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"PEACE AND
UNITY DEPENDS
ON EVERYONE"



NEWS



FRANCE HAS SYSTEMATICALLY EXCEEDED THE ANNUAL LIMITS FOR NITROGEN DIOXIDE SINCE 2010



The Court accordingly upholds the Commission's action and finds that France has failed to fulfil its obligations under the Air Quality Directive.

On 7 March 2012, France requested the Commission to delay the deadline imposed for compliance with the nitrogen dioxide limit values set by the Air Quality Directive. That request concerned the annual limit values in 24 zones of the French territory and the hourly limit values in three of those zones. The Commission raised objections to that delay request. France did not challenge those objections and was, therefore, under an obligation to comply with the nitrogen dioxide limit values, calculated by hour or by calendar year, as from 1 January 2010.

Subsequently, the Commission therefore called on France to take the necessary measures to meet its obligations and, as a result of the failure of France to take those measures, brought infringement proceedings against that Member State before the Court of Justice. France does not dispute the fact that there have been persistent exceedances of the hourly and annual limit values of nitrogen dioxide in the zones and agglomerations 2 which are

the subject of the action brought by the Commission. However, France disputes the allegedly systematic nature of those exceedances.

In today's judgment, the Court states that the fact of exceeding the nitrogen dioxide limit values in ambient air is, in itself, sufficient for a finding that there has been a failure to fulfil the obligation laid down in Article 13 of the directive.

The Court notes that the date from which the nitrogen dioxide limit values had to be complied with was 1 January 2010. The Court adds that, once it has been objectively established that a Member State has failed to fulfil its obligations under the Treaties, it is irrelevant whether the failure to fulfil obligations is the result of intention or negligence on the part of the Member State responsible, or whether it is attributable to technical or structural difficulties which it has encountered.

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CHEMICAL WEAPONS: COUNCIL RENEWS EU SANCTIONS REGIME FOR ONE YEAR



The Council today extended restrictive measures by the EU addressing the use and proliferation of chemical weapons until 16 October 2020.

The sanctions consist of:

- a travel ban to the EU and an asset freeze for persons, as well as an asset freeze for entities, currently apply to nine persons - five linked to the Syrian regime and four involved in the Salisbury attack
- one organisation, the Scientific Studies and Research Centre (SSRC), the Syrian regime's principal entity for the development of chemical weapons.

On 15 October 2018, the Council adopted a horizontal sanctions regime to address the use and proliferation of chemical weapons as a follow-up to the conclusions of the European Council of 28 June 2018. This allows the EU to impose sanctions on persons and entities involved in the development and use of chemical weapons anywhere, regardless of their nationality and location.

The restrictive measures target persons and entities who are directly responsible for the development and use of chemical weapons as well as those who provide financial, technical or material support, and those who assist, encourage or are associated with them.

This decision contributes to the EU's efforts to counter the proliferation and use of chemical weapons which poses a serious threat to international security. It supports the global prohibition of chemical weapons as laid down by the Chemical Weapons Convention, against a background of increasing chemical attacks in various parts of the world.

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THE PROTECTION OF THE NAME 'ACETO BALSAMICO DI MODENA' DOES NOT EXTEND TO THE USE OF THE NON-GEOGRAPHICAL TERMS OF THAT NAME SUCH AS 'ACETO' AND 'BALSAMICO'



The name 'Aceto Balsamico di Modena (PGI)' (balsamic vinegar from Modena, Italy) has been registered since 2009 in the register of protected designations of origin ('PDO') and protected geographical indications ('PGI').

Balema is a German company that produces and markets vinegar-based products made from wines from the Baden region (Germany). It uses on the labels of those products the terms 'balsamico' and 'deutscher balsamico', which are included under the legends 'Theo der Essigbrauer, Holzfassreifung, Deutscher balsamico traditionell, naturtrüb aus badischen Weinen' (Theo the vinegar brewer, matured in wooden barrels, German balsamic vinegar, traditional, naturally cloudy, made from Baden wines) or '1. Deutsches Essig-Brauhaus, Premium, 1868, Balsamico, Rezeptur No 3' (first German vinegar brewery, premium, 1868, balsamic, recipe No 3).

Consorzio Tutela Aceto Balsamico di Modena, a consortium of producers of products designated by the name 'Aceto

Balsamico di Modena (PGI)', requested that Balema refrain from using the term 'balsamico'. In response, Balema brought an action before the German courts seeking a declaration that it has the right to use that term for those products.

