

## Subjects

**Goiriena Lekue, Agurtzane** (Zuzenbide Naturaleko irakaslea. Euskal Herriko Unibertsitatea. Sarriena auzoa, z/g. 48940 Leioa): EUROPOL Hitzarmena: lankidetzeta polizia eta europar gune polizia (The EUROPOL Agreement: police co-operation and European police space). (Orig. eu). In: *Eleria 6*; 5-16.

On 1<sup>st</sup> January 1999 the Europol Treaty came into being, regulating European police. The desire within the European Union to have a common judicial and police space is understandable, but not without the necessary control mechanisms. An ideal state of affairs would be that the European Union was constituted as from a European Constitution; nevertheless, the process that is in practice being developed is in the opposite sense. Because of the lack of a European legal document of fundamental rights, the judicial network has had huge blanks. This is a paradoxical situation.

**Terradillos Ormaetxea, Edurne** (Zuzenbide Fakultateko irakaslea. Euskal Herriko Unibertsitatea. Manuel Lardizabal, 4. 20009 Donostia): Langileen ordezkartza kolektiboa egitura konplexuko enpresetan (The collective representation of the workers in complex structure companies) (Orig. eu) In: *Eleria 6*; 17-29.

The object of this work is to demonstrate that the so-called corporate groups are an evolution of simple structure companies in which a single economic decision center prevails. This work has a double interest: on one hand, it attempts to demonstrate that the model of workers' representation that is derived from legal and labour regulation does not take into account the case of corporate groups; on the other hand, its purpose is to research on the legal instruments existing in Spanish legislation to fill that blank in the legal system. If industrial democracy is an invocation in the framework of simple structure companies the reason why workers of a corporate group should be deprived from such a right is not understandable, especially when bearing in mind the fact that most Spanish companies are inserted in wider corporate groups.

**Urrutia Libarona, Iñigo** (Zuzenbide Fakultateko irakaslea. Euskal Herriko Unibertsitatea. Agirre lehendakariaren etorbidea, 83. 48015 Bilbo): Udaleri Euskaldunen Mankomunitatea (UEMA) legezkontraktat jotzen duen Epaiari buruzko iruzkinak (Commentaries in connection with the sentence declaring the Union of Basque Municipalities (UEMA) illegal). (Orig. eu). In: *Eleria 6*; 31-40.

The present article approaches the study of the sentence of the Supreme Court which declares illegal the Union of Basque Municipalities (UEMA), examining its legal grounds and informing on the obstacles that have been positioned on for its establishment. In opinion of the author, the most important handicap the Union of Basque Municipalities has run up against is the lack of legal protection, and he states that the sentence, in his opinion lacks any legal fundament, both reference to its form and to its content.

## Interviews

**Guibentif, Pierre.** Scientific Director of the International Institute of Sociology of Law. (Orig. eu). In: *Eleria 6*; 41-47.

**Aya Onsalo, Alfonso.** Public Prosecutor. (Orig. eu). In: *Eleria 6*; 49-52.

## Columns

**Burgaña Agoues, Jon** (Urdaneta, 15, 1. 20800 Zarautz): "Pirinioetako garapen jasagarria mugaz bestaldeko lankidetzaren europar politikaren esparruan: INTERREG IIIA" mintegiaren kronika (Chronicle of the Seminar of INTERREG IIIA). (Orig. eu). In: *Eleria 6*; 53-58.

On 18<sup>th</sup> and 19<sup>th</sup> May 1999 a Seminar was held in the town of Jaca on the community initiative INTERREG IIIA, organised by the Lace - Tap Pyrenees antenna. Several people involved in this project from both sides of the Spanish-French border took part in this Seminar. An evaluation was made in the Seminar of INTERREG IIA, indicating at the same time the improvable aspects that are to be included in INTERREG IIIA. Particular aspects of the new initiative, such as its purpose, economic provision, management system, types of projects, etc., were introduced.

**Ezeizabarrena Saenz, Xabier** (Abokatua. Doktorego ikaslea. EHU. Ingurugiroari Buruzko Arbitraje eta Kontziliaziorako Nazioarteko Gorteko bekaduna. Villa Asuncion. Elosegi alkatea, 275. 20015 Donostia): Emari ekologikoaren erreserba gure ibaien inguruaren gutxieneko berme gisa (The reservation on ecological wealth as a minimal environmental guarantee of our rivers) (Orig. eu). In: *Eleria 6*; 59-65.

