



Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union i.n.p.a.

Association des Conseils d'Etat et des Juridictions administratives suprêmes de l'Union européenne a.i.s.b.l.

INTERNSHIP REPORT

Identification of the participant

Name: Wincenciak

First name: Mirosław

Nationality: Poland

Country of exchange: Italy

Identification of the exchange

Hosting jurisdiction/institution: Italian Council of State

City: Rome

Country: Italy

Dates of the exchange: 22.09-26.09.2025



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I. Programme of the exchange

Institutions you have visited, hearings, seminars/conferences you have attended, judges/prosecutors and other judicial staff you have met...

The aim here is not to detail each of the activities but to give an overview of the contents of the exchange.

If you have received a programme from the hosting institution, please provide a copy.

Italian Council of State: I had the opportunity to meet with numerous judges of the Italian Council of State and become familiar with the specific work of their departments. I attended public hearings of sections of the Council of State. I was introduced to the history of the Italian justice system. I learned the rules of procedure used in the proceedings conducted by the Italian Council of State. I became familiar with the structure and operating principles of the Council of State's secretariats and other auxiliary units.

II. The hosting institution

Brief description of the hosting institution, its role within the court organisation of the host country, how it is functioning...

The Italian Council of State serves two functions: jurisdictional and advisory to central state authorities. It is the highest court in administrative matters. It hears appeals against decisions of regional administrative courts.

III. The law of the host country

With regard to the activities you took part in during the exchange, please develop one aspect of the host country's national law that you were particularly interested in.

I was particularly interested in Italian environmental law. I noticed many similarities between Italian and Polish legal regulations.



IV. The comparative law aspect in your exchange

What main similarities and differences could you observe between your own country and your host country in terms of organisation and judicial practice, substantial law ...? Please develop.

Legal issues, such as those related to environmental law, are very similar. An example would be decisions regarding environmental conditions. The essence of these administrative proceedings is to assess the impact of a planned investment on the natural environment. I don't see any significant differences in the legal systems of the two countries. For example, differences in court procedures stem from traditions and historical conditions in the comparisons between the countries.

V. The European aspect of your exchange

Have you had the opportunity to observe the implementation or references to the instruments of law of the EU, or/and of the European Convention on Human Rights, etc.? Name some of the main issues encountered within these contexts and explain them.

Application of EU law in environmental protection matters, in aspects such as landscape protection and noise protection.

VI. "Good Practice" within the host jurisdiction

What are some of the characteristics of administrative law or administrative litigation within the host country which should be exported to other countries (i.e. restrictive deadlines on proceedings, obligatory prior access to administrative aid, correction of contraventions to the law during the proceedings, etc.).

Italian administrative court procedure is simpler and more transparent than Polish administrative court procedure. An example is the procedure for hearing the parties to the proceedings.

VII. The benefits of the exchange

What have you gained from your work exchange? Could these gains be useful within your professional practice? How will you ensure that your colleagues benefit from the knowledge that you gain during your work exchange?

I obtained materials in English on the subject of substantive law and administrative court procedure in Italy. I will share these materials with my colleagues. The exchange of judges undoubtedly expands knowledge of the legal systems of similar countries. It is of great importance for comparative thinking. The comparative knowledge gained helps in the process of interpreting legal provisions.

VIII. Suggestions

In your opinion, what aspects of the Exchange Programme could be improved? How?

I have no comments or suggestions.