The Bundesgerichtshof (Federal Court of Justice, Germany), in the case currently before it, asks the Court of Justice to determine whether the protection of the name 'Aceto Balsamico di Modena', which is conferred by the regulation on the protection of geographical indications and designations of origin for agricultural products and foodstuffs 2 covers only that entire name, that is 'Aceto Balsamico di Modena', or extends to the use of the non-geographical terms of that name, that is 'aceto', 'balsamico' and 'aceto balsamico'.

In today's judgment, the Court declared that the protection of the name 'Aceto Balsamico di Modena' does not extend to the use of the individual non-geographical terms of that name.

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MAIN RESULTS OF THE JUSTICE AND HOME AFFAIRS COUNCIL MEETING, 2-3 DECEMBER 2019



Victims' rights

Ministers adopted conclusions on victims' rights, following the discussions which took place at the JHA Council in October. The conclusions take stock of the comprehensive EU framework developed in this area, covering legislative and non-legislative instruments as well as cooperation at operational level. Their objective is to improve the effectiveness and implementation of the framework, and to identify concrete actions and initiatives to be taken to improve it further.

Digitalización de la cooperación judicial

The Council adopted its negotiating position (general approach) on two amended regulations, one on the taking of evidence and a second on the service of documents. The Council Presidency will now start negotiations with the European Parliament on the basis of these mandates. The draft regulations provide for the modernisation of judicial cooperation in civil and commercial matters in the taking of evidence and

service of documents. The draft amendments improve the efficiency and speed of cross-border judicial proceedings by taking advantage of digitalisation and the use of modern technology, and using these to improve access to justice and guarantee a fair trial for all parties.

Environmental crime

Ministers took note of the final report of the 8th round of mutual evaluations in the field of criminal matters, which focused on the topic of environmental crime. They also took account of a Presidency report on EU environmental criminal law.

The 8th round of mutual evaluations focused on two forms of criminal activities which raise significant challenges due to their risks for human health and the environment: the illegal trafficking of waste and the illegal production or handling of dangerous materials. The report underlines, among other things, the low detection rate of environmental crime and includes recommendations aiming at improving the situation regarding the fight against environmental crime.

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POLISH RULES RELATING TO THE RETIREMENT AGE OF JUDGES AND PUBLIC PROSECUTORS ARE CONTRARY TO EU LAW



The European Court held that Poland has failed to fulfil one of its obligations as a member state

In yesterday's judgment the Court, upholds the action for failure to fulfil obligations brought by the Commission against the Republic of Poland and held that that Member State had failed to fulfil its obligations under EU law, first, by establishing a different retirement age for men and women who were judges or public prosecutors in Poland and, second, by lowering the retirement age of judges of the ordinary courts while conferring on the Minister for Justice the power to extend the period of active service of those judges.

A Polish law of 12 July 2017 lowered the retirement age of judges of the ordinary courts and public prosecutors, and the age for early retirement of judges of the Sąd Najwyższy (Supreme Court), to 60 years for women and 65 years for men, whereas those ages were previously set at

67 years for both sexes. In addition, that law conferred on the Minister for Justice the power to extend the period of active service of judges of the ordinary courts beyond the new retirement ages thus set, which differ according to sex. Since the Commission took the view that those rules were contrary to EU law, it brought an action for failure to fulfil obligations before the Court of Justice.

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THE FUTURE OF BANK RESOLUTION AFTER THE GENERAL COURT'S TERCAS JUDGMENT



The genesis of the EU bank resolution framework was based on the fundamental principle that failing financial institutions could not receive external financial support, be it industry financing or state aid unless they had first internalized their losses by placing the burden at least upon shareholders and junior creditors.

However, the General Court's ruling in the Tercas case in March 2019 seems to strike a heavy blow against these fundamentals by considering that Tercas bank's recapitalization by a private banking consortium did not constitute state aid, even though the consortium was operating as a mandatory deposit guarantee scheme (DGS) and was obliged to reimburse deposits in case of liquidation, pursuant to the DGS Directive.

The Commission has appealed against the General Court's judgment. In case the CJEU upholds Tercas, two direct implications will emerge.

In the context of state aid, it would mean that the CJEU departs from the landmark Stardust Marine as regards the imputability of state aid deriving from private resources, and requires from now on decisive proof for imputability, not mere indications. In the context of bank resolution, it challenges the credibility of the entire resolution framework. It means that DGS funds could be used either in recovery or resolution as a voluntary means of intervention to rescue banks without requiring creditors to carry any losses. Such an exception would generate moral hazard and thus threaten financial stability, the very objectives that the recently established bank resolution framework aims to achieve.

