

## QUESTIONNAIRE ON CONSTITUTIONAL LAW AND EUROPEAN INTEGRATION

### I. European integration and constitutional revision(s)

1. Is there a general or specific constitutional basis regarding the possibility of acceding to the European Union?
2. Did accession to the European Union require a constitutional revision? If so, please indicate what was the content of that revision.
3. Did the revision of treaties of primary law, or the adoption of other acts, require one or several constitutional revision(s)? If so, please indicate what was the content of such revision(s).

### II. European integration and the different powers

1. What is the participation of different State bodies in the law-making and decision-making processes of the European Union?
  - a. within Union institutions?
  - b. in preliminary national procedure?
2. What is the participation of different State bodies (executive, legislative, judicial) in the implementation of European Union law?
3. To what extent has accession to the European Union influenced the balance of powers at a national level?

Question II concerns primarily bodies of the central State. However, it is also appropriate to reply in respect of infra-State entities (federated States, regions), where relevant.

### III. European integration and the different levels of State structure

1. Which of the powers transferred to the European Union were previously attributed to the central State and which were attributed to infra-State entities?
2. What are the respective roles of the central State and the entities in the law-making and decision-making processes of the European Union?
  - a. within the institutions of the Union?
  - b. in preliminary national procedure?
3. What are the respective roles of the central State and the entities in the implementation of European Union law?
4. On the basis of replies to questions III.1 to III.3, can European integration be considered to strengthen the central State vis-à-vis the entities, or vice versa?

### IV. European integration and fundamental rights

1. Has the assertion of the four freedoms of the European internal market (free movement of goods, persons, services and capital) led to a modification, or an adaptation, of the principles applicable to the domestic internal market, in particular concerning economic freedom?
  - 2.a. Has the prohibition of discrimination on the grounds of nationality led to a modification of constitutional provisions or fundamental legislative provisions (in particular regarding access to real property)?
  - b. Have community rules on the equality of the sexes led to a modification of constitutional provisions or fundamental legislative provisions?
3. Has the application of fundamental rights and general principles of law by the Court of Justice of the Communities exerted an influence at a domestic level?
4. What influence did the adoption of provisions on European citizenship have on domestic law?

### V. Relationship between community law and domestic law

1. Domestic bodies, and in particular the courts, have they easily accepted:
  - a. the immediate validity of community law in the legal system of member States?
  - b. direct applicability of community law?
  - c. the primacy of community law over domestic law?
- 2.a. According to domestic law, what is the place of classical international law (either conventions or customs) in the hierarchy of norms?

b. Is the relationship between community law (primary law, secondary law, international treaties concluded by the Community) and domestic law treated differently from the relationship between classical international law and domestic law?