, PROBLEMS & EXERCISES (Lexis Nexis, 3rd ed., 2009).

R. WEAVER, J. BAUMAN, J. CROSS, A. KLEIN, E. MARTIN & P. ZWIER: MASTERING TORTS (Carolina Press 2009).

R. WEAVER, S. FRIEDLAND, C. HANCOCK, D. LIVELY, & W. SCOTT, 2009 SUPPLEMENT TO CONSTITUTIONAL LAW: CASES, MATERIALS & PROBLEMS (Aspen Pub. 2009).

R. WEAVER, C. HANCOCK, D. LIVELY & J. KNECHTLE, 2009 SUPPLEMENT TO FIRST AMENDMENT: CASES, MATERIALS & PROBLEMS (LexisNexis 2009).

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2008: R. WEAVER, C. HANCOCK, D., J. KNECHTLE & D. LIVELY, FIRST AMENDMENT: CASES, MATERIALS AND PROBLEMS (LexisNexis 2008).

R. WEAVER, L. ABRAMSON, J. BURKOFF, & C. HANCOCK, CONCISE HORNBOOK SERIES: PRINCIPLES OF CRIMINAL PROCEDURE (Third Edition, Thomson/West, 2008).

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(Aspen 2008).

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2006: R. WEAVER, A. KENYON, D. PARTLETT & C. WALKER, *THE RIGHT TO SPEAK ILL: DEFAMATION, REPUTATION & FREE SPEECH* (Carolina Press 2006).

R. WEAVER, S. FRIEDLAND, C. HANCOCK, D. LIVELY, & W. SCOTT, *CONSTITUTIONAL LAW: CASES, MATERIALS & PROBLEMS* (Aspen Pub. 2006).

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2004: *The Establishment Clause of the United States Constitution*, published in P. RADAN, D. MEYERSON & R. ATHERTON, *LAW AND RELIGION* (Routledge, 2005).

The Free Exercise Clause of the United States Constitution, published in P. RADAN, D. MEYERSON & R. ATHERTON, *LAW AND RELIGION* (Routledge, 2005).

The Marketplace of Ideas, published in DAVID SCHULTZ & JOHN VILE, II *ENCYCLOPEDIA OF CIVIL RIGHTS* 592-93 (2005).

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R. WEAVER, D. PARTLETT, D. LIVELY & M. KELLY, *REMEDIES: CASES, PRACTICAL PROBLEMS & EXERCISES* (West, 2004).

2003: R. WEAVER & D. LIVELY, *UNDERSTANDING THE FIRST AMENDMENT* (LexisNexis 2003).

R. WEAVER, J. BURKOFF & C. HANCOCK, *CRIMINAL LAW: CASES, PROBLEMS AND EXERCISES* (West, 2003).

R. Weaver, J. Bauman, J. Cross, A. Klein, E. Martin & P. Zwier: Torts: Cases, Materials, Problems & Exercises (Anderson, 2003).

- 2002: R. WEAVER & A. HELLMAN, THE FIRST AMENDMENT: CASES, MATERIALS & PROBLEMS (LEXIS NEXIS 2002).

J. KNECHTLE & R. WEAVER, BELARUS CHAPTER, LEGAL SYSTEMS OF THE WORLD (2002).

- 2001: R. WEAVER, L. ABRAMSON, R. BACIGAL, J. BURKOFF, C. HANCOCK, D. LIVELY, CRIMINAL PROCEDURE: CASES, MATERIALS, PROBLEMS & EXERCISES (West, 2001).

W. FUNK, S. SHAPIRO, & R. WEAVER, ADMINISTRATIVE LAW AND PRACTICE: PROBLEMS AND CASES (West, 2d ed., 2001).

- 2000: D. LIVELY, P. HADDON, D. ROBERTS & R. WEAVER, CONSTITUTIONAL LAW: CASES, HISTORY & DIALOGUES (Anderson, 2d ed., 2000).

- 1998: R. WEAVER, J. BURKOFF, C. HANCOCK, A. REED & P. SEAGO, READINGS IN CRIMINAL LAW (Anderson, 1998).

- 1997: R. WEAVER, K. STRACHAN, D. PARTLETT, D. LIVELY & W. LAWRENCE, MODERN REMEDIES: CASES, PROBLEMS & EXERCISES (West, 1997).

W. FUNK, S. SHAPIRO, & R. WEAVER, ADMINISTRATIVE LAW AND PRACTICE: PROBLEMS AND CASES (West, 1997).

D. LIVELY, B. MORANT, A. HAMMOND & R. WEAVER, COMMUNICATIONS LAW: MEDIA, ENTERTAINMENT & REGULATION (Anderson, 1997).

M. GLENNON, D. LIVELY, R. WEAVER, D. ROBERTS & P. HADDON, THE CONSTITUTIONAL LAW ANTHOLOGY (Anderson, 1997).

- 1996: D. LIVELY, P. HADDON, D. ROBERTS & R. WEAVER, CONSTITUTIONAL LAW: CASES, HISTORY & DIALOGUES (Anderson, 1996).

- 1994: D. LIVELY, D. ROBERTS & R. WEAVER, THE FIRST AMENDMENT ANTHOLOGY (Anderson, 1994).

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- 2011: R. Weaver, *The Internet, Free Speech and Crime*, ____ TEXAS TECH L. REV. ____ (2011) (to be published as part of the Texas Tech Law Review's criminal law symposium).

R. Weaver, *The Roberts Court and Campaign Finance: "Umpire" or "Pro-Business Activism,"* ____ STETSON L. REV. ____ (2011) (forthcoming) (to be published as part of the Constitutional Law Discussion Forum).

R. Weaver, *Gutenberg and Mass Communication,* ____ JOHANNES GUTENBERG UNIVERSITY PRESS ____ (2011) (forthcoming).

R. Weaver, E. Klein, D. Doerr & Udo Fink, *Foreword: Honoring and Remembering the Johannes Gutenberg Faculty of Law - University of Louisville, Brandeis School of Law Exchange Relationship,* ____ JOHANNES GUTENBERG UNIVERSITY PRESS ____ (2011) (forthcoming).

R. Weaver & F. Lichere, *Independent Executive Agencies in the French and U.S. Constitutional Systems,* U. AIX-MARSEILLE PRESS (2011) (in press) (published as part of the Aix Global Issues in Administrative Law Forum).

R. Weaver & F. Lichere, *Introduction: Aix Global Issues in Administrative Law Forum,* U. Aix-Marseille Press (2011) (in press) (published as part of the Aix Global Issues in Administrative Law Forum).