ACCESS TO THE FULL NEWS



THE PENSION COMPLEMENT GRANTED BY SPAIN TO MOTHERS WHO ARE RECIPIENTS OF AN INVALIDITY PENSION WHERE THEY HAVE TWO OR MORE CHILDREN MUST ALSO BE AWARDED TO FATHERS IN A COMPARABLE SITUATION



In January 2017, the Instituto Nacional de la Seguridad Social (National Institute of Social Security, Spain) (INSS) awarded WA a permanent absolute incapacity pension of 100% of the basic amount. WA brought an appeal against that decision, claiming that, as the father of two daughters, he should, on the basis of Spanish law, be entitled to receive a pension supplement representing 5% of the initial amount of his pension. That supplement is granted to women who are the mothers of at least two children and who are in receipt of contributory pensions, namely permanent incapacity, under a scheme within the Spanish social security system. His appeal was dismissed by the INSS, which stated that the pension supplement at issue is granted exclusively to those women because of their demographic contribution to social security.

WA challenged that decision of the INSS before the Juzgado de lo Social No 3 de Gerona (Social Court No 3, Gerona, Spain), claiming that his right to receive the pension complement at issue should be recognised. That court states that

national law grants that right to women who have had at least two biological or adopted children, whereas men in an identical situation do not have that right. Having doubts whether such a provision is compatible with EU law, the Juzgado de lo Social No 3 de Gerona submitted a question to the Court of Justice for a preliminary ruling

By today's judgment, the Court declares that the directive on equal treatment for men and women in matters of social security¹ precludes that Spanish Law, because men in an identical situation to that of women, who are entitled to the pension supplement at issue, do not have that right.

The Court observes that the Spanish Law treats men who have had at least two biological or adopted children less favourably. That less favourable treatment constitutes direct discrimination on grounds of sex which is prohibited by the directive.

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IRELAND IS ORDERED TO PAY PECUNIARY PENALTIES FOR FAILING TO COMPLY WITH AN EARLIER JUDGMENT OF THE COURT WHICH REQUIRED, IN PARTICULAR, THAT AN ENVIRONMENTAL ASSESSMENT BE CARRIED OUT IN RESPECT OF A WIND FARM



In the judgment *European Commission v Ireland* (C-261/18), delivered on 12 November 2019, the Grand Chamber of the Court imposed pecuniary penalties on Ireland for failing to give concrete effect to the judgment of 3 July 2008, *Commission v Ireland*, in so far as the Court had held in that judgment that Ireland had infringed Directive 85/337 as a result of the construction of a wind farm at Derrybrien (Ireland) without a prior environmental impact assessment having been carried out.

Following the delivery of the 2008 judgment, Ireland had introduced a regularisation procedure by which it sought to enable the operator of the Derrybrien wind farm ('the wind farm') to comply with the requirements of Directive 85/337. However, since the wind farm operator had not undergone that procedure and nor had that procedure been initiated by the Irish authorities of their own initiative, the Commission brought a second action for failure to fulfil obligations before the Court.

First of all, the Court examined the Member States' obligations when a project has been authorised in breach of the obligation to carry out a prior

environmental impact assessment under Directive 85/337. The Court pointed out that Member States are required, in accordance with the principle of sincere cooperation, to take all measures necessary to remedy the failure to carry out an environmental impact assessment. They are, in particular, under an obligation to carry out an assessment for regularisation purposes, and this also after a plant has entered into operation.

Such an assessment must take into account not only the future impact of the plant at issue, but also the environmental impact from the time of its completion. The assessment may result in the consents which were granted in breach of the obligation to carry out a prior assessment being amended or withdrawn.

Notwithstanding the legislative reform introducing a regularisation procedure, Ireland had failed to carry out a new environmental impact assessment of the wind farm, thereby failing to have regard to the authority attaching to the 2008 judgment.

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LAURA KÖVESI CONFIRMED AS EUROPEAN CHIEF PROSECUTOR



Parliament's leading MEPs endorsed Laura Codruța Kövesi's appointment as the first head of the new European Public Prosecutor's Office.

The decision by the Conference of Presidents (EP President David Sassoli and political group leaders) follows an agreement in September between Parliament and Council negotiators on the new European Chief Prosecutor. Parliament's negotiating team backed Ms Kövesi throughout the negotiations.

Sobre la EPPO

The European Public Prosecutor's Office will be an independent and decentralised prosecution office of the European Union, with the competence to investigate, prosecute and bring to judgment crimes against the EU budget, such as fraud, corruption or serious cross-border VAT fraud. The Regulation establishing the European Public Prosecutor's Office under enhanced cooperation was adopted on 12 October 2017 and entered into force on 20 November 2017. At this stage, there are 22 participating EU countries. Currently, only national authorities can investigate and prosecute fraud against the EU budget. But their powers stop at national borders.

