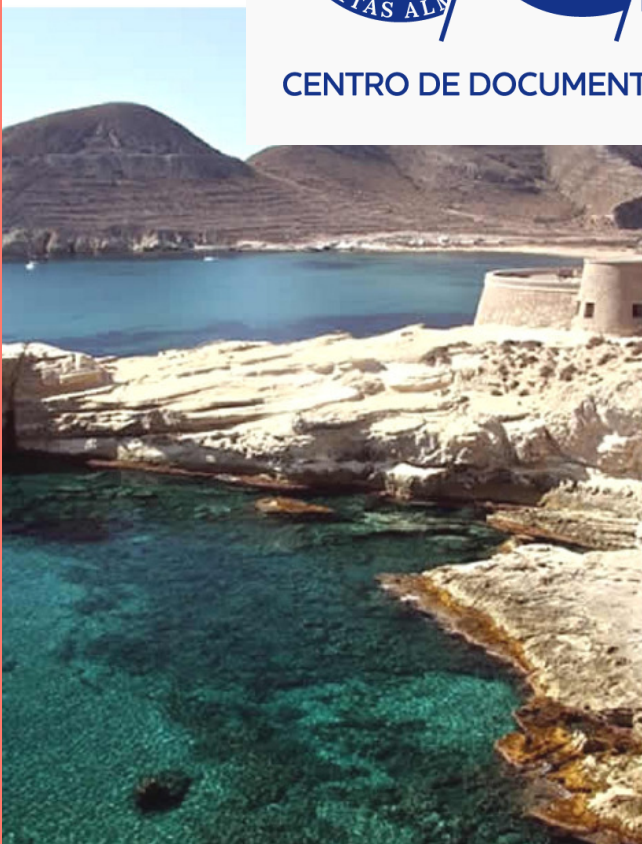


INFORMATIVE BULLETIN



CENTRO DE DOCUMENTACIÓN EUROPEA DE ALMERÍA



APRIL 2019
LAW IN THE EU
Nº5

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"PEACE AND
DIVERSITY
DEPEND ON
EVERYONE"

EUROPEAN CITIZENS' INITIATIVE: COMMISSION REGISTERS 'RESPECT FOR THE RULE OF LAW' INITIATIVE



The aim of this European Citizen Initiative is to create an "objective and impartial evaluation mechanism that allows the application of European Union values throughout the United States". In particular, the organizers urge the Commission to promote the law of a general nature. In addition, the organizers aspire to a role of European law in criminal matters (in particular, the European arrest and delivery order) and the role of the European Union Agency for Fundamental Rights.

The registration of this initiative will take place on April 8, 2019, in which a process of collecting signatures of support by the organizers that will last one year will be presented. The Commission may decide the course of the request or not, but in both cases it must give reasons for its decision.

Context

The Treaty of Lisbon introduced the European Citizens' Initiative, which was launched as a tool in the hands of citizens to define the political agenda in April 2012, at the moment when the Regulation on the citizens' initiative for which the provisions of the Treaty apply. In 2017, as part of President Juncker's speech on the state of the Union, the European Commission presented a series of proposals for reforming the European Citizens' Initiative to further facilitate its use. In December 2018, the European Parliament and the Council approved that reform. The revised standards will begin on January 1, 2020.

Once formally registered, a European Citizens' Initiative allows 1 million citizens from at least one quarter of EU Member States to invite the European Commission to propose a legal act in areas where the Commission has the power to do so.

ACCESS THE COMPLETE NEWS:



COPYRIGHT REFORM: MODERNISED RULES FIT FOR DIGITAL AGE



The European Parliament has recently voted in favor of the new Directive on copyright, designed to bring tangible benefits to all citizens, the creative sectors, the press, researchers, educators and cultural heritage institutions.

This Directive protects creativity in the digital age and ensures that EU citizens benefit from wider access to content and new guarantees to fully protect their freedom of expression online. The new rules will consolidate the creative industries, which represent 11.65 million jobs and 6.8% of GDP, and whose value amounts to 915,000 million euros per year.

This vote guarantees the right balance between the interests of all actors (users, creators, authors and the press), while establishing proportionate obligations for online platforms.

The Copyright Directive protects freedom of expression, an essential value of the European Union. It establishes solid safeguards for users, making it clear that anywhere in Europe the use of existing works for purposes of appointment, criticism, review, caricature and parody is explicitly allowed. This means that memes and other similar forms of parody can be used freely. The interests of the users are also preserved through effective mechanisms to quickly challenge any unjustified suppression of their content by the platforms.

At the same time, the Directive will improve the position of creators and publishers in negotiations with large platforms that take advantage of their content to a large extent. Writers, journalists, singers, musicians and actors will find it easier to negotiate better contracts with their publishers or producers. In addition, the new rules will allow research organizations, universities, learning centers, libraries and museums to use more online content. The Directive takes into account new technologies to ensure that researchers can take full advantage of text and data mining.

ACCESS THE COMPLETE NEWS:



MALTA AND SLOVAKIA: MEPS WARN OF LACK OF JUDICIAL INDEPENDENCE AND CORRUPTION



MEPs deplore serious shortcomings in the rule of law in Malta and Slovakia, also warning of rising threats for journalists throughout the EU.

The Parliament approved on 28 March, with 398 votes against 85 and 69 abstentions, a resolution that summarizes the conclusions of the working group established within the Civil Liberties Committee to monitor the situation of the rule of law in the EU, particularly in Malta and Slovakia, after the murders of journalists Daphne Caruana Galizia and Ján Kuciak and his girlfriend Martina Kušnírová.

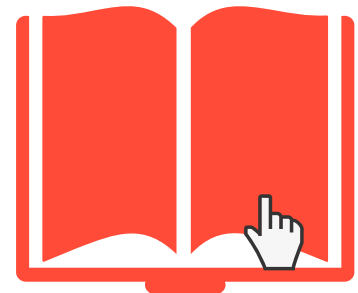
Malta

MEPs call on EU institutions and member states to launch an independent international public inquiry into the murder of Daphne Caruana Galizia and the alleged cases of corruption, financial crimes, money laundering, fraud and tax evasion denounced by her. They involve senior Maltese officials. Classification of current and previous public officials.

