



**Diritto amministrativo II - Diritto dell'ambiente**  
**Dottorato di ricerca "Business and Law" (XXXII° - XXXIII° Ciclo)**

***The influence of European law on administrative justice: protection of legal situations and sustainability of the system***

**Prof. VICENÇ AGUADO I CUDOLÀ (Full professor of administrative law at the University of Barcelona- UB - Visiting professor at UNIBS)**

**Prof.ssa VERA PARISIO (Full professor of administrative law at the University of Brescia)**

**Sala delle Candelabre – Dipartimento di Giurisprudenza UNIBS**  
**Via San Faustino, 41 – Via delle Battaglie, 58 - BRESCIA**

**1) January 9, 2019 2 PM -6 PM**

**INTRODUCTION**

Prof. Vera PARISIO

**THE ADMINISTRATIVE JUSTICE SYSTEM IN SPAIN IN LIGHT OF CONSTITUTIONAL PRINCIPLES**

Prof. Vicenç AGUADO I CUDOLÀ

I. —HISTORICAL EVOLUTION OF JUDICIAL REVIEW IN THE SPANISH LEGAL SYSTEM; II. —GENERAL CHARACTERISTICS OF THE JUDICIAL REVIEW; III. —THE ORGANIZATION OF JUSTICE IN SPAIN; IV. — CONSTITUTIONAL PRINCIPLES OF ADMINISTRATIVE JUSTICE; V. —THE ROLE OF THE COUNCIL OF STATE IN SPAIN. A COMPARISON WITH THE ITALIAN SITUATION; VI. — THE ADVISORY FUNCTION OF THE COUNCIL OF STATE IN SPAIN. VII. — ANALYSIS OF CASES- DISCUSSION.

**2) January 18, 2019 2 PM-6 PM**

**THE ADMINISTRATIVE JUSTICE AND THE RIGHT TO A FAIR TRIAL IN LIGHT OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

Prof. Vicenç AGUADO I CUDOLÀ

I. —THE EUROPEAN CONVENTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: ITS RELEVANCE FOR ADMINISTRATIVE JUSTICE; II. —THE RIGHT TO AN INDEPENDENT AND IMPARTIAL JUDGE; III. — THE RIGHT TO CONCRETE AND EFFECTIVE ACCESS TO A COURT; IV. —THE EQUALITY OF ARMS IN THE PROCESS; V. —THE RIGHT TO A PROCESS OF FULL JURISDICTION AGAINST DECISIONS OF ADMINISTRATIVE AUTHORITIES; VI. —THE REASONABLE DURATION OF THE PROCESS AS A RIGHT TO THE ORGANISATION OF THE ADMINISTRATION OF JUSTICE; VII. —THE RIGHT TO BE TRIED IN PUBLIC; VIII. — THE SPANISH LEGAL SYSTEM IN LIGHT OF ECHR PRINCIPLES. IX. — ANALYSIS OF CASES- DISCUSSION.

**DISCUSSANT**

Prof. Vera PARISIO

**3) January 21, 2019 2 PM-6 PM**

**THE INCIDENCE OF EUROPEAN UNION LAW IN THE JUDICIAL REVIEW: THE ROLE OF THE COURT OF JUSTICE OF THE EUROPEAN UNION**

Prof. Vicenç AGUADO I CUDOLÀ

I. — THE PRIMACY OF EUROPEAN UNION, THE EU CHARTER OF FUNDAMENTAL RIGHTS AND ADMINISTRATIVE JUSTICE; II. — THE RIGHT TO EFFECTIVE JUDICIAL PROTECTION AND INTERIM RELIEF PROCEEDINGS; III. —THE RIGHT TO EFFECTIVE JUDICIAL PROTECTION AS A PRINCIPLE OF EU LAW;

IV.— GUARANTEES OF TRANSPARENCY AND NON-DISCRIMINATION ON PUBLIC PROCUREMENT: EFFECTIVE AND RAPID REMEDIES.; V. —PRINCIPLES OF EQUIVALENCE AND EFFECTIVENESS. VI. —THE SPANISH LEGAL SYSTEM IN LIGHT OF EU PRINCIPLES; VII. — ANALYSIS OF CASES- DISCUSSION.

DISCUSSANT

Prof. Vera PARISIO

#### **4) February 1, 2019 2 PM-6 PM**

### **THE JUDICIAL REVIEW IN SPAIN: PRINCIPAL CHARACTERISTICS AND SUSTAINABILITY OF THE SYSTEM**

Prof. Vicenç AGUADO I CUDOLÀ

I. —THE TRIAL IN FRONT OF THE ADMINISTRATIVE SPANISH COURTS: MAIN CHARACTERISTICS. II. — SCOPE AND BREADTH OF JUDICIAL REVIEW. III. — PARTIES. IV. —OBJECT OF JUDICIAL REVIEW. V. — PROCEDURE. VI. — THE EFFECTIVENESS OF THE JUDICIAL REVIEW: PRECAUTIONARY MEASURES AND EXECUTION OF JUDGEMENTS. VII. —THE ADMINISTRATIVE JUSTICE IN SPAIN: A SUSTAINABLE SYSTEM? THE COSTS OF ADMINISTRATIVE JUSTICE: HOW TO BE IN COMPLIANCE WITH EU AND CONSTITUTIONAL PRINCIPLES AND WITH BUDGETARY PROBLEMS IN SPAIN AND EUROPE. VIII. — ANALYSIS OF CASES- DISCUSSIONS.

DISCUSSANT

Prof. Sandra ANTONIAZZI, Università Roma Due

Prof. Vera PARISIO

#### **5) February 7, 2019 2 P- 6 PM**

### **ADMINISTRATIVE JUSTICE AND ENVIRONMENTAL PROTECTION: INDIVIDUAL AND COLECTIVE INTERESTS IN EUROPE**

Prof. Vicenç AGUADO I CUDOLÀ

I. — THE AARHUS CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS: A GENERAL OVERVIEW. II. — DIFFERENT TYPES OF REVIEW PROCEDURES IN THE AARHUS CONVENTION. IV. — THE AARHUS CONVENTION AND EUROPEAN LAW. V. — ACCESS TO JUSTICE AS ONE OF THE INSTRUMENTS TO ENSURE THE APPLICATION OF EU LEGISLATION ON COLLECTIVE INTERESTS. VI. — ANALYSIS OF CASES-DISCUSSIONS.

DISCUSSANT

Prof. Vera PARISIO

**3 extra curriculum academic credits will be recognized to all the students attending the seminars**

**FOR EVERY SINGLE SEMINAR THE BAR ASSOCIATION OF BRESCIA HAS RECOGNIZED 3 CREDITS.**

**The lessons will be given in English**

**Scientific director of the event: Prof. VERA PARISIO  
(Full Professor of Administrative Law at the University of Brescia)  
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