Existing EU-bodies such as Eurojust, Europol and the EU's anti-fraud office (OLAF) lack the necessary powers to carry out criminal investigations and prosecutions.

The EPPO, which is expected to be operational at the end of 2020, will be an independent office in charge of investigating, prosecuting and bringing to justice crimes against the EU budget, such as fraud, corruption or cross-border VAT fraud above 10 million euros. The list of crimes could be extended in the future to include, for example, terrorism. So far, 22 member states have joined the EPPO. The five countries that currently do not participate - Sweden, Hungary, Poland, Ireland and Denmark - could join at any time.

The EPPO central office will be based in Luxembourg, along with the Chief Prosecutor and a College of Prosecutors from all participating countries. They will head the day-to-day criminal investigations carried out by the delegated prosecutors in all participating member states.

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ARRESTS FOR EXPLOITATION OF FEMALE VICTIMS FOR PROSTITUTION



The Dutch, Romanian and Belgian authorities, with the assistance of Eurojust, arrested two Romanian nationals, who are suspected of trafficking in human beings, people smuggling, money laundering and other crimes.

The suspects exploited and partially forced into prostitution a group of approximately 10 women from Romania and the Republic of Moldova in the Netherlands, taking away most of their income.

The women involved, who now are no longer victims of the suspects, were sometimes lured into work as prostitutes under false pretences; in one case, the suspicion of abduction was raised. The criminal offences are supposed to have been committed since January 2015.

January 2015. A total of 6 house searches were carried out over the last two days in Romania and Belgium; one suspect was arrested in the Netherlands and one in Belgium. The Dutch Public Prosecutor's Office (PPO) Oost-Nederland in Arnhem did not rule out possible further arrests. During the searches, cash, various goods, documents, and different devices were seized.

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COOPERATION AGREEMENT BETWEEN EUROJUST AND ALBANIA ENTERS INTO FORCE



The Cooperation Agreement between Eurojust, which is the organism of the European Union responsible for strengthening judicial cooperation between the Member States, and the Republic of Albania entered into force on 1 November, all requirements regarding data protection having been fulfilled.

This Cooperation Agreement is the third between Eurojust and a country in the Western Balkans, the other two being the Republic of North Macedonia (2008) and Montenegro (2016).

The Cooperation Agreement between Eurojust and the Republic of Albania was signed in Tirana on 5 October 2018 to enhance operational and strategic judicial cooperation with the Republic of Albania. Ms Etilda Gjonaj, Minister of Justice of the Republic of Albania, and Mr Ladislav Hamran, President of Eurojust, signed the Cooperation Agreement.

The Republic of Albania has been involved in 59 cases since 2015, with 19 Eurojust cases just in the first nine months of this year.

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JURISPRUDENCE, LEGISLATION Y ECHR

CONSUMER'S RIGHTS



CASE C-621/17 JUDGMENT OF THE COURT (THIRD CHAMBER) OF 3 OCTOBER 2019
GYULA KISS AND CIB BANK ZRT. V EMIL KISS AND GYULÁNÉ KISS
REQUEST FOR A PRELIMINARY RULING FROM THE KÚRIA

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Summary: The reference for a preliminary ruling concerns the interpretation of Articles 3, paragraph 1, 4, paragraph 2 and 5 of Directive 93/13 / EEC of the Council of 5 April 1993 on unfair terms in contracts held with consumers (OJ 1993, L 95, p. 29; correction of errors in OJ 2015, L 137, p. 13)..

Publication date: 03-10-2019

Keywords: preliminary ruling, consumer protection, abusive clauses, directive 93/13 / EEC - Article 3, paragraph 1, assessment of the abusive nature of contractual clauses, Article 4, paragraph 2, Article 5, obligation of clear and understandable drafting of contractual clauses, clauses that require the payment of expenses for unspecified services

Celex Code: 62017CJ0621



CASE C-70/18 JUDGMENT OF THE COURT (FIRST CHAMBER) OF 3 OCTOBER 2019
STAATSSECRETARIS VAN JUSTITIE EN VEILIGHEID V A AND OTHERS
REQUEST FOR A PRELIMINARY RULING FROM THE RAAD VAN STATE

[ACCESS HERE](#)



Summary: This request for a preliminary ruling concerns the interpretation of Article 7 of Decision No 2/76 of 20 December 1976 adopted by the Association Council set up by the Agreement establishing an Association between the European Economic Community and Turkey, on the one hand, and by the Member States of the EEC and the Community, on the other, and concluded, approved and confirmed on behalf of the Community by Council Decision 64/732/EEC of 23 December 1963, and of Article 13 of Decision No 1/80 of the Association Council of 19 September 1980 on the development of the Association.

