

Master's Thesis Supervisor's Expert Opinion

Student: Danquah Bimpong

Student Number: E200125

Title of Master's Thesis: Right to Good Administration of the EU

Aim of the Thesis: The aim of the thesis was to carry out an analysis of the right to good administration as guaranteed to all EU citizens by Art. 41 of the Charter of Fundamental Rights of the EU. The scope and content of the right was to be defined through analysis of the European Court of Justice and the European Court of Human Rights' case law. This relatively new phenomenon of good administration as fundamental right was also compared to the broader principle of good governance.

Thesis Supervisor: JUDr. Jan Janderová, Ph.D

Study Programme: Economic Policy and Administration

Academic Year: 2021/2022

Difficulty of the Topic

| | Excellent | Very good | Satisfactory | Unsatisfactory | Cannot be evaluated |
|---------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Theoretical knowledge | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Input data and their processing | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Methods used | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Thesis Evaluation Criteria

| | Excellent | Very good | Satisfactory | Unsatisfactory | Cannot be evaluated |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Degree of achievement of the aim of the thesis | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Original attitude to the topic processing | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Adequacy of the methods used | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Depth of analysis (relative to topic) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Logical structure of the thesis and scope | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Working with Czech and foreign literature including citations | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Formal arrangement of the thesis (text, charts, tables) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Language level (style, grammar, terminology) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Applicability of the Results of the Thesis

| | High | Medium | Low | Cannot be evaluated |
|--------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| For theory | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| For practice | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Other Comments on the Thesis

The thesis analyses on approx. 70 pages of text the concept of good administration as guaranteed to EU citizens by Article 41 of the Charter of Fundamental Rights of the European Union. To achieve the aim, the research first reviews literature to establish a theoretical background on the right to good administration: concepts of good administration, institutional framework, code of good administrative behaviour, conduct and examination of article 41 of the Charter and its application by Member States.

The thesis continues with a comparative analysis of constitutional guarantees of the right to good administration partial elements in individual Member states. The challenges and breaches by Member states are demonstrated by the ECJ case law analysis.

The literature research and the case law study were carried out thoroughly. Thus, the analysis outcomes offer a good ground for further evaluation and final synthesis. However, the discussion and findings are cursory and shallow, the thesis does not provide answers to the research questions in a comprehensive way. The recommendations are not specific enough. Thus, the outcomes being rather general barely meet the aim of the research. Moreover, the work suffers of many formal and grammatical errors that sometimes even prevent the text from being comprehensible. The literature is not cited correctly in many cases. The work thus meets all the diploma thesis requirements. For all these reasons and because of the thoroughness of the analysis part, I rate the thesis with the mark D, as shown below.

Comments on the Outputs from the Theses System

The thesis is not a plagiarism.

Questions and Suggestions for Defence

1. The need for further harmonisation of procedural law in individual Member states was identified in one of your recommendations. Kindly explain what hinders the efforts.
2. The EU adopted legislation establishing a mechanism that would allow the suspension of budget payments to a member state violating the rule of law. Kindly explain how this mechanism is triggered and how it works and provide your personal views on the situation in Hungary and the way EU is reacting to it.

Final Evaluation

I **recommend** the thesis for the defence.

I propose to grade this Master's thesis as follows: **D**

In Pardubice 10.1.2023

Signature