R. Weaver, D. Lemieux & Laverne Jacobs, *Introduction to the Special Issue of the Windsor Yearbook of Access to Justice: Transnational and Comparative Administrative Law: Papers from the Sixth Administrative Law Discussion Forum, Québec City,* ____ WINDSOR YEARBOOK OF ACCESS TO JUSTICE ____ (2011) (in press) (published as part of the Administrative Law Discussion Forum).

R. Weaver & L. Jellum, *Neither Fish Nor Fowl: Administrative Judges in the Modern Administrative State,* ____ Windsor Yearbook of Access to Justice ____ (2011) (in press) (published as part of the Administrative Law Discussion Forum).

2010: R. Weaver, *The Fourth Amendment, Privacy and Advancing Technology,* 80 MISS. L.J. 1-92 (2010) (published as the James Otis Lecture).

R. Weaver, *Brandenburg & Incitement in a Digital Era,* 80 MISS. L.J. ____ (2010) (published as part of the Criminal Procedure Discussion Forum).

R. Weaver, *Free Speech, Democracy and Enforcement of Foreign Defamation Judgments,* published as part of a collection of essays entitled *Recognition & Enforcement of Judgments* (R. Weaver & F. Lichere, eds.), U. Aix-Marseille Press 268-317 (2010) (published as part of the Remedies Discussion Forum symposium).

R. Weaver & D. Partlett, *The Globalization of Defamation,* reprinted in JEFF BERRYMAN & RICK BIGWOOD, *THE LAW OF REMEDIES: NEW DIRECTIONS IN THE COMMON LAW* 669-694 (2010).

R. Weaver & Francois Lichere, *Introduction: Remedies Discussion Forum,* published as part of a collection of essays entitled *Recognition & Enforcement of*

- Judgments* (R. Weaver & F. Lichere, eds.), U. Aix-Marseille Press 8-13 (2010) (published as part of the Remedies Discussion Forum symposium).
- R. Weaver, *Attack Ads Pose Perils*, *Courier-Journal*, Forum Page, A-15 (Nov. 5, 2010).
- R. Weaver, *Democracy, Freedom of Speech and PolitiFact*, *Courier-Journal*, Forum Page (Oct. 15, 2010).
- 2009: R. Weaver, N. Delpierre & L. Boissier, *Governmentally Imposed Truth: An Examination of France's Holocaust Denial Law*, 41 TEXAS TECH. U. L. REV. 495 (2009).
- R. Weaver, U. Fink & Francois Lichere, *Protecting Consumers in an Era of World Trade*, 61 AD. L. REV. 105-114 (2009).
- R. Weaver, H. Hoffman, M. Asimow & F. Lichere, *Introduction: Administrative Law Discussion Forum*, 61 AD. L. REV. 1-3 (2009).
- R. Weaver, *Reliability, Justice and Confessions: The Essential Paradox*, 85 CHI.-KENT L. REV. 179-188 (2009).
- R. Weaver, *Frambach v. Dunihue: The Most Underrated Decision*, 42 LOYOLA L. REV. 237 (2009).
- R. Weaver, *Introduction: Fifth Remedies Discussion Forum*, 42 LOYOLA L. REV. 1 (2009).
- 2008: R. Weaver & D. Partlett, *The Globalization of Defamation* (2008) (to be published as part of the proceedings of in Jeffrey Berryman & Richard Bigwood, (2008)).
- R. Weaver & D. Partlett, *Remedies as a Capstone Course*, 27 REV. OF LITIGATION 269 (2008) (published as part of a symposium related to the AALS Workshop on Remedies that was held at the 2007 AALS Annual Meeting).
- R. Weaver, *Seditious Libel*, SUPREME COURT ENCYCLOPEDIA (2008).
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- 2007: R. Weaver, *Miranda at Forty*, 44 SAN DIEGO L. REV. 423 (2007) (published as part of the Criminal Procedure Discussion Forum).
- R. Weaver, *The Myth of "Consent,"* 39 TEX. T. L. REV. 1195 (2007) (published as part of Texas Tech's criminal procedure symposium at which I gave a speech in

April, 2007).

- 2006:** R. Weaver, *Should Hate Speech be Criminalized?*, REVUE INTERNATIONALE DE LANGUES JURIDIQUES ET DE DROIT COMPARE 42 (2006) .

R. Weaver, *Criminal Defense Representation in the United States: Promises and Paradoxes*, REVUE INTERNATIONALE DE LANGUES JURIDIQUES ET DE DROIT COMPARE 42 (2006) .

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- 2005:** R. Weaver, A. Kenyon, D. Partlett & C. Walker, *Defamation Law & Free Speech: Reynolds v. Times Newspapers and the English Media*, 37 VAND. J. TRANS-NAT'L LAW 1255 (2005).

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2003: R. Weaver, *Like a Ghoul in a Late Night Horror Movie*, 41 BRANDEIS L.J. 587 (2003) (published as part of the First Amendment Discussion Forum symposium).

D. Partlett & R. Weaver, *Restitution: Ancient Wisdom*, 36 LOY. L.J. 975 (2003) (published as part of the Remedies Discussion Forum symposium).

2002: R. Weaver, *Heroic Law Teachers: Dean Leonard Gering*, 52 J. Legal Educ. 466 (2002).

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2001: D. Partlett & R. Weaver, *Filling Cavities*, 39 BRANDEIS L.J. 677 (2001) (published as part of the Remedies Discussion forum).

2000: R. Weaver, *Defamation Law in Turmoil: The Challenges Presented by the Internet*, 2000 J. INFORMATION, LAW & TECHNOLOGY.

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C. Walker & R. Weaver, *The United Kingdom Bill of Rights 1998: The Modernisation of Rights in the Old World*, 33 U. MICH. J. OF L. REFORM (2000).

- R. Weaver, *Should Judges Attend Privately Funded Programs?*, Courier Journal (Forum Section) (October 21, 2000).
- R. Weaver, *Free Speech, Crime & the Challenge of Advancing Technology*, 14 INT'L REV. OF LAW, COMPUTERS & TECHNOLOGY 25 (2000) (also published in CD Rom form by the British & Irish Legal Technology Education Association (March, 1999)).
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- 1999: R. Weaver, *Striking a Balance: Hate Speech, Freedom of Expression and Non-Discrimination*, 37 ARCHIV DES VOLKERRECHTS 471 (1999).
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- 1998: R. Weaver & K. Boehringer, *Implied Rights and the Australian Constitution: A Modified New York Times, Inc. v. Sullivan Goes Down Under*, 8 SETON HALL CONST. L. J. 101 (1998).
- 1997: R. Weaver, *Hate Speech*, 7 DAITO HOGAKU 291 (1997).
- 1996: R. Weaver, *Lopez and the Federalization of Criminal Law*, 98 WEST. V. L. REV. 815 (1996).
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- 1995: R. Weaver, *Management of ALJ Offices in Executive Departments and Agencies*,

