



Public Contracts in Legal Globalization (PCLG) **Contrats Publics dans la Globalisation Juridique (CPGJ)**

CONCESSIONS

*Public Contracts in Legal Globalization Network
Workshop on 7th November 2011 in Paris*

9:00-9:15 General Presentation of the Workshop

9:15-10:45: First round table discussion: IMPLEMENTATION AND END OF CONCESSION CONTRACTS

- Presentation of the questions
- Raised questions:

Length and Alterations

- ✓ 24: Length of concession contracts
- ✓ 28: Rights of concessionaires in case of change on the provisions concerning the implementation phase (financial contractual balance)
- ✓ 30: Transfer of the contract to a third party
- ✓ 33: Award of a new concession contract

10:45- 11:00 - Coffee-break

11:00-12:30

Powers over the concessionaire

- ✓ 26, 27, 29: Powers concerning the implementation of the contracts
- ✓ 31: Powers of unilateral cancellation

Property provisions

- ✓ 25: During the concession
- ✓ 32: At the end of the concession

12:30-14:00 *Lunch break*

14 :00-16:30: Second round table: LITIGATION OF CONCESSION CONTRACTS

- Presentation of the questions
- Raised questions:

Jurisdictions:

- ✓ 34: Competent jurisdictions for litigation before and during the concession contract
- ✓ 40: Possibility of arbitration
- ✓ 35: Influence of the European Union on national litigation

Power to Investigate

- ✓ 37: Power to investigate illegalities on the attribution of concession contracts
- ✓ 38: Appeals against decisions regarding the implementation or termination of concession contracts.
- ✓ 39: Judicial powers

Consequences of illegalities

- ✓ 36: Consequences of illegal awards over concession contracts and its actors.

16:30-16:45 *Coffee-break*

16:45-18:00 Round Table :

Projects of the European Commission on Concession Contracts

Discussion between *Claude Martinand*, Président of l'Institut pour la Gestion Délégée,
Jose-Luis Benavides, Professor at the University of Bogota
Bernardo Diniz de Ayala, Lawyer Uria Menendez – Proença de Carvalho
Paul Lignières, Managing Partner, Linktaters.

- It is important that for each country represented in the network for more than one member there will be some coordination among the colleagues.
- You can find attached the questionnaire that has been sent.