Publication date: 03-10-2019

Keywords: EEC-Turkey Association Agreement — Decision No 2/76 — Article 7 — Decision No 1/80 — Article 13 — 'Standstill' clauses — New restriction — Overriding reasons of public interest —

Celex Code: 62018CJ0070



CASE C-260/18 DZIUBAK / RAIFFEISEN BANK INTERNACIONAL. JUDGMENT OF THE COURT (THIRD CHAMBER) 3 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 1(2), Article 4, Article 6(1) and Article 7(1) of Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993 L 95, p. 29).

Publication date: 03-10-2019

Keywords: Consumer contracts — Unfair terms — Mortgage loan indexed to a foreign currency — Term relating to arrangement of the exchange rate between the currencies — Effects of a declaration that a term is unfair — Whether it is possible for the court to remedy unfair terms by having recourse to general terms of civil law — Assessment of the consumer's interests

Celex Code: 62018CJ0260

IVA



CASE C-329/18 VALSTS IEŅĒMUMU DIENESTS / ALTIC. JUDGMENT OF THE COURT (THIRD CHAMBER) 3 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 168(a) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1), as amended by Council Directive 2010/45/EU of 13 July 2010 (OJ 2010 L 189, p. 1) ('Directive 2006/112').

Publication date: 03-10-2019

Keywords: Procurement of food products — Deduction of input tax — Refusal of deduction — Possibly fictitious supplier — VAT fraud — Requirements relating to knowledge on the part of the purchaser — Regulation (EC) No 178/2002 — Obligations of traceability of foodstuffs and identification of the supplier — Regulations (CE) No 852/2004 and (EC) No 882/2004 — Registration obligations of operators in the food sector

Celex Code: 62018CJ0329



CASE C-189/18 GLENCORE AGRICULTURE HUNGARY / NEMZETI ADÓ- ÉS VÁMHIVATAL FELLEBBVITELI IGAZGATÓSÁGA. JUDGMENT OF THE COURT (FIFTH CHAMBER) OF 16 OCTOBER 2019

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Summary: This request has been filed in the context of a dispute between Glencore Agriculture Hungary Kft. And the Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága in relation to two resolutions ordering, in particular, the payment of amounts in respect of the tax on the added value corresponding to 2010 and 2011.

Publication date: 16-10-2019

Keywords: Principle of equality of arms - Principle of contradiction - National regulations or practice whereby, when verifying the right to deduct VAT exercised by a taxable person, the Tax Administration is bound by factual assessments and legal qualifications carried out in related administrative procedures in which the taxpayer was not a party

Celex Code: 62018CJ0189



CASE C-692/17 PAULO NASCIMENTO CONSULTING / AUTORIDADE TRIBUTÁRIA E ADUANEIRA. JUDGMENT OF THE COURT (SECOND CHAMBER) OF 17 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 135(1)(b) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1).

Publication date: 17-10-2019

Keywords: Value added tax (VAT) — Directive 2006/112/EC — Exemptions — Article 135(1)(b) and (d) — Transactions relating to the granting, negotiation and management of credit — Transactions concerning debts, with the exception of the recovery of debt

Celex Code: 62017CJ0692

IVA



CASE C-653/18 UNITEL / DYREKTOR IZBY SKARBOWEJ W WARSZAWIE. JUDGMENT OF THE COURT (TENTH CHAMBER) OF 17 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 146(1)(a) and (b) and Article 131 of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1) ('the VAT Directive') in the light, in particular, of the principles of fiscal neutrality and proportionality.

Publication date: 17-10-2019

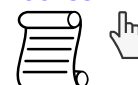
Keywords: Exemptions on exportation — Concept of 'supply of goods' — Article 131 — Conditions laid down by the Member States — Principle of proportionality — Principle of fiscal neutrality — Evidence — Tax evasion — Practice of a Member State consisting in refusing the right to exemption where the person acquiring the goods exported is not identified

Celex Code: 62018CJ0653



CASE C-42/18 FINANZAMT TRIER / CARDPPOINT. JUDGMENT OF THE COURT (THIRD CHAMBER) OF 3 OCTOBER 2019

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Summary: The purpose of the preliminary ruling is to interpret Article 13, part B, letter d), point 3, of Council Directive 77/388 / EEC of 17 May 1977, Sixth Directive on the harmonization of Legislation of the Member States relating to taxes on turnover - Common system of value added tax: uniform tax base

