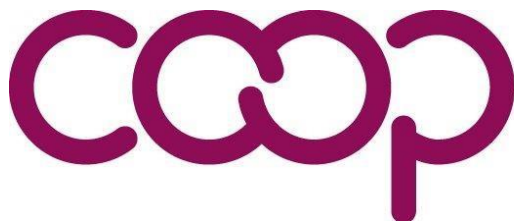


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ΙΝΣΤΙΤΟΥΤΟ ΕΥΝΕΤΑΙΡΙΑΤΙΚΩΝ ΕΡΕΥΝΩΝ

& ΜΕΛΕΤΩΝ (ΙΣΕΜ)

Title of abstract:

“Compulsory and free cooperatives: The constitutional pendulum between individual/collective freedoms and the public interest”

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Abstract : (max. 300 words)

In the Greek Law, the Constitution provides for compulsory cooperatives as an instrument used to achieve common purposes and benefits. In constitutional terms, the establishment of compulsory cooperatives is considered as a deviation from freedoms of collective action (freedom of association) or/and from *stricto sensu* individual freedoms, especially the freedom of economic action and participation in the economic life. This framework is doubled by the relevant provisions of the ECHR. In the present paper, the constitutional/conventional restrictions to the relevant power of the legislator are examined through an analysis of leading case law, which stems both from the internal and the supranational institutional context. This case law forms a field of interconstitutional dialogue between the Greek institutions and the Court of Strasbourg. This dialogue is reflected in a pendulum driving to the opposite side of the relevant constitutional questions: Are there any restrictions to the state power to dissolve compulsory cooperatives and/or transform them to free cooperatives? Are there any constitutional rights to preserve a compulsory cooperative? Through an answer to these final questions the full constitutional apparatus activated in the other side of the pendulum will be more thoroughly comprehended.

Keywords: (max. 5) Compulsory cooperatives, Freedom of association, Economic freedom, Public interest, Council of State/ECHR