- 47 ADMIN. L. REV. 303 (1995) (written for the Administrative Conference of the United States).
- 1994: C. Walker & R. Weaver, *The Downing Street Declaration*, 8 EMORY I.L.R. 817 (1994).
- Organization of Adjudicative Offices in Executive Branch Agencies* (1994) (written for the Administrative Conference of the United States).
- R. Weaver & J. Knechtle, *Constitution Drafting in the Former Soviet Union: The Kyrgyzstan and Belarus Constitutions*, 12 WISC. I.L.R. 29 (1994).
- 1993: R. Weaver, *A Comment on the Draft Constitution of Belarus*, 3 DAITO HOGAKU 203 (1993) (based on a lecture presented at Daito Bunka University, Tokyo, Japan in May, 1993).
- R. Weaver, *Some Realism About Chevron*, 58 MO. L. REV. 129 (1993).
- R. Weaver & G. Bennett, *Is the New York Times "Actual Malice" Standard Really Necessary? A Comparative Perspective*, 53 LA. L. REV. 1153 (1993).
- R. Weaver & G. Bennett, *Defamation and Editorial Decisionmaking*, 14 MEDIA LAW 2 (1993).
- 1992: R. Weaver, *Chevron: Martin, Anthony and Format Requirements*, 40 KAN. L. REV. 587 (1992).
- R. Weaver & E. Klein, *Stoffpräsentation? Zu den Lehrmethoden an Amerikanischen und Deutschen Rechtsfakultäten*, 33 JURISTISCHE SCHULUNG 272 (1992).
- R. Weaver, *A Foolish Consistency Is the Hobgoblin of Little Minds*, 44 BAYLOR L. REV. 529 (1992).
- R. Weaver & G. Bennett, *Broadcasting Bans: A Transatlantic Perspective*, 13 MEDIA LAW 179 (1992).
- R. Weaver, *Evaluating Regulatory Interpretations*, 80 KY. L.J. 987 (1992).
- 1991: *Judicial Deference to Regulatory Interpretations: Inter-Agency Conflicts*, 43 ALA. L. REV. 35 (1991).
- R. Weaver, *Langdell's Legacy: Living With the Case Method*, 36 VILL. L. REV. 517 (1991).
- R. Weaver, *Challenging Regulatory Interpretations*, 23 ARIZ. ST. L. REV. 109 (1991).

- R. Weaver, *Some Reflections on the Case Method*, 11 LEGAL STUDIES 155 (1991).
- 1989: R. Weaver, *The N. Ireland Media Ban: Some Reflections on Judicial Review*, 22 VAND. J. OF TRANSNAT'L LAW 1119 (1989).
- R. Weaver & J. Jones, *The Deliberative Process Privilege*, 54 MO. L. REV. 281 (1989).
- 1988: R. Weaver, *Chenery II: A Forty-Year Retrospective*, 40 AD. L. REV. 161 (1988).
- 1986: R. Weaver, *Retroactive Regulatory Interpretations: An Analysis of Judicial Responses*, 61 NOTRE DAME L. REV. 167 (1986).
- 1984: R. Weaver, *Judicial Interpretation of Administrative Regulations: The Deference Rule*, 45 U. PITT. L. REV. 587 (1984).
- R. Weaver, *Judicial Interpretation of Administrative Regulations: An Overview*, 53 U. CIN. L. REV. 681 (1984)(reprinted in volume 3 of West's Federal Practice Manual).
- R. Weaver, *Contemporaneous Construction Discovery: Its Use and Abuse*, 20 WAKE FOREST L. REV. 367 (1984).

STUDENT PUBLICATIONS

- Comment, *The Law of Private Nuisance in Missouri*, 44 MO. L. REV. 20 (1979);
- Note, *Quasi-in-Rem Jurisdiction and the International Shoe Minimum Contacts Doctrine*, 42 MO. L. REV. 415 (1977);
- Note, *Towards Resolving 42 U.S.C. § 1981 with the Right of Privacy and the Right to Associate*, 42 Mo. L. Rev. 312 (1977).

SPEECHES

- 2011: *Administrative Agencies and Political Accountability*, University of Montpellier Faculty of Law (Montpellier, France, Feb. 4, 2011).
- From Gutenberg to the Internet: Free Speech, Advancing Technology and the Implications for Democracy*, University of Montpellier Faculty of Law (Montpellier, France, Feb. 3, 2011).
- 2010: *From Gutenberg to the Internet: Free Speech, Advancing Technology and the Implications for Democracy*, Texas Tech University School of Law (Lubbock, Texas, Nov. 5, 2010).
- From Gutenberg to the Internet: Free Speech, Advancing Technology and the*

Implications for Democracy, U. of Louisville McConnell Center/Federalist Society Forum (Louisville, KY, September 14, 2010).

Media Convergence, Southeastern Association of Law Schools Annual Meeting (Palm Beach, FL, July 29, 2010).

The Internet, The Decline of Traditional Media, and the Implications for Democracy, University of Aix-Marseilles III (Aix, France, February 12, 2010).

Madoff, Ponzi Schemes and Remedies, delivered at the Association of American Law Schools Annual Meeting (New Orleans, Louisiana, Jan. 8, 2010).

Comparative Research, delivered at the Association of American Law Schools Annual Meeting (New Orleans, Louisiana, Jan. 7, 2010).

Free Speech, The Internet & Democracy, delivered at the Federalist Society Annual Meeting (New Orleans, Louisiana, Jan. 7, 2010).

2009: *Negotiation Techniques in American Culture*, delivered at the University Paul Valery (Montpellier, France, Nov. 13, 2009).

The Internet, Free Speech and Democracy, presented at the McConnell Center (University of Louisville, Louisville, Kentucky, Oct. 28, 2009).

The Fourth Amendment, Technology and Privacy, The James Otis Lecture, University of Mississippi School of Law (Oxford, MS, September 23, 2009).

The Internet, Free Speech and Democracy, presented at the Southeastern Association of Law Schools' Annual Meeting (Palm Beach, Florida, August 2, 2009).

The Internet, Free Speech and Democracy, presented to a visiting group of journalists and lawyers from the Republic of Georgia (Louisville, KY, June 26, 2009).

The Internet, Free Speech and Democracy, presented at the Mainz Media Institute's annual symposium (Mainz, Germany, April 3, 2009).

Hate Speech, delivered at a symposium at Pace University School of Law (White Plains, New York, March, 4, 2009).

Holocaust Denial, delivered at a symposium organized by the University of Louisville's Federalist Society chapter (Louisville, Kentucky, February, 20, 2009).

Free Speech, Democracy and Technology, delivered at the University of Louisville Law Review's free speech symposium (Louisville, Kentucky, February

20, 2009).

