

<b>Course:</b> Right to Good Administration
<b>Teachers:</b> Bogoljub Milosavljević, Jelena Jerinić
<b>Course type:</b> elective
<b>ECTS:</b> 12
<b>Prerequisites:</b> completion of courses in constitutional law and administrative law on the previous level of university studies; proficiency in English.
<p><b>Course Description</b></p> <p>The course aims to provide students with further theoretical knowledge in the field of administration and administrative law, as well as to familiarize them with the basic directions in development of the concept of good administration, especially from the perspective of citizens and their right to good governance. The course covers both theoretical concepts and characteristics of national administrative systems, primarily in European countries, as well as EU administrative law. Students should independently and critically reflect on these topics, and apply the knowledge acquired to analysis of Serbian and foreign legislation and caselaw in the field of administrative law.</p>
<p><b>Learning Outcomes</b></p> <p>Upon course completion, students are supposed to have acquired in-depth knowledge administrative law doctrine and caselaw concerning selected topics and be able to independently and critically consider theoretical views, determine the relevant legal rules and apply them to specific facts. Also, students are expected to gain a more thorough understanding of the nature of the right to good administration and the challenges of its application in everyday life.</p>
<p><b>Topics</b></p> <ol style="list-style-type: none"> <li>1. Good administration – concept, main aspects and elements</li> <li>2. Principles of good administration</li> <li>3. Good administration in constitutional texts</li> <li>4. The right to good administration – Charter of Fundamental Rights of the EU</li> <li>5. Caselaw of European and national courts concerning application of principles of good administration</li> <li>6. The role of independent bodies in establishment of principles of good administration – examples of the European Ombudsman and national ombudsperson institution</li> <li>7. Multilevel governance – the principles of decentralization in the service of good administration</li> <li>8. Good administration in policies and legislation of the Republic of Serbia</li> <li>9. Principles of good administration in the context of public administration reform</li> <li>10. Public administration reform in Serbia: between wishes and reality</li> <li>11. Local government reform: aspirations towards decentralization</li> <li>12. Public services</li> <li>13. Delegated public services and their role in securing the principles of good administration</li> <li>14. Principles of administrative procedure and judicial review of administrative action significant for good administration</li> <li>15. Legal remedies for protection of principles of good administration</li> </ol>
<p><b>Recommended literature</b></p> <ol style="list-style-type: none"> <li>1. Denković D., 2010, Dobra uprava, Pravni fakultet Univerziteta u Beogradu, Beograd.</li> <li>2. Pusić, E., 1985, Upravni sistemi 1 - Uvod, razvoj upravljanja, Pravni fakultet, Zagreb.</li> <li>3. Pusić, E., 1985, Upravni sistemi 2 – Upravni sistem u Jugoslaviji, Pravni fakultet, Zagreb.</li> <li>4. Lane, J.E., 2012, Državno upravljanje: razmatranje modela javne uprave i javnog upravljanja, Službeni glasnik, Megatrend univerzitet, Beograd.</li> <li>5. Paul, C., 2006, <i>EU Administrative Law</i>, Oxford University Press, Oxford.</li> <li>6. Seerden, R. (ed.), 2007, <i>Administrative law of the European Union, its member States and the United States: a comparative analysis</i>, Antwerpen.</li> <li>7. Rose-Ackerman, S., Lindseth, P. (eds.), 2010, <i>Comparative Administrative Law</i>, Cheltenham.</li> <li>8. Davinić, M., 2010, Pojam dobre uprave: između klasičnog i „mekog” prava, <i>Pravni život</i>, 10, str. 389-404.</li> <li>9. Lozina, D., Klarić, M., 2012, „Dobra uprava“ kao upravna doktrina u Europskoj uniji, <i>Pravni vjesnik: časopis za pravne i društvene znanosti Sveučilišta J.J. Strossmayera u Osijeku</i>, 2, str. 23-37, <a href="https://hrcak.srce.hr/121026">https://hrcak.srce.hr/121026</a></li> <li>9. Milosavljević, B., 2019, Upravno pravo, Pravni fakultet UUUB, Službeni glasnik, Beograd.</li> <li>10. Seerden, R. (ed.), 2007, <i>Administrative law of the European Union, its member States and the United States: a comparative analysis</i>, Antwerpen.</li> <li>11. Rose-Ackerman, S., Lindseth, P. (eds.), 2010, <i>Comparative Administrative Law</i>, Cheltenham.</li> <li>12. Milosavljević, B., 2012, Reforma lokalne samouprave u Srbiji, <i>Hrvatska komparativna i javna uprava</i>, 3, str. 749-768, <a href="https://hrcak.srce.hr/130609">https://hrcak.srce.hr/130609</a></li> </ol>

13. Jerinić, J., 2012, *Sudska kontrola uprave*, Pravni fakultet UUUB, Službeni glasnik, Beograd.
14. European Union, Charter of Fundamental Rights of the European Union, 26 October 2012, 2012/C 326/02, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>
15. European Ombudsman, 2015, *The European Code of Good Administrative Behaviour*, <https://europa.eu/!Gx99WU>
16. Council of Europe, Recommendation CM/Rec(2007)7 of the Committee of Ministers to member states on good administration, <https://rm.coe.int/16807096b9>
17. European Commission for Democracy through Law (Venice Commission), 2011, *Stocktaking on the notions of "good administration"*, CDL(2011)006, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL\(2011\)006-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL(2011)006-e)
18. Mendes, J., 2009, *Good Administration in EU Law and the European Code of Good Administrative Behaviour*, *EUI Working Papers Law*, 9, <https://ssrn.com/abstract=1554907> or <http://dx.doi.org/10.2139/ssrn.1554907>
19. Reichel, J., 2008. *Between Supremacy and Autonomy - Applying the Principle of Good Administration in the Member States*, u: Bernitz, U. and ors (eds.), *General principles of EC law in a process of development: reports from a conference in Stockholm, 23-24 March 2007, organised by the Swedish Network for European Legal Studies*. Wolters Kluwer Law & Business, <https://studentportalen.uu.se/uusp-filearea-tool/download.action?nodeId=933427&toolAttachmentId=179404>

<b>Number of classes</b> 5 (a week)	<b>Teaching:</b> 5	<b>Practicum:</b> -
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**Teaching methods**  
Lectures and consultations, presentations and class discussion, text analysis, analysis of legislation, caselaw and theoretical sources, individual research tasks and their presentation, writing short essays

**Grading**  
The final grade (max. 100 points) is determined on the basis of student performance:  
a) in completing pre-exam obligations (max. 40 points) consisting of active class participation (10 points); completion of a research assignment and essay (15 points each);  
b) final written exam (max. 60 points)