

ANNEX 2 – COURSE DESCRIPTION

Course title	Applications of Public Law				
Course code	LAW-420				
Course type	Compulsory				
Level	Undergraduate				
Year / Semester	4 th /H				
Teacher's name	Petros Konstantinidis				
ECTS	6	Lectures / week	3 hours per week	Laboratories / week	
Course purpose and objectives	<p>The purpose of the course is for the students, in a combined way and analytical thinking, to examine specific and complex issues of public law. To this, students will study in depth specialized cases concerning aspects of constitutional law and which have been applied by the Greek and Cypriot Courts, such as the principle of separation of powers, the principle of proportionality, interpretation methods of the Constitution, the system of constitutional review of the laws and the law of necessity.</p> <p>Within the context of the course, there will be a presentation of specific judicial decisions will address issues related to public law. Thus, the students will have the opportunity to examine the Creek and Cypriot case-law concerning constitutionality issues in periods of economic crisis as well as in issues related to fundamental rights during the pandemic period.</p> <p>Also, there will be a detailed presentation of the relationship between European law and national law, as well as the effect that ECtHR decisions have on Greek and Cypriot case-law.</p> <p>Simultaneously, the objective is for students to engage with specialized administrative law topics that have been significant in jurisprudence, along with practical problems, enabling them to apply their existing public law knowledge in a practical and methodical manner.</p> <p>Moreover, it aims for students to cultivate critical thinking skills and the capacity to apply and evaluate complex and practical matters.</p>				

<p>Learning outcomes</p>	<p>Upon completion of the course, students are expected to:</p> <ul style="list-style-type: none"> • Be able to analyse specialized and complex issues related to public law. • Understand and practically comprehend the mechanism for review the constitutionality of laws in the Greek and Cypriot legal systems. • Solve complex and specialized issues of public law. • Apply in a combined manner legal principles found in various areas of public law. • Apply constitutional interpretation techniques and develop the ability to apply proportionality and balancing in practical terms. • Understand the relationship between European law and the Greek and Cypriot constitutional orders. • Grasp the impact of the ECHR case-law on domestic decisions regarding fundamental rights. • Develop skills for complex and critical thinking on intricate issues of public law. 		
<p>Prerequisites</p>	<p>Constitutional Law (LAW-101, LAWG-102)</p> <p>Administrative Law (LAW-211)</p> <p>Human Rights Law (LAW-108, LAWG-109)</p>	<p>Required</p>	<p>N/A</p>
<p>Course content</p>	<p>Methods of constitutional interpretation.</p> <p>The system of constitutional review of laws. Forms of review: preventive and repressive control, diffuse and concentrated control. Results of unconstitutionality judgment. Constitutional review and harmonious interpretation.</p> <p>The principle of proportionality. The criteria (purpose, appropriateness and necessity, proportionality). The process of balancing and the consideration of rights as values.</p> <p>Constitution and economic crisis. The Greek and Cypriot case-law during the period of the economic and health crisis.</p> <p>Relationship between European Law and Greek and Cypriot constitutional order. The case of Article 16 of the Greek Constitution.</p> <p>The influence of ECHR jurisprudence on the Greek and Cypriot legal order. Issues of equality principle and effective judicial protection. The <i>Kalakoutis</i> case.</p> <p>The administration's compliance with a Court annulment decision.</p> <p>Administrative sanctions and the ne bis in idem principle.</p>		

	Presenting and solving a complex practical question
Teaching methodology	<p>Lectures with the help of slides and encouraging active participation and dialogue, assignments and presentations.</p> <p>Presentation of case-law.</p> <p>Analysis of relevant decisions of the Greek and Cypriot Courts, the ECtHR, the CJEU and relevant courts of other jurisdictions.</p> <p>Case studies/examples.</p>
Bibliography	<p>Kombos, K., Cypriot Constitutional Law: Theory, Organization, and Practice (Nomiki Bibliothiki, Athena 2021).</p> <p>Aimilianides A.K., Constitutional Law in Cyprus (Kluwer International Law 2024)</p> <p>Loizou, A., Constitution of the Republic of Cyprus (Nicosia 2001).</p> <p>A. Aimilianidis / Ch. Papastylianou / K. Stratilatis, The Republic of Cyprus and the Law of Necessity (Sakkoulas 2016).</p> <p>Kombos, C., The Doctrine of Necessity in Constitutional Law (Sakkoulas, Athens - Thessaloniki, 2015).</p> <p>Paraskeva, K., Compliance of the Administration with Annulment Judicial Decisions in Cyprus (Nomiki Bibliothiki 2021).</p> <p>E. Venizelos, Judicial Review of the Constitutionality of Laws and Interpretation of the Constitution (Sakkoulas 2022).</p> <p>E. Venizelos, The financial crisis as a judicial challenge (Sakkoulas 2020).</p> <p>T. Iliopoulou-Straga, General theory of fundamental rights (Sakkoulas 2018).</p> <p>F. Panagopoulou-Koutnatzi, On the Mandatory Vaccination in a Pandemic Period: An Ethical-Constitutional Consideration (Center for European Constitutional Law, 2021).</p> <p>A. Manitakis, Rule of law & judicial review of constitutionality I, (Sakkoulas, Thessaloniki 1994).</p> <p>G. Sotirelis, Constitution and Democracy in the Age of Globalization, 2nd ed. (Papazisis, Athens 2022).</p> <p>A. Vlachogiannis, The Constitution in the New European Economic Governance (Sakkoulas, Athens – Thessaloniki 2018).</p> <p>N. Simantiras, The Administrative Sanctions (Nomiki Vivliothiki, Athens 2021).</p> <p>V. Boukouvala, The Interpretation of Laws in Accordance with the Constitution (Sakkoula, Athens – Thessaloniki 2018).</p>

	<p>M. Moustakas, The principle ne bis in idem and Greek Administrative Law (Sakkoulas, Athens – Thessaloniki 2018).</p> <p>Katsoni S., “Do compulsory vaccinations against COVID-19 violate human rights?” (2020) <i>Völkerrechtsblog</i> (https://intr2dok.vifa-recht.de/receive/mir_mods_00009782)</p> <p>M. Paterlini, “Covid-19: Italy makes vaccination mandatory for healthcare workers” (2021) 373 <i>BMJ</i> (https://www.bmj.com/content/373/bmj.n905).</p>
Assessment	<p>Assignment 30%</p> <p>Participation 20%</p> <p>Final Examination 50%</p>
Language	Greek

