



Consiglio di Stato



Italian Presidency of ACA- Europe 2021-2023
Présidence italienne de l'ACA - Europe 2021-2023
Presidenza italiana dell' ACA - Europe 2021-2023



PROGRAMME

ACA-Europe Seminar at European University Institute *Fiesole (Florence) 3-4-5 October 2021*

“Law, Courts and guidelines for the public administration”

PROGRAMME OF ACTIVITIES

MONDAY 4 OCTOBER 2021

9:10- 9:30	Welcome greetings (President of EUI, Major of Florence; Major of Fiesole, Prefect of Florence)
9:30 – 10:30 a.m.	Presentation by the President of the Council of State Patroni Griffi of the General Report: “LAW, COURTS AND GUIDELINES FOR THE PUBLIC ADMINISTRATION”
10:30 – 11:00 a.m.	Group photo of participants and coffee break
11:00 – 1:00 p.m.	First session THE METHOD OF INTERPRETATION OF THE LAW AND ITS APPLICATION BY THE COURTS Moderator: Carsten Ghunter (Federal Administrative Court, Germany)
1:00- 2:00 p.m.	Lunch



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2:15 - 4:00 p.m.	<p>Second session:</p> <p>THE IMPACT OF THE DECISIONS OF THE SUPREME ADMINISTRATIVE COURT ON FUTURE DEVELOPMENTS OF ADMINISTRATIVE ACTIVITY</p> <p>Moderator: Maria Karamanof (Council of State, Greece)</p>
4:00-5:00 p.m.	<p>Third session:</p> <p>ENFORCEMENT OF DECISIONS</p> <p>Moderator: Jacek Chlebny (Supreme Administrative Court, Poland)</p>

TUESDAY 5 OCTOBER 2021

9:00 a.m.	<p>Fourth session:</p> <p>THE ADVISORY FUNCTION OF THE SUPREME ADMINISTRATIVE COURT AND ITS IMPACT ON ADMINISTRATIVE ACTIVITY</p> <p>Moderator: Franco Frattini (Consiglio di Stato, Italia)</p>
11:00 a.m.	Coffee break
11:30 a.m.	Conclusions of the three moderators and the President of the Council of State
1:30 a.m.	Lunch
Following	Departure of the delegates
Ore 16:30-17:30	<p>Presentation of the activities of the ACA-Europe and the Italian Presidency of the Association at the University of Florence- Department of Law</p> <p>Press Conference of President Patroni Griffi + 2</p>





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Note in relation to Sessions I – IV

It is envisaged that working sessions II-IV will involve a presentation by each speaker for approximately ten minutes followed by general discussion on the relevant topic.

Session I: The method of interpretation of the law and its application by the Courts

The application of the law by the Court, with specific reference to the nomophylactic pronouncements of the SAC. Jurisprudential stability and the predictability of decisions are important values related to the general principles affirmed by the European Court of Justice such as legal certainty, predictability for citizens and companies of the consequences of their behavior and the protection of legitimate expectations. Therefore, there will be a special focus on the ways and the procedures, if existing, through which SAC ensure the compliance with the nomophylactic statements in the administrative system.

Session II: The impact of the decisions of the Supreme Administrative Court on future developments of administrative activity

The “binding or steering effect” of the judgements of Supreme Courts: this topic aims to foster mutual understanding of the capacity of administrative judgments to bind the public administration in the subsequent exercise of its power. It covers not only the binding effect on decided case, but it aims at analyzing judgements as instruments to orientate the future action of public administrations in similar cases (a sort of guidelines).

Session III: Enforcement of decisions

The seminar would also examine the enforcement of the administrative judgment, in the case where the public administration fails to comply with it spontaneously and correctly, with special reference to judicial enforcement measures provided by each legal jurisdiction, if they exist.

Session IV: The advisory function of the Supreme Administrative Court and its impact on administrative activity

A brief analysis, finally, will be devoted to the advisory (or consultative) function of the SAC, if existing, and its impact on administrative action.

By



Consiglio di Stato - Segretariato generale della Giustizia amministrativa



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