Slovakia

MEPs welcome the charges brought by the Slovak authorities against the alleged instigator of the killings of Ján Kuciak and Martina Kušnírová and urge the investigation to continue at the national and international level, by all available means. All aspects of the case should be investigated in full, including possible political links to the crimes, they add.

RELATED DOCUMENT:
ANTI-CORRUPTION PROVISIONS IN EU FREE
TRADE AND INVESTMENT AGREEMENTS



ACCESS THE COMPLETE NEWS:



EUROPEAN CITIZENS' INITIATIVE: COMMISSION REGISTERS '#NEWRIGHTSNOW' INITIATIVE



Last March 26, the European Commission decided to register a European Citizen Initiative entitled "#NewRightsNow - Reinforce the rights of the" uberised "workers".

The organizers call on the Commission to ensure that "digital platforms have the obligation to pay a guaranteed minimum income to workers on their own account" who work for them regularly ». The organizers maintain that this measure "would guarantee and stabilize their income and [...], in particular, would curb the job insecurity of the" uberized "workers".

Under the Treaties, the EU can take legal action to enable Europeans to carry out activities on their own. Consequently, the Commission has considered that the initiative is legally admissible and has decided to register it in the register. At this stage of the process, the Commission has not yet analyzed the substance of the initiative, but only its legal admissibility.

The registration of this Initiative will take place on April 1, 2019, which will start a process of collecting signatures of support from its organizers that will last one year. If the initiative receives one million statements of support within one year, from at least seven different Member States, the Commission must analyze it and decide within three months. The Commission may decide to proceed with the request or not, but in both cases it must justify its decision.

Once officially registered, the European citizens' initiative allows 1 million citizens of at least a quarter of the EU Member States to ask the European Commission to present legislative proposals in areas where they have the competence to do so.

ACCESS THE COMPLETE NEWS:



MEPS CALL FOR EU MAGNITSKY ACT TO IMPOSE SANCTIONS ON HUMAN RIGHTS ABUSERS



The EP has endorsed a resolution calling for new EU human rights sanctions to punish state and non-state actors responsible for serious violations of human rights.

In a resolution adopted in mid-March, the European Parliament calls for the establishment of a new sanctions regime at EU level to impose asset freezes and visa bans on people involved in serious human rights violations. The list should include state and non-state actors who have contributed, physically, financially or through acts of systemic corruption, to such abuses and crimes, throughout the world.

MEPs affirm that the decision to list and eliminate the people involved should be based on clear, transparent and specific criteria, directly related to the crime committed, in order to guarantee a thorough judicial review and the redress of rights. They also urge the EU countries to establish a mechanism to impose sanctions and have European supervision, since in recent months there have also been cases in which European companies and countries have violated EU sanctions.

The new sanctions regime would strengthen the role of the EU as a global human rights actor and should symbolically bear the name of Sergei Magnitsky, a Russian tax accountant who investigated corruption who died in a Moscow prison in 2009, after suffering inhuman conditions and tortures.

EUROPEAN PARLIAMENT REPORT:

TARGETED SANCTIONS AGAINST
INDIVIDUALS ON GROUNDS OF GRAVE
HUMAN RIGHTS VIOLATIONS –
IMPACT, TRENDS AND PROSPECTS
AT EU LEVEL (APRIL 2018)



ACCESS THE COMPLETE NEWS:



PROTECTION FOR TOURISTS: COMMISSION REFERS IRELAND TO THE COURT OF JUSTICE FOR FAILING TO PROVIDE EU RULES ON PACKAGE TRAVEL



The European Commission decided to refer Ireland to the EU Court of Justice for failing to transpose the EU rules on package travel (Directive (EU) 2015/2302) to national legislation. The Commission will request the Court to impose the lump sum payment based on a daily amount of € 3,808.80 with the minimum minimum amount of € 1,181,000 and a daily penalty of € 15,996.96. The amount of sanctions is calculated taking into account the severity and duration of the infringement, as well as the payment capacity of the Member State and its institutional weight.

The modernized package travel rules guarantee clearer information for travelers, including the obligation to indicate their price and any additional charges when booking vacation packages. EU rules also ensure stronger cancellation rights, clearer rules on liability, reimbursement and repatriation in case the organizers go bankrupt. There are also clearer and easier rules for companies when they carry out cross-border activities.

In November 2015, Member States agreed to transpose EU rules into national legislation before 1 January 2018 and should enter into force on 1 July 2018. In March 2018, the Commission initiated the infringement procedure sending a letter of formal notification to Ireland, followed by a reasoned opinion in November 2018. To date, Ireland has not yet notified the full transposition of the Directive into its national legislation. Therefore, the Commission has decided to refer the case to the CJEU.

Background

The combined travel legislation of the EU (the Package Travel Directive, Directive (EU) 2015/2302) replaces the previous rules from 1990 (Council Directive 90/314 / EEC) and adapts the scope of the protection of travelers to the market and technological advances. The current Directive covers not only traditional holiday packages, but also protects consumers who book other forms of package travel, including personalized packages, where the traveler chooses different items from a single point of sale online or offline . The Directive also harmonises the national laws of the Member States on a series of passenger rights in the combination of different travel services (transport, accommodation, car rental and other travel services).

ACCESS THE COMPLETE NEWS:



EU BUDGET FOR 2021-2027: PROVISIONAL AGREEMENT REACHED ON THE FINANCIAL PROGRAMME TO SUPPORT JUSTICE AREA



At the beginning of March, the European Parliament and the Council reached an interim agreement on the Justice program 2021-2027 proposed by the European Commission in May 2018. This new program will support the development of an integrated European justice area based on the rule of law, mutual recognition and mutual trust.

