



## INTERNSHIP REPORT FOR THE IASAJ JUDGE EXCHANGE PROGRAMME

### JUDGE (PARTICIPANT):

First Name: Peter  
 First name: POTASCH  
 Nationality: Slovakian  
 Jurisdiction: The Supreme Administrative  
 Court of the Slovak Republic  
 Functions: judge, president of chamber  
 Length of Service: approx. 3 years

### HOST INSTITUTION:

Name of the Court: The Supreme Administrative  
 Court of Thailand  
 Country: Thailand  
 City: Bangkok  
 Duration of the Exchange: 25 November 2024 –  
 06 December 2024

### Main Agenda during the Internship:

- meeting with the President of the Supreme Administrative Court of Thailand – Mr. Prasitsak Meelarp and with the President of the Administrative Court in Bangkok (knowledge sharing on general matters of administrative judiciary)
- meeting with Mr. Vishnu Varunyou, Vice-President of the Supreme Administrative Court of Thailand (knowledge sharing on general matters of administrative judiciary)
- meeting with Mr. Suchat Mongkollertlop, Vice-President of the Supreme Administrative Court of Thailand (knowledge sharing on “*Alternative Dispute Resolution in Administrative Matters*”)
- visit to the Public Law Library and to the Administrative Court Museum (the Administrative Court in Bangkok/the Supreme Administrative Court of Thailand)
- attending court hearings (the Administrative Court in Bangkok/the Supreme Administrative Court of Thailand)
- briefing on “*e-Admincourt*” and presentation of the use of the “*e-Court system*” within the Thai administrative judiciary
- meeting with Mr. Manit Wongsaree, President of Chamber, the Supreme Administrative Court of Thailand, temporarily serving as President of Budgetary and Financial Discipline Division of the Supreme Administrative Court of Thailand (knowledge sharing on general matters of administrative judiciary and on matters relating to public funds etc)
- meeting with Mr. Pairoj Minden, Judge of the Supreme Administrative Court (knowledge sharing on “*Environmental Cases*”)
- lecture/presentation by the exchange judge (Peter Potasch) on „*Selected Topics Relating to the Supreme Administrative Court of the Slovak Republic and to the Slovak Administrative Judiciary*“ – knowledge sharing
- study visit at the Office of the Ombudsman
- meeting with the President of the Supreme Court of Thailand - followed by a study visit of the court
- study visit at the Office of the National Human Rights Commission

## **A) General Summary**

As indicated above, the focus area of the internship were the procedural aspects of administrative judiciary primarily by comparing the common and the differentiating features between the Thai and the Slovak systems of administrative judiciary. Knowledge sharing was executed mainly via direct participation in court hearings (attendance) with additional comments provided by the judges (either before or after the hearing) and in the form of expert discussions either on a one-on-one basis or in smaller groups of judges and judicial staff. Judge Potasch also held a lecture for the judges/judicial staff of the Supreme Administrative Court of Thailand and of the Administrative Court in Bangkok - introducing them the basic elements of the Slovak system of administrative judiciary (with a questions-and-answers session that followed the presentation).

## **B) Aspects on which the host country's legal system can be a source of discussion in the country of origin (« good practice ») include (but are not limited to) the following:**

- a) the power of the Thai administrative courts to adjudicate on monetary compensation, i.e. to award damages to the aggrieved party (within proceedings at the administrative court)
- b) the relevance of the means of alternative dispute resolution in administrative judiciary
- c) the wide applicability of e-services within administrative judiciary allowing for a better management of cases (from both perspectives – i.e. from the perspective of the parties to the proceeding and also from the perspective of judges/judicial staff)
- d) the higher [legal] variability/flexibility in the composition of chambers (their formation)
- e) the relevance of the “*rapporteur public*” or of a similar judicial position within administrative judiciary.

Initiating a discussion on the above topics could eventually prove the relevance or - on the contrary - could refute the relevance of the introduction of the above legal elements (either in their original or in some modified form) into the Slovak legal system.

## **C) Overall Assessment**

The internship allowed for a very solid practical introduction into some elements of the administrative judiciary of Thailand. The host institution provided an extremely professional support for the incoming judge (from the very first day to the very last day of the internship). The executive management of the Supreme Administrative Court of Thailand and the relevant international team organised and implemented (alongside the exchange judge), an agenda that reached far beyond the scope of the activities of the host court thus allowing the exchange judge to familiarise himself e.g. with the agenda of the Office of the Ombudsman, of the National Human Rights Commission and of the Supreme Court of Thailand. The judges and the judicial staff of the host institution (and also the staff of all the visited institutions) shared their knowledge and provided the incoming judge with a wide variety of expertise that was not only of theoretical nature but had the knowledge shared had its very source in the cases managed/decided by the relevant institutions.

Bratislava, 17 December 2024

**Peter P O T A S C H**

The Supreme Administrative Court of the Slovak Republic,  
Judge/President of Chamber