Publication date: 03-10-2019

Keywords: preliminary ruling procedure, taxation, value added tax (VAT), Directive 77/388 / EEC, exemptions, Article 13, part B, letter d), point 3, transactions related to payments, services provided by a company to a relative bank to the operation of ATMs

Celex Code: 62018CJ0042



CASE C-400/18 INFOHOS / BELGISCHE STAAT. JUDGMENT OF THE COURT (SECOND CHAMBER) OF 20 OCTOBER 2019

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Summary: The purpose of the preliminary ruling is to interpret Article 13, part A, paragraph 1, letter f), of Council Directive 77/388 / EEC of 17 May 1977, Sixth Directive on the harmonization of laws of the Member States relating to taxes on turnover - Common system of value added tax: uniform tax base (OJ 1977, L 145, p. 1; EE 09/01, p. 54;).

Publication date: 20-11-2019

Keywords: Reference for a preliminary ruling - Taxation - Value added tax (VAT) - Directive 77/388 / EEC - Article 13, part A, paragraph 1, letter f) - Exemptions - Provision of services by autonomous groupings of persons - Services provided to members and non-members

Celex Code: 62018CJ0400

FISCALIDAD



CASE C-469/18 IN Y JM / BELGISCHE STAAT. JUDGMENT OF THE COURT (FIFTH CHAMBER) OF 24 OCTOBER 2019

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Summary: These requests for a preliminary ruling concern the interpretation of Article 47 of the Charter of Fundamental Rights of the European Union ('the Charter'). The requests have been made in proceedings between IN (Case C-469/18) and JM (Case C-470/18) and the Belgische Staat (Belgian State) regarding notices of assessment issued by the Belgian tax authorities for the tax years 1997 and 1998, adjusting their personal income tax returns.

Publication date: 24-10-2019

Keywords: Reference for a preliminary ruling — Taxation — Personal Income Tax — Inadmissibility of the request for a preliminary ruling

Celex Code: 62018CJ0469



CASE C-459/18 - ARGENTA SPAARBANK. JUDGMENT OF THE COURT (SEVENTH CHAMBER) OF 17 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 49 TFEU. The request has been made in proceedings between Argenta Spaarbank NV ('Argenta') and Belgische Staat (the Belgian State) concerning calculation of the amount of the deduction for risk capital in respect of the 2015 tax year.

Publication date: 17-11-2019

Keywords: Tax legislation — Corporation tax — Deduction for risk capital — Reduction of the amount deductible by companies with a permanent establishment in another Member State which generates exempt income under a double taxation convention — Article 49 TFEU — Freedom of establishment — Unfavourable treatment — No such treatment

Celex Code: 62018CJ0459



CASE C-579/18 MINISTÈRE PUBLIC Y MINISTRE DES FINANCES DU ROYAUME DE BELGIQUE / QC Y COMIDA PARALELA 12. JUDGMENT OF THE COURT (NINTH CHAMBER) 17 OCTOBER 2019

[ACCESS HERE](#)



Summary: The request for a preliminary ruling is based on the interpretation of Article 79 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013, establishing the customs code of the Union. This petition has been filed in the context of a dispute between the public minister and the Minister of Finance of Royaume de Belgique, on the one hand, and QC and the Parallel Food Society 12, on the other, in relation to the determination of the tax debtor special required as a result of the irregular introduction of products in Belgium.

Publication date: 17-11-2019

Keywords: Reference for a preliminary ruling - Special taxes - Directive 2008/118 / EC - Articles 8 and 38 - Debtor of special taxes as a result of the irregular introduction of products into the territory of a Member State - Concept - Company civilly responsible for the acts committed by its administrator

Celex Code: 62018CJ0579

ENVIRONMENT



CASE C-616/17 CRIMINAL PROCEEDINGS AGAINST MATHIEU BLAISE AND OTHERS REQUEST FOR A PRELIMINARY RULING FROM THE TRIBUNAL CORRECTIONNEL DE FOIX. JUDGMENT OF THE COURT (GRAND CHAMBER) OF 1 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the validity of Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ 2009 L 309, p. 1).