2008: *Teaching Constitutional Law*, delivered at the Southeastern Association of Law Schools' Annual Meeting (Palm Beach, FL, July 31, 2008).

Holocaust Denial, delivered at the Mainz Media Center's annual symposium (Mainz, Germany, March 28, 2008).

Hate Speech, delivered at the University of Kentucky College of Law (Lexington, Kentucky, February 19, 2008).

Holocaust Denial, presented at the University of Kansas School of Law (Lawrence, Kansas, January 24, 2008).

The Promises and Perils of Comparative Research, presented at the Association of American Law Schools' Annual Meeting (New York City, January 3, 2008).

2007: *The Perils of Pragmatism: The Legacy of Justice Sandra Day O'Connor*, presented at the University of Louisville's Constitution Day webcast (Louisville, Kentucky, September 17, 2007).

Hate Speech, presented at the Southeastern Association of Law Schools' Annual Meeting (Palm Beach, Florida, July 30, 2007).

WFPL "State of Affairs" program on the JCPS desegregation case (Louisville, KY, July 3, 2007).

Free Speech in Times of War or Emergency, presented at the Mainz Media Institute's annual symposium (Mainz, Germany, April 20, 2006).

There Must be 50 Ways to Teach Remedies presented at the AALS Annual Meeting (Washington, D.C., January 3, 2007).

Bolero and Structural Injunctions presented at the AALS Annual Meeting (Washington, D.C., January 5, 2007).

International Student Exchanges presented at the AALS Annual Meeting (Washington, D.C., January 5, 2007).

2006: *Negotiations in the United States* presented at the University of Montpellier III (Montpellier, France, November 13, 2006).

The Religion Clauses of the United States Constitution presented to a visiting delegation from Tajekistan (Louisville, KY, October 13, 2006).

The Danish Cartoons presented at the Federalist Society's annual symposium

(Louisville, Kentucky, September 12, 2006).

WFPL “State of Affairs” program on the “The Roberts Court” (Louisville, KY, September 1, 2006).

Defamation and Free Speech presented at the Southeastern Association of Law Schools’ Annual Meeting (July 17, 2006, Palm Beach, Florida).

The Danish Cartoons presented at the Mainz Media Institute’s annual symposium (Mainz, Germany, April 27, 2006).

Defamation and Free Speech presented at Flinders University (Adelaide, Australia, March 5, 2006).

Free Speech and the Challenge of Advancing Technology presented at the University of Montpellier I (Montpellier, France, February 9, 2006).

Religion in the Public Square: Faith in Government and Politics in America Today
present
ed at
Templ
e Beth-
El (St.
Petersb
urg,
Florida
,
Januar
y 10,
2006)

2005: Speaker at the McConnell Center and Federalist Society’s symposium entitled *Free Speech, Defamation and the Political Process* (University of Louisville, Brandeis School of Law, Louisville, KY, September 9, 2005).

WFPL “State of Affairs” program on *Free Speech and Defamation* (September 8, 2005).

Speech entitled *Reflections on the Confirmation Process* (Southeastern Association of Law Schools Annual Meeting, Hilton Head Island, South Carolina, July 18, 2005).

Speech entitled “*Defamation Standards - How to Balance Freedom of the Press and Protectio of Personal Reputation* (Mainz Media Law Institute, April 15, 2005, Mainz, Germany).

Speech entitled *Drafting Casebook Proposals* delivered at Barry University School of Law (Orlando, Florida, February 2005).

WFPL “State of Affairs” program on the death penalty (January 13, 2005).

2004: WFPL “State of Affairs” program on the United States Supreme Court (December 15, 2004).

WFPL “State of Affairs” program on *Free Speech, the Internet and the Challenge of Advancing Technology* (September 9, 2004).

Speaker at the Federalist Society’s symposium entitled *Free Speech, the Internet and the Challenge of Advancing Technology* (Louis D. Brandeis School of Law, Louisville, Kentucky, September 9, 2004).

Speech entitled *The Jurisprudence of Justice Sandra Day O’Connor* (Southeastern Association of Law Schools Annual Meeting, Kiawah Island, S. Carolina, July 31, 2004).

Free Speech, the Internet and the Challenge of Advancing Technology, University of Mainz Media Law Forum, University of Mainz, Media Law Institute (Mainz, Germany, April 24, 2004).

Free Speech in a Democratic Society, University of Louisville Day of Dialogue on Hate in America (Louisville, KY, March 31, 2004).

Constitution Drafting, University of Montpellier Faculty of Law (Montpellier, France, March 16, 2004).

2003: *Hate Speech*, McConnell Center and Federalist Society’s Hate Speech Forum, University of Louisville, Brandeis School of Law (Louisville, Kentucky, September 10, 2003).

Defamation: A Comparative Perspective, Southeastern Association of Law Schools’ Annual Meeting (Amelia Island, Florida, July 25, 2003).

Hate Speech, Hate Speech Forum, University of Leeds Faculty of Law (Leeds, England, April 14, 2003).

Hate Speech, University of Mainz Media Institute symposium, University of Mainz, Media Law Institute (Mainz, Germany, April 11, 2003).

Comparative Perspectives on Defamation, University of Sydney School of Law (Sydney, Australia, March 18, 2003).

Hate Speech, University of Western Sydney School of Law (Sydney, Australia, March 14, 2003).

Hate Speech, Macquarie University Division of Law (Sydney, Australia, March 12, 2003).

Hate Speech, University of Montpellier Faculty of Law (Montpellier, France, Feb. 3, 2003).

- 2002:** *Hate Speech*, Southeastern Conference of the Association of American Law Schools (Kiawah Island, S.C., July 30, 2002).

Defamation and Property, Law and Society Annual Meeting (Vancouver, B.C., Canada, May 30, 2002).

Problem Based Teaching, Kentucky Council on Postsecondary Education, Innovations in Teaching and Learning: Meeting 21st Century Challenges (Louisville, Kentucky, May 21, 2002).

Implied Rights in Australia, SLSA 2000 Annual Meeting (University of Wales, Aberystwyth, Wales, April 4, 2002).

Writing Casebook Proposals, Florida Coastal School of Law (Jacksonville, FL, February 20, 2002).

- 2001:** *A History of the Southeastern Conference of the Association of American Law Schools*, Southeastern Conference of the Association of American Law Schools Annual Meeting (Hilton Head Island, S.C., July 15, 2001).

Constitution Drafting, Socio-Legal Studies Association Annual Meeting (Bristol, England, April 6, 2001).

Defamation and the Internet, Federalist Society Faculty Conference (S.F., Calif., Jan. 4, 2001).

- 2000:** *Campaign Finance Reform*, panelist on Kentucky Educational Television's "Kentucky Tonight" (May 8, 2000).