The Justice program with a budget of € 305 million will finance activities such as:

- Awareness and training of judges, prosecutors and other professionals to improve their knowledge of Union policies.
- Promote the exchange of good practices among stakeholders, including public authorities, research institutes, legal professionals and NGOs;
- Develop the use of technology in the justice system to improve its efficiency, facilitate cooperation and cross-border interoperability;
- Develop the capacity of networks at European level and European judicial networks;
- Organize follow-up activities to improve knowledge and understand possible obstacles to the proper functioning of a European area of justice.

Background

The new Justice program is based on the current Justice program (2014-2020). Since 2014, the Justice Program has helped to defend and promote the common values of the Union and to create an area of freedom, security and justice. It has been an important tool to support the changes introduced in this area by the Treaty of Lisbon.

EU BUDGET: A NEW SOCIAL FUND, GLOBALISATION ADJUSTMENT FUND AND JUSTICE, RIGHTS AND VALUES FUND



ACCESS THE COMPLETE NEWS:



CASE-LAW

AGRICULTURE

CASE C-278/18 SEQUEIRA MESQUITA V FAZENDA PÚBLICA. JUDGMENT OF THE COURT (EIGHTH CHAMBER) OF 28 FEBRUARY 2019

Summary: Main proceedings. Reference for a preliminary ruling - Value added tax (VAT) - Directive 77/388 / EEC - Exemption - Article 13, B, letter b) - Leasing of immovable property - Concept - Contract for the transfer of agricultural holdings of rural properties consisting of vineyards .

Publication date: 28-02-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling proceedings, value added tax, VAT, lease of property and real estate, assignment contract, agricultural exploitation of rural properties, vineyards


Celex Code: 62018CJ0278

CASE T-177/16 MEMA V OCVV (BRAEBURN 78 (11078)). JUDGMENT OF THE GENERAL COURT (THIRD CHAMBER) OF 5 FEBRUARY 2019.

Summary: Main proceedings. Plant Variety - Application for the granting of Community plant variety protection for the plant variety Braeburn 78 (11078) - Designation of another Examination Office - Scope of the examination to be carried out by the Board of Appeal - Obligation to state reasons

Publication date: 05-02-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main procedure, plant varieties, plant variety Braeburn 78

Celex Code: 62016TJ0177

CASE T-139/15 HUNGARY V COMMISSION. JUDGMENT OF THE COURT (FOURTH CHAMBER) OF 12 MARCH 2019.

Summary: Main proceedings. EAGGF - Guarantee Section - EAGF - Sugar - Temporary scheme for the restructuring of the sugar sector in the European Community - Regulation (EC) No 320/2006 - Regulation (EC) No 968/2006 - Expenditure excluded from the Financing - Expenditure incurred by Hungary - Requirements for the granting of the full decommissioning aid and the partial dismantling aid - Concept of "production facilities" - Assessment of the use of silos on the date of submission of the aid application - Concept of "complete dismantling" - Appendix 2 of document VI / 5330/97 - Difficulties of interpretation of Union regulations - Loyal cooperation

Publication date: 12-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, EAGGF, sugar, agri-food sector, restructuring of the sugar sector, grant of aid, dismantling, difficulties of interpretation of European legislation, loyal cooperation, Hungary

Celex Code: 62015TJ0139

EU SINGLE MARKET

CASE C-275/18 VINŠ V ODVOLACÍ FINANČNÍ ŘEDITELSTVÍ. JUDGMENT OF THE COURT (THIRD CHAMBER) OF 28 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling - Common system of value added tax - Directive 2006/112 / EC - Article 131 and Article 146, paragraph 1, point a - Exemption of deliveries of goods issued or transported outside the European Union - Condition of exemption provided for by national law - Inclusion of goods under a particular customs regime - Proof of inclusion in the export regime

Publication date: 28-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, value added tax, VAT, delivery of goods, transport outside the European Union, exemption provided for by national law, specific customs regime, exports, Czech Republic

Celex Code: 62018CJ0275

CASE C-681/17 SLEWO V LEDOWSKI. JUDGMENT OF THE COURT (SIXTH CHAMBER) OF 27 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling - Protection of consumers - Directive 2011/83 / EU - Article 6, paragraph 1, letter k), and Article 16, letter e) - Contract concluded at a distance - Right of withdrawal - Exceptions - Concept of 'sealed goods which are not suitable to be returned for reasons of health protection or hygiene and have been unsealed after delivery' - Mattress whose protection has been withdrawn by the consumer after delivery

Publication date: 27-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, consumer protection, distance contract, right of withdrawal, unsealed mattress, Germany

Celex Code: 62017CJ0681

CASE C-245/18 TECNOSERVICE INT. V POSTE ITALIANE. JUDGMENT OF THE COURT (TENTH CHAMBER) OF 21 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling - Payment services in the internal market - Directive 2007/64 / EC - Article 74, paragraph 2 - Order of payment by transfer - Incorrect unique identifier provided by the payer - Execution of the payment operation according to the unique identifier - Responsibility of the beneficiary's payment service provider

Publication date: 21-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, payment services, internal market, payment by transfer, incorrect unique identifier, consumption, liability of the supplier

Celex Code: 62018CJ0245

ENVIRONMENT

CASE C-60/18 TALLINNA VESI V KESKKONNAAMET. JUDGMENT OF THE COURT (SECOND CHAMBER) OF 28 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling - Environment - Residues - Directive 2008/98 / EC - Reuse and recovery of waste - Specific criteria on the end of the status of waste from sewage sludge subjected to recovery treatment - No criteria developed at Union level European or national

Publication date: 28-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main procedure, preliminary ruling procedure, environment, waste, reuse of waste, criteria, recovery treatment, sewage sludge, non-existent criteria, national scale, European scale, Estonia

Celex Code:62018CJ0060

CASE C-498/17 EUROPEAN COMMISSION V ITALIAN REPUBLIC. JUDGMENT OF THE COURT (FIFTH CHAMBER) OF 21 MARCH 2019.

Summary: Main proceedings. Breach of State - Directive 1999/31 / EC - Article 14, letters b) and c) - Waste disposal - Existing landfills - Infringement

Publication date: 21-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main procedure, waste disposal, existing landfill, breach of State, Italy


Celex Code: 62017CJ0498

CASE C-399/17 EUROPEAN COMMISSION V CZECH REPUBLIC. JUDGMENT OF THE COURT (FIRST CHAMBER) OF 14 MARCH 2019.

