

Program: Doctoral Academic Studies –			
Course title: EUROPEAN OMBUDSMAN AND MALADMINISTRATION			
Teachers: Associate Prof. Dr. Marko Davinić, markod@ius.bg.ac.rs			
Course status: optional for the Administrative Law specific scientific area			
Number of ECTS: 10			
Requirements: /			
Aims of the course: The aim of this course is to enable candidates to broaden and deepen their knowledge of the European Ombudsman and the concept of maladministration.			
Course result: Candidates should be able to apply a critical approach to the analysis of the European Ombudsman's activity and competences.			
Course content: This course covers current questions related to the work of the European Ombudsman including, in particular: 1. The question of competences and investigative powers of the European Ombudsman (why are some of these not being used sufficiently)? 2. The concept of maladministration (why does the European Ombudsman avoid to investigate whether the EU institutions and bodies exercise their discretionary powers properly)? 3. The relations between the European Ombudsman and the European Parliament (the overlap of competences of the European Ombudsman and the European Parliament's Committee on Petitions). 4. The relations between the European Ombudsman and the European Commission (to what extent has the Internal Act, enacted pursuant to Article 258 of the Treaty on the Functioning of the EU, contributed to reducing the number of complaints submitted against the work of the Commission)? 5. The relations between the European Ombudsman and the Court of Justice of the EU (the question of active and passive standing of the European Ombudsman in legal disputes before the EU courts). 6. Proceedings between the European Ombudsman (is there room for improving efficiency in his work)? 7. Cases of maladministration (the analysis of current cases).			
Literature:			
Obligatory: Marko Davinić, <i>The European Ombudsman and Maladministration</i> , The Citizens Protector, Belgrade 2013.			
Recommended:			
1) Paul Craig, <i>EU Administrative Law</i> , Oxford University Press, Oxford, 2012;			
2) Costantino Nassis, <i>Good Administration in the European Union, The Role of the European Ombudsman and the European Network of Ombudsmen</i> , Esperia Publications, London, 2009;			
3) Katja Heede, <i>European Ombudsman, redress and control at Union level</i> , Kluwer Law International, The Hague, London, Boston, 2000;			
4) Gerald E. Caiden, <i>What Really is Public Maladministration?</i> , Public Administration Review, November/December 1991, Vol. 51, No. 6;			
5) Peter Gjerloeff Bonnor, <i>The European Ombudsman: a novel source of soft law in the European Union</i> , European Law Review, Vol. 25, 2000;			
6) Simone Cadeddu, <i>The Proceedings of the European Ombudsman</i> , Law & Contemporary Problems, vol. 68, no. 1, 2004;			
7) Anne Peters, <i>The European Ombudsman and the European Constitution</i> , Common Market Law Review, Vol. 42, No.3, June 2005;			
8) Dragan Radinović, „The Ombudsman in the European Union“, <i>Legal Life</i> , 7– 8/2000;			
Number of lectures – active classes	Theoretical classes: 75	Practical classes :	
Instruction method: Lectures, consultations.			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points
Activities during lectures	30	<i>Oral exam</i>	70
Activities during practical classes			

Tests			
Seminar classes			