

## Subjects

**Altzelai Uliando, Igone** (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Enpresa Zuzenbide Saila. Manuel Lardizabal, 2. 20018 Donostia): Zein ahalmen dute autonomia erkidegoek merkatuko lehia babesteko? (What faculties do the Autonomous Communities have to guarantee competition in the market?) (Orig. eu). – In: *Eleria*. 18, 5-22.

Abstract: With regard to competition in the market, there are in the European Union various articles on the Constitutive Treaty of the European Community as well as numerous regulations, whose application is the concern of the Commission (IV General Directive). In Spain, after the previous Law 16/1989 in defence of competition underwent numerous partial modifications, a new law was promulgated Law 15/2007 of 3 July. In this context, we can see what authority the autonomous communities have to protect market competition.

Key Words: Right of competition. Organs for the defence of competition. Autonomous communities. Authority.

**Iruretagoiena Agirrezabalaga, Iñigo** (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Enpresa Zuzenbidea Saila. Manuel Lardizabal, 2. 20018 Donostia): Estatu eta inbertsiogile pribatuen arteko arbitrajea (Arbitration between the State and private investors) (Orig. eu). – In: *Eleria*. 18, 23-40.

Abstract: Arbitration has become the most usual method to solve conflicts in the field of international investments. Although its origin is international trade arbitration, it nowadays has its own characteristics, so we can talk about another type of arbitration. This report gives a general view about the arbitration between states and private investors, and analyses its development, present characteristics and the legal problems it causes.

Key Words: Arbitration. International investments. Arbitration over investments. Diplomatic support. International agreements to protect investments.

**Leñena Mendizabal, Elena** (Euskal Herriko Unibertsitatea. Lan Harremanetako U. E. Enpresa Zuzenbideko Saila. Sarriena, z/g. 48940 Leioa): Autoentradak sortutako interes gatazka (Conflict of interests generated by auto-entry) (Orig. eu). – In: *Eleria*. 18, 41-63.

Abstract: The Commission on Commercial Law is the model institution usually used for legal economic traffic. According to the law, a legal business assigned by a principal will have to be carried out by an agent and a third party. The business cannot be carried out in the name or for the benefit of the principal - that is, by self-dealing. But in particular circumstances in certain areas of trade and economy, minimising and accepting the interest conflict that self-contracting may cause to both parts is better than losing the business, as this research work shows.

Key Words: Self-dealing. Self-contract. Commission donor, principal. Commission taker, agent. Minimising interest conflicts. Commercial commission. Exchange commission. Agency contract.

**Uriarte Ricote, Maite** (Euskal Herriko Unibertsitatea. Ekonomia eta Enpresa Zientzien Fakultatea. Konstituzio Zuzenbidea, Administrazio Zuzenbidea eta Zuzenbidearen Filosofia. Lehendakari Agirre Hiribidea, 83. 48015 Bilbo): Aireportuek sortarazten duten kutsadura akustikoa sahiesteko eta kontrolatzeko egungo gailu juridikoen azterketa (Analysis of the current legal devices to prevent and control noise contamination caused by airports) (Orig. eu). – In: *Eleria*. 18, 65-72.

Abstract: This reports analyses the existing legal tools to prevent, control and mitigate acoustic emissions which affect people living near airports. The article contains a summary about the changes in regulations and explains the characteristics of a tool called “balanced view”, passed by the International Civil Aviation Organisation in 2001, which is aimed at taking measures in a co-ordinate and homogeneous way after assessing the noises a particular airport emits.

Key Words: Airports. Acoustic pollution. Noise. Acoustic map. Aircraft.

## Chronicles and commentaries

**Alkorta Idiakez, Itziar** (Euskal Herriko Unibertsitatea. Kalitate eta Ikasketa Berrikuntzako Errektoreordea. Gipuzkoako Campusa. Arriola, 2. 20018 Donostia): Euskararen Nazioarteko Eguna 2008, Stanford (International Euskara Day 2008, Stanford) (Orig. eu). – In: *Eleria*. 18, 73-76.