Summary: Main proceedings. Failure of State to comply - Regulation (EC) No. 1013/2006 - Removal of waste - Refusal of the Czech Republic to guarantee the return of the TPS-NOLO mixture (Geobal) moved from that member state to Poland - Existence of a waste - Burden of proof - Test

Publication date: 14-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main procedure, environment, waste transfer, TPS-NOLO mixture (Geobal), Czech Republic, Poland, burden of proof

Celex Code: 62017CJ0399


SECURITY AND DEFENCE

CASE C-129/18 SM V ENTRY CLEARANCE OFFICER, UK VISA SECTION. JUDGMENT OF THE COURT (GRAND CHAMBER) OF 26 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — Citizenship of the European Union — Right of citizens of the Union and their family members to move and reside freely within the territory of the Member States — Directive 2004/38/EC — Family members of a citizen of the Union — Article 2(2)(c) — 'Direct descendant' — Child in permanent legal guardianship under the Algerian kafala (provision of care) system — Article 3(2)(a) — Other family members — Article 7 and Article 24(2) of the Charter of Fundamental Rights of the European Union — Family life — Best interests of the child.

Publication date: 26-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling proceedings, citizenship of the European Union, family members, right to move and reside, direct descendant, minor under legal guardianship, kafala, Algeria, child's best interests, UK

Código Celex:62018CJ0129

CASE C-465/17 FALCK RETTUNGSDIENSTE GMBH AND FALCK A/S V STADT SOLINGEN. JUDGMENT OF THE COURT (THIRD CHAMBER) OF 21 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — Public procurement — Directive 2014/24/EU — Article 10(h) — Specific exclusions for service contracts — Civil defence, civil protection and danger prevention services — Non-profit organisations or associations — Patient transport ambulance services — Transport by qualified ambulance.

Publication date: 21-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main procedure, preliminary ruling procedure, public procurement, specific exclusions, civil defense services, civil protection, risk prevention, Non-profit organizations or associations, ambulance


Celex Code:62017CJ0465

CASE C-444/17 PRÉFET DES PYRÉNÉES-ORIENTALES V ABDELAZIZ ARIB AND OTHERS. JUDGMENT OF THE COURT (GRAND CHAMBER) OF 19 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Regulation (EU) 2016/399 — Article 32 — Temporary reintroduction of border control by a Member State at its internal borders — Illegal entry of a third-country national — Equation of internal borders with external borders — Directive 2008/115/EC — Scope — Article 2(2)(a).

Publication date: 19-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, area of freedom, security and justice, border control, asylum, immigration, restoration of internal borders, irregular entry, third country national, France

Celex Code: 62017CJ0444

RESEARCH AND INNOVATION

CASE C-680/16 P DR. AUGUST WOLFF GMBH & CO. KG ARZNEIMITTEL AND REMEDIA D.O.O. V EUROPEAN COMMISSION. JUDGMENT OF THE COURT (FOURTH CHAMBER) OF 27 MARCH 2019.

Summary: Main proceedings. Appeal — Medicinal products for human use — Directive 2001/83/EC — Article 30(1) — Committee for Medicinal Products for Human Use — Referral of a matter to the committee subject to the absence of a previous national decision — Active substance estradiol — Decision of the European Commission ordering the Member States to revoke or vary marketing authorisations for medicinal products with 0.01% estradiol by weight for topical use.

Publication date: 27-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, appeal, remedies for human use, health, estradiol active substance, national marketing authorizations, Germany

Celex Code: 62016CJ0680

CASE C-443/17 ABRAXIS BIOSCIENCE LLC V COMPTROLLER GENERAL OF PATENTS. JUDGMENT OF THE COURT (FOURTH CHAMBER) OF 21 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — Medicinal product for human use — Supplementary protection certificate for medicinal products — Regulation (EC) No 469/2009 — Article 3(d) — Conditions for granting — Grant of first authorisation to place the product on the market as a medicinal product — Authorisation covering a product as a medicinal product constituting a new formulation of a known active ingredient.

Publication date: 21-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, medicinal product for human use, certificate, protection of medicinal products, marketing, new formulation, active principle

Celex Code: 62017CJ0443

CASE C-21/18 TEXTILIS LTD AND OZGUR KESKIN V SVENSKT TENN AKTIEBOLAG. JUDGMENT OF THE COURT (FIFTH CHAMBER) OF 14 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — EU trade mark — Concept of 'shape' — Shape giving substantial value to the goods — Two-dimensional mark — Figurative mark also constituting a work for the purpose of copyright — Regulation (EC) No 207/2009 — Article 7(1)(e)(iii) — Regulation (EU) 2015/2424.

Publication date: 14-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, provisional measures, plant protection products, oxasulfuron, active substance, marketing effects, nonexistence of urgency.

Celex Code: 62018CJ0021

EDUCATION Y CULTURE

CASE C-621/16 P EUROPEAN COMMISSION V ITALIAN REPUBLIC. JUDGMENT OF THE COURT (GRAND CHAMBER) 26 MARCH 2019

Summary: Main proceedings. Appeal — Rules on languages — Open competition for the recruitment of administrators — Notice of competition — Administrators (AD 5) — Administrators (AD 6) in the field of data protection — Knowledge of languages — Restriction of the choice of language 2 of the competitions to English, French and German — Language of communication with the European Personnel Selection Office (EPSO) — Regulation No 1 — Staff Regulations — Discrimination based on language — Justification — Interests of the service — Judicial review.

Publication date: 26-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, appeal for annulment, linguistic regime, general competitions, selection of administrators, convocation, linguistic knowledge, choice of second language, European Personnel Selection Office (EPSO), discrimination on the basis of language, interest in the service, Italy

Celex Code: 62016CJ0621

CASE C-449/17 A & G FAHRSCHUL-AKADEMIE GMBH V FINANZAMT WOLFENBÜTTEL. JUDGMENT OF THE COURT (FIRST CHAMBER) OF 14 MARCH 2019.