New York Times Co. v. Sullivan: A Forty Year Retrospective, Southeastern Conference of the Association of American Law Schools (Captive Island, FL, Aug. 3, 2000).

Judicial Implications: Comparative Perspectives, SLSA 2000 Conference (Queens University, Belfast, N. Ireland, April 27, 2000).

Judicial Implications, University of Leeds (Leeds, England, April 17, 2000).

Defamation and the Internet, British-Irish Legal Education Technology Association (Coventry, England, April 13, 2000).

1999: *Content Regulation of the Internet*, First Asia-Pacific Conference on Cyber Law (Putrajaya, Malaysia, Nov. 9, 1999).

Free Speech Doctrine in Turmoil: Defamation and the Internet, First Asia-Pacific Conference on Cyber Law (Putrajaya, Malaysia, Nov. 9, 1999).

Globalization, Southeastern Conference of the Association of American Law Schools (Hilton Head Island, S.C., July 20, 1999).

The President's Power to Wage War, Cadi Ayyad University Faculty of Law (Marrakesh, Morocco, March 16, 1999).

Free Speech, Crime & Advancing Technology, British & Irish Legal Technology Education Association (York, England, March 30, 1999).

N.Y. Times Co. v. Sullivan: Four Decades Later From a Comparative Perspective, S. Texas College of Law (affiliated with Texas A & M University) (Houston, TX, February 11, 1999).

1997: *Administrative Regulation of Business in the U.S.*, delivered to a visiting delegation of Moldovan judges (Louisville International Cultural Center, Louisville, KY, May 12, 1997).

Defamation and Reporting, University of Leeds Faculty of Law (Leeds, England, April 15, 1997).

1996: *Hate Speech*, Daito Bunka University (Higasi-Matsuyama, Japan, Dec. 3, 1996).

Affirmative Action in the United States, Johannes Gutenberg-Universität's *Should Women be Treated as Minorities?* conference (Mainz, Germany, June 25, 1996).

Constitution Drafting in the Former Soviet Union, Johannes Gutenberg-Universität (Mainz, Germany, June 19, 1996).

The MacCrate Report's Impact on U.S. Legal Education, University of Sydney Faculty of Law (Sydney, Australia, March 14, 1996).

Chevron and Deference, University of Sydney Faculty of Law (Sydney, Australia, March 11, 1996).

Defamation: The Impact of Libel Law on Reporting, Australian National University Faculty of Law (Canberra, Australia, March 8, 1996).

The American Constitutional System, University of Montpellier Faculty of Law (Montpellier, France, March 6, 1996).

The Republican Revolution in the United States, University of Montpellier

Faculty of Law (Montpellier, France, March 5, 1996).

1995: *Constitution Drafting*, Charles University (Prague, Czech Republic May 13, 1995).

1994: *Defamation in Transition*, University of Tasmania School of Law (Tasmania, Australia, March 17, 1994).

Is the New York Times Actual Malice Standard Really Necessary? delivered at the *Defamation in Transition: International Comparisons in a Globalising Era* Conference (Macquarie University, Sydney, Australia, March 12, 1994).

Chevron and Format Requirements, AALS' Administrative Law Section, AALS Annual Meeting (Orlando, Florida, January 9, 1994).

1993: *Constitution Drafting in the Former Soviet Union*, University of Mainz's Constitution Drafting symposium (Mainz, Germany, June 28, 1993).

The Belarus and Kyrgyzstan Constitutions, Daito Bunka University Faculty of Law (Tokyo, Japan, May 18, 1993).

1992: *Affirmative Action in the United States*, Université de Paris - Sud (Paris, France, May 12, 1992).

Current Trends in Legal Education, Memphis State University Law Alumni Association (Memphis, TN, February 27, 1992).

1991: *Should Private Clubs Be Allowed to Discriminate?*, Louisville Forum (Louisville, KY, October 9, 1991).

The University of Louisville School of Law's Pro Bono Service Requirement, Southeastern Conference of the Association of American Law Schools' Annual Meeting (The Homestead, Va., August 16, 1991).

Censorship and the Gulf War, Université Paul Valéry's symposium on the Gulf War (Montpellier, France, May 14, 1991).

The Northern Ireland Broadcasting Ban, Université Paul Valéry (Montpellier, France, May, 15, 1991).

Fetal Rights, University of Louisville symposium on privacy and fetal rights (Louisville, KY, March 13, 1991).

1990: *The Case Method*, Southeastern Conference of the Association of American Law Schools' Annual Meeting (Nashville, TN, August 18, 1990).

The Case Method, Ohio Northern University College of Law (Ada, Ohio,

September 25, 1990).

CALI

Served as a “Remedies Fellow” for the Center for Computer Assisted Legal Education (CALI), and have authored various lessons for CALI (as part of the fellowship and afterwards).

SERVICE

Law School:

- Personnel Committee (1990-present)
- Curriculum Committee (Chair, 2003, Member 2003-present)
- Distance Learning Committee (Chair, 2003-2006)
- International Committee (1989-98 & 2006-2007, Chair, 1990-95 & 1996-98)
- Faculty Recruitment Committee (1983-87 & 1991-93 & 2007-present, & Chair, 1986-87 & 1992-93)
- Decanal Review Committee (1987)
- Faculty Development Committee (1990-94)
- Faculty Representative to the AALS House of Delegates (1991-92)
- Advocacy Committee (1990-93, & Chair, 1991-92)
- Distinguished Teaching Committee (1989-90 & 1991-92, & Chair, 1989-90)
- Distinguished Service Committee (1991-92)
- Computer Committee (1989-90)
- Library Committee (1982-84 & 1989-90, Chair, 1983-84)
- Continuing Legal Education Committee (1984-85)
- Financial Aid Committee (1989-90)
- Order of the Coif Committee (1983-86 & 1993-94)
- Student Grievance Committee (1989-90)
- Advocacy Committee (1990-91, & Chair, 1989-90)

University:

- Vice President for Research’s Research Advisory Council (2002-present)
- Provost's Advisory Committee for the International Center (1994-2005)
- Faculty Grievance Committee (1990-2002 & 2004-2006)
- Distinguished Teaching Committee (1989-90 & 2004)
- Distinguished Research Committee (1993-1995)
- Southern Association of Colleges and Schools Accreditation Review Committee (1987-88)

Community and Professional:

- Executive Director & Board of Directors, Southeastern Association of Law Schools (SEALS) (2004-present)
- Chair, Scholarship Award Committee, ABA Administrative Law Section (2208-present)
- Editorial Board, Journal of Education and the Law (a British journal)(1993-present)
- Executive Committee, AALS Remedies Section (2002-2006)

