

Abstract

The Court of justice of the European Union as an Administrative Court

The aim of this thesis is to analyse the role of the Court of Justice of the EU as an administrative court with respect to the defined characteristics of administrative justice. The issue of administrative justice at the EU level is defined in relation to individuals (natural or legal persons) as non-privileged applicants.

The first introductory chapter defines theoretical concepts and specifications of administrative justice which are necessary for further analysis. After a short introduction, the second chapter is focused on the analysis of the historical development and ongoing reforms of the Court of Justice of the EU in relation to its function as administrative court (institutional aspect), while identifying the French administrative justice model as a key inspiration for the initial model of judicial review. The issues of the ongoing reforms are important not only to describe the development of the Court of Justice as an administrative court, but can also serve as an inspiration for solving current problems of national administrative courts.

The third chapter deals with the jurisdiction of the Court of Justice of EU with regard to proceedings initiated by individuals' actions (material aspect). Furthermore, actions for annulment, actions for failure to act and applications for compensation based on non-contractual liability of the EU brought by natural or legal person are analyzed in more detail. The analysis is followed by a comparative study of French administrative justice, which aims to verify whether the current conception of the two systems of administrative justice (EU, France) shows similarities. This chapter also provides an analysis of selected aspects with regard to the current Czech legislation (proceedings regarding public authorities' liability for damages).

The final chapter of the thesis contains a summary of previous analyses, concluding that from the *naissance* of the Court to presence the institution of Court of Justice of EU can be characterized as an administrative court and the French administrative justice can be identified as an ideological inspiration for concept of judicial review in European law.

Key words: The Court of Justice of the European Union, judicial review, administrative court