Summary: Main proceedings. Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC — Article 132(1)(i) and (j) — Exemption for certain activities in the public interest — School or university education — Concept — Driving school tuition provided by a driving school.

Publication date: 14-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, preliminary ruling procedure, value added tax, VAT, exemption in favor of certain activities, school or university education, driving lessons, driving school

Celex Code: 62017CJ0449

CASE C-377/16 SPAIN V EUROPEAN PARLIAMENT. JUDGMENT OF THE COURT (GRAND CHAMBER) 26 MARCH 2019.

Summary: Main proceedings. Actions for annulment — Rules on languages — Selection procedure for contract staff — Call for expressions of interest — Drivers — Function group I — Knowledge of languages — Restriction of the choice of language 2 of the selection procedure to English, French and German — Language of communication — Regulation No 1 — Staff Regulations — Conditions of Employment of Other Servants — Discrimination based on language — Justification — Interests of the service.

Publication date: 26-03-2019

Author: Court of Justice

Link: [CLICK HERE](#) 

Keywords: Main proceedings, appeal for annulment, linguistic regime, selection procedure, contract agents, drivers, linguistic knowledge, second language choice, discrimination on the basis of language, Spain

Celex Code: 62016CJ0377

LEGISLATION


AGRICULTURE

COMMISSION REGULATION (EU) 2019/343 OF 28 FEBRUARY 2019 PROVIDING DEROGATIONS FROM ARTICLE 1(3) OF REGULATION (EC) NO 1924/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON NUTRITION AND HEALTH CLAIMS MADE ON FOOD FOR THE USE OF CERTAIN GENERIC DESCRIPTORS

Summary: This Regulation establishes that the generic descriptors set out in the Annex to this Regulation are exempt from the application of Article 1 (3) of Regulation (EC) No 1924/2006, under the conditions set out in that Annex.

Publication date: 01-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, nutritional declarations, healthy properties, nutrition, generic descriptors


Celex Code: 32019R0343

COUNCIL DECISION (EU) 2019/385 OF 4 MARCH 2019 ON THE CONCLUSION OF THE PROTOCOL ON THE IMPLEMENTATION OF THE FISHERIES PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF CÔTE D'IVOIRE (2018-2024)

Summary: The Protocol on the application of the Association Agreement in the fisheries sector between the European Union and the Republic of Côte d'Ivoire (2018-2024) is hereby approved on behalf of the Union

Publication date: 12-03-2019

Author: Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Decisions, legal acts, binding legal elements, agreements, fisheries sector, Côte d'Ivoire.


Celex Code: 1552384149910

COMMISSION IMPLEMENTING REGULATION (EU) 2019/388 OF 11 MARCH 2019 AUTHORISING THE CHANGE OF THE SPECIFICATIONS OF THE NOVEL FOOD 2'-FUCOSYLLACTOSE PRODUCED WITH ESCHERICHIA COLI K-12 UNDER REGULATION (EU) 2015/2283 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AND AMENDING COMMISSION IMPLEMENTING REGULATION (EU) 2017/2470

Summary: The entry of the Union list of authorized new foods referred to in Article 6 of Regulation (EU) 2015/2283 and included in Implementing Regulation (EU) 2017/2470, corresponding to the new food 2'-fucosyl- lactose produced with strain K-12 of Escherichia coli, shall be modified in accordance with the annex to this Regulation.

Publication date: 12-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, food, lactose, Escherichia coli

Celex Code: 1552384149910

SINGLE EU MARKET

COUNCIL DECISION (EU) 2019/349 OF 22 FEBRUARY 2019 ESTABLISHING THE POSITION TO BE TAKEN ON BEHALF OF THE EUROPEAN UNION WITHIN THE COMMITTEE ON GOVERNMENT PROCUREMENT OF THE WORLD TRADE ORGANISATION ON THE ACCESSION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE REVISED AGREEMENT ON GOVERNMENT PROCUREMENT IN THE CONTEXT OF ITS WITHDRAWAL FROM THE EUROPEAN UNION

Summary: The position to be adopted on behalf of the Union within the Committee on Government Procurement (hereinafter referred to as the 'ACP Committee') will be to approve the accession of the United Kingdom to the Revised Agreement on Government Procurement (hereinafter referred to as 'ACP'). Reviewed").

Publication date: 04-03-2019

Author: Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Decisions, legal acts, legal elements, Brexit, UK, Northern Ireland, Public Procurement

Celex Code: 32019D0349

COMMISSION IMPLEMENTING REGULATION (EU) 2019/317 OF 11 FEBRUARY 2019 LAYING DOWN A PERFORMANCE AND CHARGING SCHEME IN THE SINGLE EUROPEAN SKY AND REPEALING IMPLEMENTING REGULATIONS (EU) NO 390/2013 AND (EU) NO 391/2013.

SUMMARY: This Regulation establishes the necessary measures for the operation of performance evaluation and pricing systems for air navigation services and network functions. In addition, it applies to the provision of air navigation services and network functions for general air traffic in the European region ("EUR") of the International Civil Aviation Organization ("ICAO"), in which the Member States they are responsible for the provision of air navigation services.

Publication date: 02-25-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, single European sky, aviation, air navigation.


Celex Code: 32019R0317

COMMISSION IMPLEMENTING REGULATION (EU) 2019/386 OF 11 MARCH 2019 LAYING DOWN RULES WITH REGARD TO THE APPORTIONMENT OF TARIFF RATE QUOTAS FOR CERTAIN AGRICULTURAL PRODUCTS INCLUDED IN THE WTO SCHEDULE OF THE UNION FOLLOWING THE WITHDRAWAL OF THE UNITED KINGDOM FROM THE UNION AND WITH REGARD TO IMPORT LICENCES ISSUED AND IMPORT RIGHTS ALLOCATED UNDER THOSE TARIFF RATE QUOTAS

Summary: The tariff quotas for certain agricultural products included in the Union's schedule of concessions and commitments annexed to the General Agreement on Tariffs and Trade 1994 will be shared between the Union and the United Kingdom

Publication date: 12-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, customs, commerce, United Kingdom.