- Chair, AALS Remedies Section (2005)
- Legal Panel, American Civil Liberties Union of Kentucky (ACLU of Ky.) (1984-2002)
- President, Southeastern Conference of the Association of American Law Schools (SEAALS) (1998-99)
- Treasurer, SEAALS (1994-2004)
- Program Chair; SEAALS (1993-2004)
- Secretary, SEAALS (1994-95)
- Board of Directors, Coalition Against Rape and Sexual Assault (1986-2001)
- Consultant, Central and East European Law Initiative (CEELI) (1991-1993)
- Co-Chair, Montpellier Committee, Sister Cities of Louisville (1997-present)
- Executive Committee, Association of American Law School's (AALS) Criminal Justice Section (1983-1990, & 1992-1999)
- Vice Chair, International Trade Regulation, ABA's Section of Administrative Law and Regulatory Practice (1994-98)
- Comments submitted on the Republic of Georgia's draft anti-terrorism law (1999).
- Comments submitted to the Russian Constitutional Commission (with Dr. Paul Weber) (1993)
- Consultant, Administrative Conference of the United States (1992-94)
- Consultant, Belarus Constitutional Commission (legal specialist for CEELI, Minsk, Belarus, 4/3/93-4/19/93)
- Consultant, Kyrgyzstan Constitutional Commission (acting as a legal specialist for CEELI, Bishkek, Kyrgyzstan, 10/16/92-11/2/92)
- Consultant, Cheechi & Co. (law reform in the former Soviet Union)(1993-98);
- Chair, AALS Criminal Justice Section (1988)
- AALS' Planning Committee for the New Law Teacher's Workshop (1991-1993);
- Board of Directors, ACLU of Ky. (1988 & 1990-96)
- Chair, Louisville Bar Association's (LBA) International Law Committee (1991);
- LBA Professional Responsibility Committee (1984-85)
- LBA Dispute Resolution Committee (1984-85)

FOREIGN VISITORSHIPS

2011: Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2011).

Parsons Fellow, Sydney University (Sydney, Australia, March, 2011).

Invited Professor, University of Montpellier Faculty of Law (Montpellier, France, February, 2011).

2010: Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, July, 2010).

Visiting Professor, Johannes Gutenberg University Faculty of Law (Mainz, Germany, March, 2010).

- Invited Professor, University of Aix-Marseille III (Aix, France, February, 2010).
- 2009:** Visiting Professor, University of Osnabruck Faculty of Law (Osnabruck, Germany, December, 2009).
- Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2008).
- 2008:** Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2007).
- 2007:** Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2007).
- 2006:** Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2006).
- 2005:** Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2005).
- 2004:** Visiting Professor, Johannes Gutenberg University's Media Law Institute (Mainz, Germany, April, 2004).
- 2003:** Visiting Professor, Johannes Gutenberg University's Mainz Media Law Institute (Mainz, Germany, April, 2003).
- Visiting Fellow, Centre for Media Law & Communication, Melbourne University Law School (Melbourne, Australia, March, 24-29, 2003).
- Parsons Fellow, Sydney University School of Law (Sydney, Australia, March, 2003).
- Visiting Professor, Macquarie University Division of Law (Sydney, Australia, March, 2003).
- Visiting Professor, University of Western Sydney School of Law (Sydney, Australia, March 13-20, 2003).
- Invited Professor, University of Montpellier, Faculty of Law (Montpellier, France, Jan.-Feb., 2003).
- 2000:** Visiting Professor, University of Leeds, Leeds, England (April, 2000).
- 1999:** Visiting Professor, University of Turku, Faculty of Law, Turku Finland (May, 1999).

Visiting Professor, Cadi Ayyad University (Marrakesh, Morocco (Mar. 11-22, 1999).

1996: Visiting Professor, Daito Bunka University, Tokyo, Japan (Nov. 25-Dec. 10, 1996).

Visiting Professor, Johannes Gutenberg-Universität, Mainz, Germany (June, 1996).

Invited Professor, University of Montpellier, Montpellier, France (April, 1996).

Parsons Fellow, University of Sydney, Sydney, Australia (March 11-15, 1996).

Visiting Fellow, Australian National University, Canberra, Australia (March 5-9, 1996).

1995: Visiting Professor, Université de Paris - Sud, Paris, France (May 1995).

1994: Visiting Professor, Macquarie University Faculty of Law, Sydney, Australia (February-March, 1994).

1993: Visiting Professor, Daito Bunka University, Tokyo, Japan (May 1993).

1992: Visiting Professor, City University, London, England (June 1992).

Visiting Professor, Université de Paris-Sud, Paris, France (May 1992).

1991: Visiting Professor, Université Paul Valéry, Montpellier, France (May 1991).

1988: Visiting Lecturer, University of Leeds, Leeds, England (1988-89).

PRACTICE EXPERIENCE

U.S. Department of Energy, Washington, D.C. (4/80-7/82)

Regulatory Litigation Section of the Office of General Counsel. Litigation practice before the U.S. District Courts and Courts of Appeal, as well as before the Federal Energy Regulatory Commission.

Watson, Ess, Marshall & Enggas, Kansas City, MO (5/78-4/80)

Responsibilities generally litigation oriented, but included some work for the real estate, labor, corporate, and tax sections of the firm.

BAR MEMBERSHIPS

Missouri Bar (1978-present)

REFERENCES

Available on request.



FACULDADE DE DIREITO
Universidade de Lisboa



GABINETE ERASMUS
ERASMUS OFFICE

Anexo XVIII



FACULDADE DE DIREITO
Universidade de Lisboa

Syllabus

Behavioral Law and Economics
An introduction

Professor Rute Saraiva

FDL
16-17, 22-24 May 2013
11.00-13.00

Office: Room 22.22

Email: rutesaraiva@fd.ul.pt

Seminar Description

Behavioral economics tries to increase the explanatory power of economics by using insights from the field of psychology. These findings are then brought to the legal level to explain both the effects and content of laws. In addition, behavioral concepts help in determining how the law might be used to achieve particular goals and in assessing whether the law is achieving its stated ends.

This seminar will begin with a broad overview of the problem of irrationality in economic behavior in order to introduce its application and consequences to legal issues. Topics will include biases and heuristics, the main goal of BLE, its criticisms, and applied situations like obesity fighting, environmental law and others.



Expectations of Students and Grading:

Students don't need to have an extensive economics or psychology background.

The class requires active and regular participation and preparation for daily discussions. This includes attending each class on time, listening, contributing in class and preparing to answer questions by reading and preparing the required bibliography.

Grades will be based exclusively on class participation and a writing assignment involving the review of an appointed paper or article to be emailed to me before the 31st May. No exam will be given.

Course Materials:

Most of the readings for the seminar can be downloaded and the rest will be provided and emailed in advanced.

