



Summer Course

Europeanisation of Administrative Law in the Member States

About the summer course

From 26 to 30 June 2017 the first edition of the summer course on the *Europeanisation of Administrative Law in the EU Member States* took place in The Hague.

The summer course was a great success thanks to the many interesting lectures of renowned scholars and judges, such as Professor Sacha Prechal, Professor Giacinto della Cananea, Professor Herwig Hofmann and Dr. Oana Stefan, as well as the active participation of the selected participants from 15 different EU Member States. The lectures and discussions revealed similarities as well as differences as to the reception of EU law in the Member States, and raised questions for further research on the Europeanisation of administrative law and practices in the European Union.



Day 1 The Europeanisation of national administrative law

The introductory lectures were given by Professor Rob Widdershoven, who introduced several mechanisms of Europeanisation, and by Professor Giacinto della Cananea who shed light on the far-reaching Europeanisation processes in the context of mixed administration. Professor Luis Arroyo Jimenéz discussed the consequences of Europeanisation processes in Spain; Professor Willemien den Ouden presented the Dutch case.

Professor Sacha Prechal, judge at the Court of Justice of the European Union, addressed the increasingly complex relationship between the effectiveness of EU law, national procedural autonomy and effective judicial protection.

Day 2 General principles of EU law and the national legal systems

The central theme of the second day was the influence of general principles of EU law on the national legal systems. Professor Ferdinand Wollenschläger discussed whether as a consequence of Europeanisation processes there is a deconstitutionalisation of administrative law in Germany. Dr. Lamprini Xenou and Dr. Henrik Wenander presented the influence of the principles of legal certainty and legitimate expectations on French law respectively on Swedish law. During the 'law labs', the participants discussed the influence of these legal principles in the legal systems of the EU Member States. Mr. Leo Vester discussed the inevitability of EU rules governing the registration of carbon credits.





Day 3 Obligations of national administrative authorities resulting from EU law

During the third day of the conference the opening lecture was given by professor Jacobine van den Brink who reflected on the question whether national administrative authorities can derive powers directly from EU law. Dr. Oana Stefan introduced and discussed the phenomenon of EU soft law and introduced the research that is being conducted by the SoLaR network on EU soft law and national legal orders. Clara van Dam presented her ongoing PhD research on the use of guidance documents of the European Commission by national authorities as well as by national courts in the Dutch legal order. Finally, the students visited the City Hall of The Hague, where Professor Oswald Jansen discussed the influence of EU law on systems of administrative sanctions from a comparative perspective.

Day 4 Europeanisation and national courts

The Europeanisation of national procedural rules and the role of national courts in Europeanisation processes were discussed on the fourth day of the course. Dr. Rui Tavares Lanceiro discussed the influence of EU law on questions of judicial protection in Portugal. Professor Jurian Langer shared insights on the active role of the Dutch government before the CJEU. Dr. Urszula Jaremba illustrated that Polish administrative courts refer few questions to the CJEU, and Professor Hanna Sevenster provided some insights in the practice of a national judge and its role in the Europeanisation of administrative law in The Netherlands. Dr. Monika Niedzwiedz discussed questions of effective judicial protection with the participants.



Day 5 From public contracts to the allocation of limited public rights

The Europeanisation of public contracts law and the allocation of limited public rights was discussed on the fifth day of the Summer Course. Professor Grégory Kalflèche explained how French law influenced EU public contract law and vice versa. The influence of EU law on other scarce public rights in The Netherlands was discussed by Dr. Johan Wolswinkel, while Dr. Dolores Maria Utrilla reflected on the Europeanisation of scarce rights in Spain. The phenomenon of scarce rights was subsequently 'challenged' by developments towards a collaborative economy by Dr. Sofia Ronchardás. She concluded that there is room for Europeanisation. Finally, Professor Herwig Hofmann addressed the developments towards general administrative rules at the EU level for the Member States when acting within the scope of EU law. He illustrated how general rules at the EU level could ensure that basic constitutional values are respected not only in theory but also in practice.



The summer course was financed by the Municipality of The Hague and was organised by [Willemien den Ouden](#) (Leiden University), [Jacobine van den Brink](#) (Maastricht University) and coordinated by [Clara van Dam](#) (Leiden University). We would like to thank all speakers and participants for their enthusiastic participation! For more information on the summer course please see [our website](#).