

1) Programme for the meeting of the working group on Independence and Effectiveness, 23rd – 24th April, Utrecht

The meeting will take place in the premises/conference rooms of the hotel “KAREL V” in the historic city centre of Utrecht:

Address: Geertebolwerk 1, 3511 XA Utrecht, <http://www.karelv.nl/en/home>

Thursday 23rd April (14h00 until 18h00)

14.00

General principles and judicial remedies – the interaction between international and domestic courts

Fabrizio Cafaggi, Professor at SNA and EUI, presents his research project on REMEDIES IN EU LAW and a questionnaire on the impact of EU law on national enforcement bodies. The questionnaire has been answered in a “test version” by reporters from 10 different countries and will be discussed at the seminar in order to evaluate its current format and introduce the necessary changes to send it to the 28 EU members.

Discussion

Coffee break

Continuation

All participants will on the basis of the “small” questionnaire be prepared to describe the administrative sanctions under their respective national law.

All participants will also discuss the Fabrizio Cafaggi questionnaire on the basis of their reporting activity.

Discussion

Friday 24th April (9h00 until 12h00)

Criminal proceedings v. administrative proceedings – the ne bis in idem principle or the right to not be tried and convicted twice in the same matter

Two cases from European courts where the violation of the ne bis in idem principle is at stake:

C-617/10 Åkerberg Fransson, ECJ 6 February 2013, and its great impact on the Swedish courts (Ms Annika Sandström, Administrative Court of Appeal, Sundsvall, Sweden)

Case of Boman v. Finland, The European Court of Human Rights, 17 February 2015 (Ms Hannele Klemettinen, Supreme Administrative Court, Helsinki, Finland)

Coffee break

Discussion

Lunch

Continuation of the meeting (14h00-17h00)

Group discussions on one or more special case (to be distributed at the meeting) regarding the principle of proportionality when deciding on administrative sanctions.