Program

Session 1: Predictable irrationality?

- (1) Camerer, Colin and George Loewenstein. 2003. Behavioral Economics: Past, Present, Future. In *Advances in Behavioral Economics*, ed. Colin Camerer, George Loewenstein and Matthew Rabin. Princeton: Princeton University Press. <http://authors.library.caltech.edu/22029/1/ribe239%5B1%5D.pdf>
- (2) Rabin, Matthew. 1998. Psychology and Economics. *Journal of Economic Literature* 36:11-46. http://www.nyu.edu/econ/user/bisina/rabin_survey.pdf
- (3) Dan Ariely. 2008. Predictably Irrational. Harper Collins. http://www.e-reading-lib.org/bookreader.php/138702/Predictably_Irrational%3B_The_Hidden_Forces_That_Shape_Our_Decisions.pdf
- (4) Richard A. Posner. 1998. Behavioral Economics and the Law. *Stanford Review*, Vol. 50. <http://kie.vse.cz/wp-content/uploads/Posner-1998.pdf>

Session 2: What is Behavioral Law and Economics?

- (1) Saraiva, Rute. 2011. *Análise económico-comportamental do Direito: uma introdução*, in Fernando Araújo, Paulo Otero, João Taborda da Gama (org.) *Estudos em Homenagem do Professor Doutor J. L. Saldanha Sanches*, Vol. I, Coimbra Editora.
- (2) Jolls, Christine, Cass Sunstein and Richard Thaler. 2000. A Behavioral Approach to Law and Economics. In *Behavioral Law & Economics*, ed. Cass Sunstein, 13-58. Cambridge: Cambridge University Press. http://www.law.harvard.edu/programs/olin_center/papers/pdf/236.pdf



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- (3) Jolls, Christine. 2007. Behavioral Law and Economics, NBER Working Paper 12879.
http://www.nber.org/papers/w12879.pdf?new_window=1
- (4) Jolls, Christine and Cass R. Sunstein. 2006. Debiasing Through Law, *Journal of Legal Studies*, 35:199-241.
http://www.law.yale.edu/documents/pdf/Debiasing_Through_Law.pdf

Session 3: Libertarian and Asymmetric Paternalism

- (1) Sunstein, Cass R. and Richard H. Thaler. 2003. "Libertarian Paternalism Is Not an Oxymoron," *University of Chicago Law Review*, 70:1159-1202.
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=405940
- (2) Thaler, Richard H., Sunstein, Cass R. and Balz, John P. 2010. Choice Architecture.
<http://ssrn.com/abstract=1583509>
- (3) Mitchell, Gregory. 2005. Libertarian Paternalism Is an Oxymoron. *Northwestern University Law Review*, Vol. 99, No. 3. <http://ssrn.com/abstract=615562>
- (4) Camerer, Colin, Samuel Issacharoff, George Loewenstein, Ted O'Donoghue and Matthew Rabin. 2003. Regulation for Conservatives: Behavioral Economics and the Case for "Asymmetric Paternalism." *University of Pennsylvania Law Review* 151: 1211-1254.
<http://www.hss.caltech.edu/~camerer/paternPLR.pdf>

Session 4: Will BLE survive?

- (1) Mitchell, Gregory. 2002. Taking Behavioralism Too Seriously? The Unwarranted Pessimism of the New Behavioral Analysis of Law, 43 *Wm. & Mary L. Rev.* 1907.
<http://scholarship.law.wm.edu/wmlr/vol43/iss5/4>



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- (2) Mitchell, Gregory. 2002. Why Law and Economics' Perfect Rationality Should Not Be Traded for Behavioral Law and Economics' Equal Incompetence, *Georgetown Law Journal*, Vol. 91. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=306562
- (3) Arlen, Jennifer. 1998. Comment: The Future of Behavioral Economic Analysis of Law. *Vanderbilt Law Review* 51:1765-1788, ou University of Southern California, Law School, Working Paper n.º 98-14. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=140489
- (4) Wright, Joshua D. and Ginsburg, Douglas H. 2012. Behavioral Law and Economics: Its Origins, Fatal Flaws, and Implications for Liberty *Northwestern University Law Review*, Vol. 106, No. 3; George Mason Law & Economics Research Paper No. 12-63. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2147940

Session 5: Applied BLE: Fighting Obesity and Environmental Problems

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Optional Readings

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- Russell B. Korobkin (2004b). *The Problems with Heuristics for Law*, *UCLA School of Law, Law & Econ Research Paper* n.º 4-1.
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- Larry Ribstein (2010). *Free to Lose?*, <http://truthonthemarkets.com/free-to-choose-symposium>
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- Todd Henderson (2010). *Project Behavior: What the Battle is Really About*, <http://truthonthemarkets.com/free-to-choose-symposium>
- Douglas Ginsburg e Joshua Wright (2010). *A Taxonomy of Behavioral Law and Economics Skepticism*, <http://truthonthemarkets.com/free-to-choose-symposium>
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- Richard A. Epstein (2010). *The Dangerous Allure of Behavioral Economics: The Relationship between Physical and Financial Products*, <http://truthonthemarkets.com/free-to-choose-symposium>
- Erin O'Hara (2010). *The Free Market Side of Behavioral Law and Economics*, <http://truthonthemarkets.com/free-to-choose-symposium>
- Anuj C. Desai (2010). *Libertarian Paternalism, Externalities, and the "Spirit of Liberty": How Thaler and Sunstein Are Nudging Us toward an "Overlapping Consensus"*, Univ. of Wisconsin Legal Studies Research Paper No. 1121.
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- Jeffrey J. Rachlinski e Cynthia R. Farina (2002). *Cognitive Psychology and Optimal Government Design*, Cornell Law Review, n.º 87, 554.
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- Samuel Issacharoff (1998). *Can There Be A Behavioral Law and Economics?*, Vanderbilt Law Review 51: 1729-1745.
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- Jeffrey J. Rachlinski (2000). *The 'New' Law and Psychology: A Reply to Critics, Skeptics, and Cautious Supporters*, Cornell Law Review, n.º 85, 742; R. A. Hillman (2000). 738.
- Jack S. Levy (1997). *Prospect Theory, Rational Choice, and International Relations*, International Studies Quarterly, Vol. 41, n.º 1.