The historical precedent of the reservation on ecological wealth is easily located within the legislation on river fishing. It must be stressed, however, that the current objective of the reservation has very little to do with fishery exploitation, the main objective being today to guarantee the survival of the river ecosystem, as an essential pillar of many other ecosystems.

**Garmendia Iartza, Koro** (*Eleria*-ko idazkari teknikoa. Eusko Ikaskuntza. Miramar jauregia. Mirakontxa, 48. 20007 Donostia): Justizia, Margarita Roblesen begiradapean (Justice from the perspective of Margarita Robles) (Orig. eu). In: *Eleria 6*; 67-71.

The essence of the conference delivered by magistrate Margarita Robles within the Forum Deusto cycle, and titled "The future of the Justice" is summarised below. In her speech, the magistrate analysed the main aspects of Spanish Justice Administration from a subjective point of view.

**Sagasti Aurrekoetxea, Josu J.** (Merkataritza Zuzenbidean doktorea. Euskal Herriko Unibertsitatea. Agirre lehendakariaren etorbidea, 83. 48015 Bilbo): Merkataritza Zuzenbidetik datozkigun berriak (News on Mercantile Law). (Orig. eu). In: *Eleria 6*; 73-82. Bearing in mind the various pieces of news generated in Mercantile Law, the main novelties and resulting recent modifications in the mentioned field of law are detailed below.

**Sainz de Rozas Bedialauneta, Rafael** (Zuzenbide Penaleko irakaslea. Euskal Herriko Unibertsitatea. Sarriena auzoa, z/g. 48940 Leioa): "Lasa-Zabala" auziaren epaia (The Sentence in the Lasa-Zabala case) (Orig. eu). In: *Eleria 6*; 83-86.

The sentence in the Lasa-Zabala case no doubt is politically relevant. The legal problems that have not been completely tackled are of special interest. These are the proof to be gathered in order to verify the imputed facts, the criteria used to determine the concepts of armed group and torture. Also relevant is the extent of the concept of concealment according to the previous Penal Code with respect to paying a witness or accused for his silence.

**Zelaia Garagarza, Maite** (Zuzenbide Konstituzionaleko irakaslea. Euskal Herriko Unibertsitatea. Manuel Lardizabal, 4. 20009

Donostia): Erregioen Komitea 2000.eko Gobernuarteko Konferentziaren aurrean (The Committee of the Regions before the 2000 Intergovernmental Conference) (Orig. eu). In: *Eleria 6*; 87-94.  
The Palace of Miramar was the scene of the Sessions on The Committee of the Regions before the 2000 Intergovernmental Conference, held by the Europe – Basque Country group, integrated within the Law Section of the Basque Studies Society. Political representatives and university professors studied the positions that the European regions and the Committee of the Regions presented in the mentioned Conference.

### Comments

**Aizega Zubillaga, Joxe Mari** (Finantza Zuzenbideko irakaslea. Euskal Herriko Unibertsitatea. Manuel Lardizabal, 4. 20009 Donostia): Eusko Jaurlaritza eta Gobernu zentralaren arteko *bake fiskala* (Fiscal peace between the Basque Government and the central Government) (Orig. eu). In: *Eleria 6*; 95-96.

The Basque Government and the Spanish central Government have subscribed the so-called fiscal peace, an agreement with the objective of withdrawing the contention from the courts in order to seek for a consensual solution to these problems.

**Alzelai Uliondo, Igone** (Merkataritza Zuzenbideko irakaslea. Euskal Herriko Unibertsitatea. Manuel Lardizabal, 4. 20009 Donostia): Merkatuan Enpresen Arteko Lehia Babesteko Legediaren aplikazio deszentralizatuan, zer? (The decentralised application of the Anti-Trust Law) (Orig. eu). In: *Eleria 6*; 97-98.

In 1989, the Basque Government and the Generalitat of Catalonia filed an appeal of unconstitutionality before the Constitutional Court with respect to certain articles of the Law on Defence of Competition, alleging that they attempted against autonomic areas of responsibility. The sentence has proven them right.

**Goñi Zabala, Santiago** (Abokatua. Prim kalea, 14, 3.C. 20006 Donostia): Prozedura Zibil berriaren 1/2000 Legea (The new Law on Civil Procedures). (Orig. eu). In: *Eleria 6*; 99-101.

The Spanish Senate approved in December 1999 the draft Law on Civil Procedure, that substituted the previous version, in force since 1881. The main novelties are summarily detailed below, as well as their positive and negative aspects.

**News.** News items. Bibliography. Doctoral thesis. Future Laws. (Orig. Eu). In: *Eleria 6*; 103-115.

**Classics.** Ronald Dworkin.