Publication date: 01-10-2019

Keywords: Environment — Placing of plant protection products on the market — Regulation (EC) No 1107/2009 — Validity — Precautionary principle — Definition of the concept of ‘active substance’ — Combination of active substances — Reliability of the assessment procedure — Public access to the dossier — Tests of long-term toxicity — Pesticides — Glyphosate

Celex Code: 62017CJ0616



CASE C-197/18 WASSERLEITUNGSVERBAND NÖRDLICHES BURGENLAND Y OTHERS / BUNDESMINISTERIN FÜR NACHHALTIGKEIT UND TOURSIMUS. JUDGMENT OF THE COURT (FIRST CHAMBER) OF 3 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 288 TFEU, Article 5(4) and (5) and Annex I A, point 2, to Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ 1991 L 375, p. 1).

Publication date: 03-10-2019

Keywords: Environment — Directive 91/676/EEC — Protection of waters against pollution caused by nitrates from agricultural sources — Objective of reducing pollution — Waters affected by pollution — Maximum nitrate level of 50 mg/l — Action programmes adopted by the Member States — Rights of individuals to have such a programme amended — Locus standi before the national authorities and courts

Celex Code: 62018CJ0197



CASE C-674/17 LUONNONSUOJELUYHDISTYS TAPIOLA / MUSTONEN Y OTHERS. JUDGMENT OF THE COURT (SECOND CHAMBER) OF 10 OCTOBER 2019

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Summary: This request for a preliminary ruling concerns the interpretation of Article 16(1) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ 1992 L 206, p. 7; ‘the Habitats Directive’).

Publication date: 10-11-2019

Keywords: Conservation of natural habitats and of wild fauna and flora — Directive 92/43/EEC — Article 12(1) — System of strict protection of animal species — Annex IV — *Canis lupus* (wolf) — Article 16(1)(e) — Derogation allowing the taking of certain specimens in limited numbers — Hunting for population management purposes — Evaluation of the conservation status of populations of the species concerned

Celex Code: 62017CJ0674

ENVIRONMENT



CASE C-212/18 PRATO NEVOSO TERMO ENERGY / PROVINCIA DI CUNEO Y ARPA PIEMONTE. DIMIENTO JUDGMENT OF THE COURT (SECOND CHAMBER) OF 24 OCTOBER 2019

[ACCESS HERE](#)



Summary: This request for a preliminary ruling concerns the interpretation of Article 6 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, Article 13 of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, as amended by Directive 2015/1513 of the European Parliament and of the Council of 9 September 2015, and the principles of proportionality, transparency and simplification.

Publication date: 24-10-2019

Keywords: Environment — Waste — Used vegetable oils having undergone chemical treatment — End-of-waste status — National authorisation, certification and licensing procedures that are applied to plants for the production of electricity, heating or cooling from renewable energy sources — Use of a bioliquid as a power source for an electric power plant

Celex Code: 62018CJ0212



CASE C-280/18 FLAUSCH Y OTROS / YPOURGOS PERIVALLONTOS KAI ENERGEIAS Y OTROS. JUDGMENT OF THE COURT (FIRST CHAMBER) OF 7 NOVEMBER 2019

[ACCESS HERE](#)



Summary: This request for a preliminary ruling concerns the interpretation of Articles 6 and 11 of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ 2012 L 26, p. 1; ‘the EIA Directive’)

Publication date: 07-10-2019

Keywords: Environment — Assessment of the effects of certain projects on the environment — Public participation in decision-making and access to justice — Date from which the time for bringing proceedings starts to run

Celex Code: 62018CJ0280



CASE C-261/18 COMISIÓN / IRLANDA (PARC ÉOLIEN DE DERRYBRIEN). JUDGMENT OF THE COURT (GRAND CHAMBER) DE 12 NOVEMBER 2019

[ACCESS HERE](#)



Summary: By its appeal, the European Commission asks the Court to declare that Ireland has failed to comply with its obligations under Article 260 TFEU, paragraph 1, by not having taken the necessary measures for the execution of the judgment of 3 July of 2008, Commission / Ireland (C-215/06, EU: C: 2008: 380), as regards the second indent of point 1 of the judgment.

Publication date: 12-11-2019

Keywords: Judgment of the Court establishing a failure to fulfil obligations — Non-compliance — Directive 85/337/EEC — Consent for, and construction of, a wind farm — Project likely to have significant effects on the environment — Absence of a prior environmental impact assessment — Obligation to regularise — Article 260(2) TFEU — Application for an order to pay a penalty payment and a lump sum

Celex Code: 62018CJ0261

COMMON AGRICULTURAL POLICY



CASE C-490/18 - AGRÁRMINISZTER. JUDGMENT OF THE COURT (NINTH CHAMBER) OF 16 OCTOBER 2019

[ACCESS HERE](#)



Summary: The purpose of the preliminary ruling is to interpret Article 2 of Commission Delegated Regulation (EU) 2015/1366 of 11 May 2015, which completes Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards aid to the beekeeping sector. In it, it has been presented in the context of a dispute between SD and the Agrárminiszter, in relation to the latter's decision to deny the request for payment of an aid for the acquisition of new equipment for beekeeping transhumance.