Name

Rute Neto Cabrita e Gil Saraiva

Academic degree

PhD in Law – Economics (University of Lisbon Law School)

Master Degree in Law – International Law (University of Lisbon Law School)

Post-Graduation in Environmental Law (University of Lisbon Law School)

Post-Graduation in European Law and Economics (Paris I – Panthéon-Sorbonne)

Graduate degree in Law – Politics (University of Lisbon Law School)

Introduction

Interests: Law and Economics, Psychology and Law, Environmental Law and Economics, International Law

Academic Career and/or Relevant Professional Experience

University of Lisbon Law School

Military Academy

Cape Verde Social and Legal Institute - Praia, Cape Verde

University 11th November Law School - Cabinda, Angola

University Eduardo Mondlane Law School - Maputo, Moçambique

University of Lisbon Psychology School

Relevant Publications

- i. *Uma Questão de Peso: Análise Jurídico-Económica da Obesidade*, Estudos em Homenagem ao Professor Doutor Paulo de Pitta e Cunha, Almedina, 2010.
- ii. *Mudam-se os Tempos, Mudam-se as Vontades: Do Casamento ao Namoro Qualificado no Direito Brasileiro*, Estudos em Homenagem ao Prof. Doutor Martim de Albuquerque, Vol. II, Coimbra Editora, 2010.
- iii. *Responsabilidade Comum mas Diferenciada: O Caso das Alterações Climáticas*,

Revista da Faculdade de Direito da Universidade de Lisboa, Vol. L, n.ºs 1 e 2, 2010.

- iv. Co-author Ernesto Martelo Júnior & Valmir de França, *As Energias Renováveis em Portugal e no Brasil*, in Liliana Bertoni (coord.) *La matriz energética del siglo XXI*, Editorial Dunken, Buenos Aires, 2010.
- v. *Direito à energia sustentável?*, Estudos em Homenagem ao Professor Doutor Sérvulo Correia, Vol. IV, Coimbra Editora, 2011.
- vi. *As PPP e o desafio do desenvolvimento sustentado. As novas PPP comunitárias no âmbito da investigação*, Revista de Direito Fiscal e Finanças Públicas, n.º 4, Ano III, Janeiro 2011.
- vii. *Análise económico-comportamental do Direito: uma introdução*, in Fernando Araújo, Paulo Otero, João Taborda da Gama (org.) *Estudos em Homenagem do Professor Doutor J. L. Saldanha Sanches*, Vol. I, Coimbra Editora, 2011.
- viii. *Lei de Bases do Ambiente e o Direito Internacional do Ambiente*, in Carla Amado Gomes e Tiago Antunes (coord.) *Actas do Colóquio - A Revisão da Lei de Bases do Ambiente*, ICJP, 2011.
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- x. *O Direito europeu e o Direito português do ambiente: sinergias*, in Eduardo Paz Ferreira (coord.) *25 Anos na União Europeia – 125 Reflexões*, Almedina, 2011.
- xi. Co-coordenador with Carla Amado Gomes de *No Ano Internacional das Florestas*, Instituto de Ciências Jurídico-Políticas, 2012.
- xii. *Direito internacional das florestas: Perspectiva de Direito internacional do ambiente*, in Carla Amado Gomes e Rute Saraiva (coord.) “No Ano Internacional das Florestas”, Instituto de Ciências Jurídico-Políticas, 2012.
- xiii. *Responsabilidade Civil do Supervisor do Sector Bancário*, in Alexandre Guerra, Ivo Waisberg e Marcelo Benacchio (coord.) *Responsabilidade civil dos bancos*, Quartier Latin, São Paulo, 2012.
- xiv. *Fraude Académica em Hogwarts. Lições de análise económico-comportamental para muggles de todas as idades*, Revista do Instituto de Direito Brasileiro, n.º 4, 2012.
- xv. *A Guerra do Clima em Clima de Guerra*, Estudos de Homenagem ao Professor Doutor Jorge Miranda, Vol. V, Coimbra Editora, 2012.

- xvi. *O Direito do ambiente e a Behavioral Law and Economics*, Estudos em Comemoração do Quinto Aniversário do Instituto Superior de Ciências Jurídicas e Sociais de Cabo Verde, Cidade da Praia, 2012.
- xvii. *Lições de Natal de Finanças Públicas: a Christmas tree tax*, Revista de Direito Fiscal e Finanças Públicas, n.º 1, Ano V, 2012.
- xviii. Co-coordenator with Carla Amado Gomes de *Actas do Colóquio, Catástrofes Naturais: Uma realidade multidimensional*, Instituto de Ciências Jurídico-Políticas, Lisboa, 2013.
- xix. *A abordagem comportamental do Direito e da Economia das catástrofes naturais*, in *Actas do Colóquio, Catástrofes Naturais: Uma realidade multidimensional*, Instituto de Ciências Jurídico-Políticas, Lisboa, 2013.
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GABINETE ERASMUS
ERASMUS OFFICE

Anexo XIX

Programme

Monday 20 May 2 hrs	Introduction, OECD Model and Commentary, Interpretation of Treaties and Commentaries
Tuesday 21 May 2 hrs	Residence, PE, attribution of profits
Wednesday 22 May 2 hrs	Hybrid entities
Thursday 23 May 2 hrs	CIVs and REITs, incl. art. 10, 11 and 13 OECD model
Friday 24 May 2 hrs	Double tax relief and nondiscrimination

Prof.Dr. Hein Vermeulen is a Professor at the Faculty of Law of the University of Amsterdam and a researcher at the Amsterdam Centre for Tax Law ('ACTL').

His research focuses on the influence of EU law and international law on national tax regimes for collective investment vehicles ('CIVs'), including real estate investment trusts ('REITs'). He also examines possible European harmonisation of national tax regimes for CIVs and REITs. Vermeulen's research is embedded in the research programme of the ACTL, one of the centres of excellence of the UvA's Faculty of Law. The aim of the research programme is to establish what limitations international and supranational law places on the fiscal sovereignty of individual countries. It also examines whether these limits should be narrowed or broadened based on a number of criteria, including the EU's freedoms of movement and interjurisdictional equality.

Hein Vermeulen lectures corporate tax law and international tax law. He is chair of the Tax Law Programme Committee of the Faculty of Law, and also works for PricewaterhouseCoopers. He is the author of the book on the Dutch Fiscal Investment Fund regime (Kluwer Law 2012), (co-) author of the loose-leaf Handbook on Dutch Tax Law ('Cursus Belastingrecht', The Hague: Kluwer Law International, 2008 onwards), having written sections on corporate tax and formal tax law, which is updated annually; was Secretary to the Commission on CIVs of the Dutch Association for Fiscal Studies that delivered a Report (Kluwer Law 2012) and Chair of the ACTL Conference 'The Tax Treatment of CIVs and REITs' held on November 2, 2012. Vermeulen is also the editor of a number of specialist journals. He has published numerous articles in national and international academic journals, including Bulletin for International Taxation, European Taxation and EC Tax Review.

He studied law with a specialization in tax law in Amsterdam and obtained a doctorate in tax law at the University of Amsterdam with a dissertation on the cutting edge of tax law, civil law and administrative law.