

The International Association of Supreme Administrative Jurisdictions (I.A.S.A.J.)

REPORT ON STUDY VISIT TO FINLAND

By Natalia Blazhivska, Judge of the Highest Administrative Court of Ukraine

During the period of September 26 – October 7, 2016 I have visited the city of Helsinki, Finland and participated in various professional activities jointly with judges and other legal professionals from Finland and other European countries (Poland, France, Italy, Germany etc.). The visit was arranged and supported by the International Association of Supreme Administrative Jurisdictions jointly with the Supreme Administrative Court of Finland.

Hereby below I would briefly share my views regarding the above visit and various professional activities I was proposed and participated in Helsinki within two weeks.

Summary Conclusions

It was really extremely interesting and useful visit in order to develop my professional knowledge and skills, communicate with colleagues from different countries regarding various legal topics (system of justice; procedural rules and specifics; status of judges and protection of rights and status of judges; access to legal profession; access to justice office; cooperation of legislative, executive bodies and judicial bodies; legal aid system).

All participants (including judges from other justice support exchange programs) have been focused on various issues related to justice in Finland. However, communication between participants have been also highly useful as it provided me with large portion of information regarding justice and judges' activities in many countries, but not only in Finland.

Supreme Administrative Court of Finland

The Supreme Administrative Court of Finland was the hosting institution and major place for various parts of my visit. The Supreme Administrative Court of Finland is a court of cassation instance responsible for final resolution of administrative disputes.

The Supreme Administrative Court of Finland was established in 1918. It appears to be one of the oldest administrative courts in Europe. It was highly interesting to get some historical track of development of administrative justice system in Finland as respective museum is placed directly in the premises of the Supreme Administrative Court of Finland and I have been provided with comprehensive information and comments regarding historical aspects of administrative justice development in Finland.

I have closely cooperated with Referendary Counsellor at the Supreme Administrative Court of Finland who was appointed as my supervisor during this visit. Referendary Counsellor is an officer who responsible for preliminary analysis of the cases, preparation of materials and opinions regarding legal arguments of the parties.

I have been engaged by Referendary Counsellor into review and preparation of various cases (tax law; environmental law; asylum and refugees law, local governance etc.), and discussion regarding legal arguments of the parties. It was rather interesting to be directly engaged in and provide some professional thoughts regarding the cases as many legal aspects are rather unified in Finland and Ukraine (due to influence of basic legal principles, various international treaties and European law to national laws of Finland and practices of courts).

Moreover, I have had a chance to talk to judges of the Supreme Administrative Court of Finland and the President of the Supreme Administrative Court of Finland on various topics of justice activities as well as on the ways of justice reform which is under discussion and development in Finland. It was highly interesting as Ukraine is also implementing now substantial justice and legal reform.

Administrative Court of Helsinki, Market (Competition) Court and Other Courts

I have been also provided with an opportunity to visit many other justice related institutions such as the Administrative Court of Helsinki, the Market Court of Finland, the Supreme Court of Finland and district courts.

The Market Court was the most interesting place for me as currently developed and implemented justice reform in Ukraine established respective legal basis for the Highest Court on Intellectual Property which is a judicial institution having specific competence similar to competence of the Market Court. The Market Court is a court competent for intellectual property, unfair competition, consumer rights protection, public procurement etc and some other similar cases related to compliance with fair market rules and respective regulations. This experience can be applicable for me in Ukraine as the issue of establishment of specific competence courts (tax court, bankruptcy court, competition court) is under continuing scholar and research discussions in Ukraine.

I would also like to describe briefly the outcome of my visit to the Administrative Court of Finland. I have been provided with rather interesting statistics data on cases submitted for resolution to the Administrative Court of Finland. The brightest comparison figure of 2015 and 2016 is a number of immigration, refugee and asylum cases which increase from 32% in 2015 to

63% in 2016. These figures reflect importance and scope of immigration problem which Europe faces now.

Other Bodies and Offices Engaged Into Various Activities Related to Justice

I have also visited the Ministry of Justice of Finland, Legal Aid Office, the Finnish Immigration Service Office, District Court, Police Office, Public Prosecutor Office and the Office of Non-Discrimination Ombudsman etc. I have been engaged into numerous discussions regarding the activities of all above institutions.

I would highly recommend all my colleagues – judges from different countries – to apply for participation in programs proposed and supported by the International Association of Supreme Administrative Jurisdictions. These programs provide participants with invaluable professional experience in order to upgrade professional knowledge and skills, get perfect opportunities to establish personal and professional links with colleagues from many countries and create a professional network for further cooperation, support, exchange of views and experience.

I am really thankful to the International Association of Supreme Administrative Jurisdictions for great opportunity to gain unique and invaluable international professional experience.

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