Celex Code: 1552384149910

ENVIRONMENT

COMMISSION IMPLEMENTING REGULATION (EU) 2019/533 OF 28 MARCH 2019 CONCERNING A COORDINATED MULTIANNUAL CONTROL PROGRAMME OF THE UNION FOR 2020, 2021 AND 2022 TO ENSURE COMPLIANCE WITH MAXIMUM RESIDUE LEVELS OF PESTICIDES AND TO ASSESS THE CONSUMER EXPOSURE TO PESTICIDE RESIDUES IN AND ON FOOD OF PLANT AND ANIMAL ORIGIN

Summary: During the years 2020, 2021 and 2022, Member States will take and analyze samples of the combinations of pesticides and products listed in Annex I. The number of samples of each product, including foods for infants and young children and products from organic farming, will be as shown in Annex II, being repealed the Implementation Regulation (EU) 2018/555.

Publication date: 29-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulation, legal acts, binding legal elements, pesticides, organic farming, sustainability

Celex Code: 32019R0533

COMMISSION IMPLEMENTING REGULATION (EU) 2019/550 OF 2 APRIL 2019 APPROVING AN AMENDMENT TO THE SPECIFICATION FOR A PROTECTED DESIGNATION OF ORIGIN OR A PROTECTED GEOGRAPHICAL INDICATION 'TIERRA DE LEÓN' (PDO)

Summary: By this Regulation is approved the modification of the specifications for the denomination "Land of León" (PDO) published in the Official Journal of the European Union.

Publication date: 05-04-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, protected designation of origin, geographical indication

Celex Code: 1554717807154

COMMISSION DECISION (EU) 2019/70 OF 11 JANUARY 2019 ESTABLISHING THE EU ECOLABEL CRITERIA FOR GRAPHIC PAPER AND THE EU ECOLABEL CRITERIA FOR TISSUE PAPER AND TISSUE PRODUCTS (NOTIFIED UNDER DOCUMENT C(2019) 3) (TEXT WITH EEA RELEVANCE.)

Summary: Decision adopted by the Commission establishing the criteria of the EU Ecolabel for graphic paper and the criteria of the EU Ecolabel for tissue paper and tissue products.

Publication date: 11-01-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: legal acts, eco-label, Regulation (EC) No 66/2010, graphic paper, tissue paper, wrapping paper, photo paper, papermaking

Celex Code: 32019D0070

SECURITY AND DEFENCE

DIRECTIVE 2012/29/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 25 OCTOBER 2012 ESTABLISHING MINIMUM STANDARDS ON THE RIGHTS, SUPPORT AND PROTECTION OF VICTIMS OF CRIME, AND REPLACING COUNCIL FRAMEWORK DECISION 2001/220/JHA

Summary: The purpose of this Directive is to ensure that victims of crime receive adequate information, support and protection and that they can participate in criminal proceedings.

Publication date: 14-11-2012

Author: European Parliament, Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Directives, legal acts, binding legal elements, terrorism, protection of victims, criminal proceedings.

Celex Code: 32012L0029

DIRECTIVE (EU) 2017/541 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 15 MARCH 2017 ON COMBATING TERRORISM AND REPLACING COUNCIL FRAMEWORK DECISION 2002/475/JHA AND AMENDING COUNCIL DECISION 2005/671/JHA

Summary: This Directive establishes minimum standards relating to the definition of criminal offenses and sanctions in the field of terrorist offenses, offenses related to a terrorist group and offenses related to terrorist activities, as well as protection, support and assistance measures to the victims of terrorism.

Publication date: 31-03-2017

Author: European Parliament; Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Directives, legal acts, binding legal elements, terrorism, fight against terrorism, human dignity, freedom, equality, solidarity, Rule of Law

Celex Code: 32017L0541

COUNCIL IMPLEMENTING REGULATION (EU) 2019/350 OF 4 MARCH 2019 IMPLEMENTING REGULATION (EU) NO 36/2012 CONCERNING RESTRICTIVE MEASURES IN VIEW OF THE SITUATION IN SYRIA

Summary: Annex II to Regulation (EU) No 36/2012 is amended as set out in the Annex to this Regulation.

Publication date: 04-03-2019

Author: Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding legal elements, Syria, ministerial appointments, governmental changes

Celex Code: 32019R0350&

RESEARCH AND INNOVATION

REGULATION (EU) 2019/517 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 19 MARCH 2019 ON THE IMPLEMENTATION AND FUNCTIONING OF THE .EU TOP-LEVEL DOMAIN NAME AND AMENDING AND REPEALING REGULATION (EC) NO 733/2002 AND REPEALING COMMISSION REGULATION

Summary: This Regulation applies the first-level country code domain ("ccTLD") ".eu" and its variants available in other alphabets in order to support the digital single market, create an identity of the Online Union and promote cross-border online activities. It also establishes the conditions for its application, including the designation and characteristics of the Registry.

Publication date: 19-03-2019

Author: European Parliament; Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Regulation, legal acts, binding legal elements, online environment, market, first level domains, generic domains, domain name protocols.

Celex Code: 32019R0517

COMMISSION IMPLEMENTING REGULATION (EU) 2019/530 OF 27 MARCH 2019 DESIGNATING EUROPEAN UNION REFERENCE LABORATORIES FOR PESTS OF PLANTS ON INSECTS AND MITES, NEMATODES, BACTERIA, FUNGI AND OOMYCETES, VIRUSES, VIROIDS, AND PHYTOPLASMAS

Summary: This Regulation establishes reference laboratories of the European Union (hereinafter referred to as 'LR-EU') for the following categories of plant pests: insects and mites, nematodes, bacteria, fungi and oomycetes, and viruses, viroids and phytoplasmas. , whose designation should be reviewed periodically.

Publication date: 29-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Regulation, legal acts, binding legal elements, reference laboratories, insects and mites, nematodes, bacteria, fungi and oomycetes, viruses, viroids, phytoplasmas.

