

SPEECH BY
H.R.H. THE PRINCE OF ASTURIAS
AT THE DINNER FOR MEMBERS OF THE
ASSOCIATION OF COUNCILS OF STATE AND
SUPREME ADMINISTRATIVE JURISDICTIONS
OF THE EUROPEAN UNION.

Madrid
9 May 2011

- Mr President of the Supreme Court and of the General Council of the Judiciary,
- Presidents and Judges of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union,
- Ladies and Gentlemen,

Good evening, and thank you very much for your kind invitation to this farewell dinner marking the end of the meetings that, under the Chairmanship of the Supreme Court of Spain, have been held in Madrid. I hope that your working sessions have been useful and productive, that all of you have had a pleasant stay here, and that you have been able to enjoy the city.

It is a real honour for me to share this event tonight with all of you, because of the prestige of the institutions over which you preside or which you represent, and their important duties towards the citizens of EU Member States. Moreover, it is a privilege to be able to learn more about the issues that you have been debating and reflecting upon, which are of such great value and importance to the present and future of us all, as citizens of Europe.

Let us not forget that this Association, which includes the highest administrative jurisdictions of EU Member States, detects problems and provides solutions to improve the functioning of administrative jurisdictions, which undoubtedly contributes to society's well-being.

Therefore, I would like to take this opportunity to pay tribute to the paramount role that courts of justice in general have played and are playing in building Europe.

Firstly, there is the Court of Justice of the European Union, which from the very beginning created a doctrine affirming the primacy of what was then called Community law over national laws, as well as the direct impact of the European institutions' own regulations when they recognised citizens' subjective rights. In

addition, the Court supervises the validity of these institutions' regulations, carrying out a function similar to that of the national administrative courts that you represent.

Furthermore, the role of national courts is no less important in this Europe-building process, since either through direct application of European laws or through consulting the European Court of Justice via questions referred for preliminary rulings, they contribute to establishing uniform interpretations and similar protection throughout the entire territory of the European Union for all its citizens.

In particular, a specific doctrine was drawn up for the protection of fundamental rights that are not expressly stipulated in the constitutional Treaties, based on Member States' common traditions. This original formula, after a series of reforms in the Treaties, has been enshrined in the European Charter of Fundamental Rights, which recently entered into force and which—as you all know—will be the subject of a future seminar, as the Association has decided.

A prime example of the vital importance of your work is guaranteeing uniform application of the law, a function traditionally reserved for the Supreme Courts, which thus ensure legal certainty and equality in how laws are applied. To do so, they rely on certain principles, common to democratic States—now, we're proud to say, enshrined in the Preamble to the Treaty on European Union—such as liberty, democracy, respect for human rights and fundamental freedoms, and rule of law.

Here, I would like to express my recognition and gratitude for the work that the Association has been carrying out these last few days, in its proven, constant efforts to provide ideas and elements of reflection able to contribute to resolving the most pressing problems faced by courts in our different countries. Many of these problems are the same, such as a rise in the number of issues submitted to the courts, and the need to respond within a reasonable period of time.

Now, at the Spanish Supreme Court—whose President I would like to thank yet again for his kind words and warm welcome—allow me to express once more my deep respect and admiration for your essential efforts on behalf of the citizens of Europe, and to encourage you in your unflinching dedication to this work. I am

absolutely convinced that cooperation among the institutions that you represent will continue to provide major benefits to a better administration of justice in the EU as a whole, and in each of its Member States.

Thank you very much.