Abstract: In 2008, on the occasion of the International Day of the Basque Language, a seminar was held on the socio-legal situation of Basque in the University of Stanford (USA). The seminar was organised by the Society for Basque Studies, with the help of the professor Gloria Totorikaguena. The papers presented and analysed at this seminar are those which are put together in this book which is reviewed.

Key Words: Linguistic rights. Basque language. Legal status of the Basque language. History of the legal status of Basque.

**Agoues Mendizabal, Carmen** (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Administrazio Zuzenbidea Saila. Manuel Lardizabal, 2. 20018 Donostia): 2/2008 Legegintzako Errege Dekretua, lurzoruaen legearen testu batagina onesten duena (Royal Legislative Decree 2/2008 which approves the revised text of the Land Law) (Orig. eu). – In: *Eleria*. 18, 77-81.

Abstract: Taking into account that retaining and managing lands for speculative purposes prevent lands from fulfilling their social function and citizens from accessing to housing, this law has taken several measures: to increase the proportion of the Government intervention in capital gains, to figure the land needed for infrastructures, to render general the figure of land agents in order to facilitate land use management, and to pass basic regulations to fulfil the right for a decent house.

Key Words: Land. Land use planning. Rural land. Urban land. Compact city. Land agent. Land valuation.

**Garro Carrera, Enara** (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Manuel Lardizabal, 2. 20018 Donostia): Giza Eskubideei buruzko Nazioarteko III. Biltzarren gaineko gogoetak (Reflections on the 3<sup>rd</sup> International Congress on Human Rights) (Orig. eu). – In: *Eleria*. 18, 83-85.

Abstract: In the present situation of globalisation and cosmopolitan thinking, minorities want to keep their differences and take part in the development of History. Liberal-influenced democratic nationalism is not opposed to the ideals of social justice or human rights. But even admitting that premise, one of the major challenges is to analyse how democratic states can manage plurality when its origin is based on political and cultural homogenisation.

Key Words: Human rights. Multiculturalism. Nation diversity. Identity. Integration. Autonomy.

**Peillen Karrikaburu, Txomin** (Eusko Ikaskuntza. 51, quai Jauréguiberry. 64100 Baiona): Konstituzionalismoaren etorkia eta 1808. urteko Baionako Konstituzioa (Origin of the constitutionalism and Constitution of Bayonne in 1808) (Orig. eu). – In: *Eleria*. 18, 87-92.

Abstract: Napoleon I, by the treaty of Bayonne, placed his brother on the crown of Spain. After briefly arguing with Spaniards, he forced them to accept the French centralist constitution, which established two chambers of little importance, a stronger State Council appointed by the king and a powerful absolutist monarch. Recently: to offer some human rights, to ban inquisition and to promulgate Catholicism as the only religion. The point of view about Napoleon I of the three mentioned Francophiles and the Basque writers.

Key Words: King and emperor. Joseph Bonaparte. Bayonne. French Constitution. Enlightenment. Absolutism. Two-chamber and *fuero* systems. South America.

**Ordeñana Gezuraga, Ixusko** (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Zuzenbide Publikoa Saila. Manuel Lardizabal, 2. 20018 Donostia): Bake epaitegiak... gori-gorian (Magistrates' Courts... a burning issue) (Orig. eu). – In: *Eleria*. 18, 93-95.

Abstract: The report entitled "Magistrates' Courts on fire" explains the details of the 454th issue of *Eusko News and Media*, the electronic bulletin of the Basque Studies Society. Seven lecturers of the University of the Basque Country analyse the organisation, work and functions of Magistrates' Courts, which are the base of justice in our legal system. The article provides theoretical and practical points of view and analyses the legislation. The opinion of magistrates is also included.

Key Words: Magistrates' Court. Magistrate. Legal statute. Organisation. Functions. Practice. France. Portugal.

**News.** Bibliography. Rectoral theses (Orig. eu). – In: *Eleria*. 18, 97-100.