Celex Code: 32019R0530

COUNCIL DECISION (EU) 2019/274 OF 11 JANUARY 2019 ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION AND OF THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE AGREEMENT ON THE WITHDRAWAL OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FROM THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY.

Summary: This Decision authorizes the signing, on behalf of the Union and the European Atomic Energy Community, of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community , subject to the conclusion of said Agreement.

Publication date: 19-02-2019

Author: Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Decisions, legal acts, binding legal elements, Atomic Energy, European Atomic Energy Community, Euratom, Constitutive Treaty

Celex Code: 1550651358894

EDUCATION Y CULTURE

DECISION NO 445/2014/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 16 APRIL 2014 ESTABLISHING A UNION ACTION FOR THE EUROPEAN CAPITALS OF CULTURE FOR THE YEARS 2020 TO 2033 AND REPEALING DECISION NO 1622/2006/EC

Summary: This Decision establishes the action of the Union called "European Capitals of Culture" for the period 2020 to 2033 ("the action").

Publication date: 03-05-2014

Author: European Parliament; Council of the European Union

Link: [CLICK HERE](#) 

Keywords: Decisions, legal acts, binding legal elements, culture, cultural heritage, European capitals of culture

Celex Code: 32014D0445

COMMISSION DECISION (EU) 2019/434 OF 27 FEBRUARY 2019 ON THE PROPOSED CITIZENS' INITIATIVE ENTITLED 'EUROPE CARES – INCLUSIVE QUALITY EDUCATION FOR CHILDREN WITH DISABILITIES'.

Summary: With this Decision, the proposal for a citizens' initiative entitled "Europe CARES: an inclusive quality education for children with disabilities" is registered.

Publication date: 19-03-2019

Author: European Commission

Link: [CLICK HERE](#) 

Keywords: Decisions, legal acts, binding legal elements, citizen initiatives, Europe CARES, disability, education

Celex Code: 32019D0434

REGULATION (EU) 2019/499 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 25 MARCH 2019 LAYING DOWN PROVISIONS FOR THE CONTINUATION OF ONGOING LEARNING MOBILITY ACTIVITIES UNDER THE ERASMUS+ PROGRAMME ESTABLISHED BY REGULATION (EU) NO 1288/2013, IN THE CONTEXT OF THE WITHDRAWAL OF THE UNITED KINGDOM FROM THE UNION

Summary: This Regulation lays down provisions for the continuation of the mobility activities for learning purposes referred to in Articles 7 and 13 of Regulation (EU) No 1288/2013 which take place in the United Kingdom or in which entities participate or persons from the United Kingdom, and who have begun, at the latest, on the date on which the Treaties cease to apply to the United Kingdom.

Publication date: 27-03-2019

Author: European Parliament; Council of Europe

Link: [CLICK HERE](#) 

Keywords: Regulations, legal acts, binding element, education, mobility, RU, Treaties, Erasmus +

Celex Code:1554893641035

EUROPEAN COURT OF HUMAN RIGHTS

CASE OF SALLUSTI V. ITALY (APPLICATION NO. 22350/13)

Summary: The applicant alleged that his conviction for defamation through the press and for not exercising control over the content of articles published in a newspaper headed by him had violated his right to freedom of expression, as guaranteed by Article 10 of the Convention.

Publication date: 07-03-2019

Author: European Court of Human Rights

Link: [CLICK HERE](#) 

Keywords: Sentences, demands, violation art. 10, freedom of expression

CASE OF VELEČKA AND OTHERS V. LITHUANIA (APPLICATIONS NOS. 56998/16 AND 3 OTHERS)

Summary: The plaintiffs had previously agreed to carry out criminal activities, using firearms, as members of a criminal organization. In May 2011, the pre-trial investigation was opened. It was suspected that criminal activities were planned in Lithuania, Russia, Ukraine, Latvia, the United Kingdom, the Netherlands and Spain. In the context of that investigation, the plaintiffs were arrested on January 22, 2013. The plaintiffs complain about the manner and term of their detention.

Publication date: 26-03-2019

Author: European Court of Human Rights

Link: [CLICK HERE](#) 

Keywords: Sentences, demands, right to freedom and security, duration of provisional detention, violation art. 5, Lithuania.

CASE OF KUNERT V. POLAND (APPLICATION NO. 8981/14)

Summary: The complainant alleges that during his detention in the Wrocław Detention Center he had been held in overcrowded cells in which the space per person had been below the minimum legal standard in Poland of 3 square meters.

Publication date: 04-04-2019

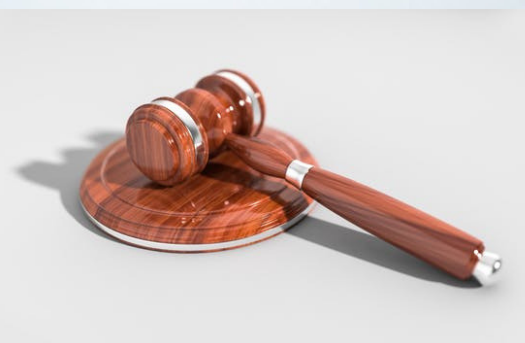
Author: European Court of Human Rights

Link: [CLICK HERE](#) 

Keywords: Sentences, demands, right to an equitable process, civil process, access to a court, Poland.

STATISTICS

APRIL
2019



FIRST-TIME ASYLUM APPLICANTS IN THE THIRD QUARTER OF 2018



FIRST PERMITS ISSUED FOR FAMILY REUNIFICATION WITH A BENEFICIARY OF PROTECTION STATUS



STATISTICS ON REQUESTS TO TRANSFER ASYLUM PROCESSING



MORE STATISTICS IN:



INFOGRAPHICS

APRIL 2019

PROGRESS MADE ON EU LEGISLATION UNDER THE ROMANIAN PRESIDENCY

Infographic on the results in the first 12 weeks under the mandate of the presidency of the Council of the European Union. It highlights the fields in which they have become more advanced, a saber, agriculture, the Brexit, the rights of the author and the environment, among others.



EU ELECTIONS: HOW MANY MEPS WILL EACH COUNTRY GET IN 2019?

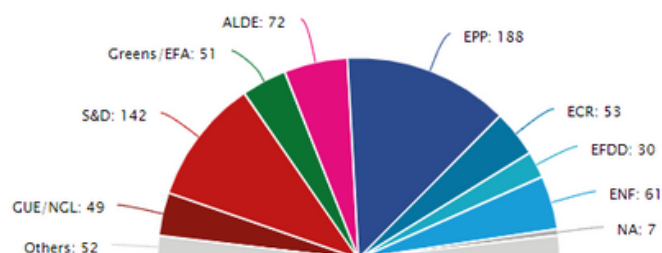


PROJECTIONS OF SEATS IN NEXT PARLIAMENT

[CLICK HERE](#)



Projections by seats at EU level
29/03/2019



PUBLICATIONS

REAL RIGHTS OF PERSONS WITH DISABILITIES TO VOTE IN EUROPEAN PARLIAMENT ELECTIONS



Summary: This report presents the state of play of the implementation of the right of European Union (EU) citizens with disabilities to vote in elections to the European Parliament (EP). The European Economic and Social Committee (EESC), an EU advisory body, believes it has a duty, in the run-up to the EP elections, to provide EU institutions, Member States and EU citizens with a full picture of how this right is actually implemented.

Publication date: 25-03-2019

Author: European Economic and Social Committee

Link: [CLICK HERE](#)

Key words: advance voting , ballot paper , compulsory voting , disabled person , electronic voting , European election , facilities for the disabled , legislation , mentally disabled , physically disabled , polling station , postal vote , proxy vote , report , residence , right to vote

ISBN/ISNN: 978-92-830-4426-0

WHO WILL (NOT) GET TO VOTE IN THE 2019 EUROPEAN PARLIAMENT ELECTIONS?



Summary: The right to vote is at the heart of what it means to live in a democratic society. However, legislation sets out a number of restrictions on this right. In all but two Member States, children under the age of 18 cannot vote. Citizens of some Member States lose their right to vote if they live outside their country of origin for a certain period; other countries prevent prisoners from voting.

Publication date: 14-03-2019

Author: European Union Agency for Fundamental Rights

Link: [CLICK HERE](#)

Keywords: democracy , deprivation of rights , discrimination based on disability , election monitoring , European election , legal capacity , right to vote , turnout of voters

ISBN/ISNN: 978-92-9474-593-4

QUALITY DIFFERENCES IN CONSUMER PRODUCTS IN THE EU LEGISLATION



Summary: This study deals with so called dual quality products, that is goods (food products, detergents, cosmetics, toiletries and products intended for babies, etc.) marketed on the Single Market under the same brand or trademark but with differences in content, composition or quality in individual EU Member States.

Publication date: 10-12-2018

Author: Directorate-General for Internal Policies of the Union (European Parliament)

Link: [CLICK HERE](#)

Keywords: EU law , EU Member State , mass-consumption product , product quality , single market

ISBN/ISNN: 978-92-846-4310-3

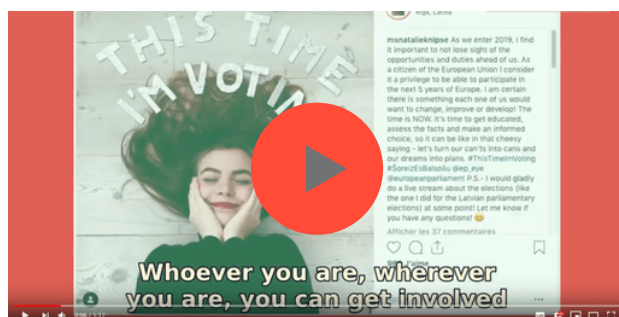
MEDIA COLLECTION

European elections: the Lead candidate process



In 2014, for the first time in the history of the EU, European voters had a say in who would be named president of the Commission, thanks to the process of leading candidates. As parliamentary elections approach, let's see how this system that designates the main candidate works.

This time I'm voting



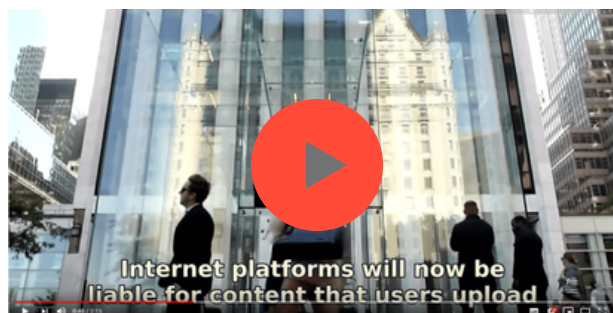
Across Europe ... People are preparing to vote in the European elections in May. Whoever it is, wherever you are, you can get involved and make sure everyone makes your voice heard.

This May 26th everyone to vote



Noelia Franco (OT), Boris Izaguirre and Marta Sango (OT), explain that "there is no opinion more important than the vote", in the words of Boris Izaguirre. For this reason, they remind citizens that "the 27 will be late" and that is why they should take the opportunity of the elections.

Parliament approves new copyright rules



Parliament has endorsed new copyright rules for the digital age that will ensure that the rights and responsibilities of intellectual property now apply to the online world as well. The smaller sites and individuals will be partially or totally exempt, protecting the right to freedom of expression online.

INTERESTING MAGAZINES

We present the latest issues of the journals and magazines published by the European Union on European Law:



THE 2019 EUROPEAN ELECTION: HOW ANTI-EUROPEANS PLAN TO WRECK EUROPE AND WHAT CAN BE DONE TO STOP IT



According to the polls, the anti-Europeans are on track to win more than a third of the seats in the next EP. This article marks the beginning of a campaign to strengthen Europe against the efforts of the anti-European parties to divide it. Analyze, in detail, the political situation in each of the 27 EU member states before the elections of PE 2019.



GENDER EQUALITY LAW IN EUROPE 2018



How are EU rules transposed into national law in 2018?



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