Publication date: 16-10-2019

Keywords: Preliminary ruling - Common agricultural policy - Beekeeping sector - Regulation (EU) No 1308/2013 - Delegated Regulation (EU) 2015/1366 - Request for assistance - Requirements - Minimum number of bee colonies - Determination with retroactive effect - Principle of legal certainty - Principle of protection of legitimate expectations

Celex Code: 62018CJ0490



CASE C-270/18 UPM FRANCE / PREMIER MINISTRE Y MINISTRE DE L'ACTION ET DES COMPTES PUBLICS. JUDGMENT OF THE COURT (FIFTH CHAMBER) OF 16 OCTOBER 2019

[ACCESS HERE](#)



Summary: This request for a preliminary ruling concerns the interpretation of Article 14(1)(a) and of the third subparagraph of Article 21(5) of Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ 2003 L 283, p. 51).

Publication date: 16-10-2019

Keywords: Reference for a preliminary ruling — Directive 2003/96/EC — Taxation of energy products and electricity — Third subparagraph of Article 21(5) — Exemption of small producers of electricity, subject to the taxation of electricity produced — Lack, during an authorised transitional period, of an internal tax on end consumption of electricity — Article 14(1)(a) — Obligation to exempt energy products and electricity used to produce electricity

Celex Code: 62018CJ0270



CASE C-2/18 LIETUVOS RESPUBLIKOS SEIMO NARIŲ GRUPĖ / LIETUVOS RESPUBLIKOS SEIMAS. JUDGMENT OF THE COURT (SECOND CHAMBER) OF 13 NOVEMBER 2019

[ACCESS HERE](#)



Summary: This request for a preliminary ruling concerns the interpretation of Article 148(4) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ 2013 L 347, p. 671), as amended by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 (OJ 2017 L 350, p. 15) ('Regulation No 1308/2013').

Publication date: 13-11-2019

Keywords: Common agricultural policy — Common organisation of the markets — Milk and milk products — Regulation (EC) No 1308/2013 — Article 148(4) — Contract for the delivery of raw milk — Free negotiation of price — Combating unfair commercial practices — Prohibition of payment of different prices to producers of raw milk belonging to a group that is formed according to the daily quantity sold, and of a reduction in price without justification

Celex Code: 62018CJ0002

SOCIAL POLICY



CASE C-274/18 SCHUCH-GHANNADAN / MEDIZINISCHE UNIVERSITÄT WIEN. JUDGMENT OF THE COURT (THIRD CHAMBER) OF 3 OCTOBER 2019

[ACCESS HERE](#)



Summary: The purpose of the preliminary ruling is to interpret clause 4 of the Framework Agreement on Part-time Work, concluded on June 6, 1997, which is contained in the annex to Council Directive 97/81 / EC of 15 December 1997, concerning the Framework Agreement on Part-time Work concluded by UNICE, CEEP and CES, as well as Articles 2, paragraph 1, letter b), and 19, paragraph 1, of Directive 2006 / 54 / EC of the European Parliament and of the Council of 5 July 2006 on the application of the principle of equal opportunities and equal treatment between men and women in matters of employment and occupation.

Publication date: 03-10-2019

Keywords: Less favorable treatment of part-time workers compared to full-time workers - National legislation establishing a maximum duration of longer-term employment relationships for part-time workers than for full-time workers

Celex Code: 62018CJ0274



CASE C-171/18 SAFEWAY / NEWTON Y SAFEWAY PENSION TRUSTEES. JUDGMENT OF THE COURT (GRAND CHAMBER) OF 7 OCTOBER 2019

[ACCESS HERE](#)



Summary: This reference for a preliminary ruling concerns the interpretation of Article 119 of the EC Treaty (now, after amendment, Article 141 EC). The request has been made in proceedings between Safeway Ltd, on one hand, and Andrew Richard Newton and Safeway Pension Trustees Ltd, on the other hand, concerning the equalisation of retirement pension benefits for the male and female members of the pension scheme managed by Safeway Pension Trustees.

Publication date: 07-10-2019

Keywords: Social policy — Article 119 of the EC Treaty (now, after amendment, Article 141 EC) — Male and female workers — Equal pay — Private occupational retirement pension scheme — Normal pension age differentiated by gender — Date of adoption of measures reinstating equal treatment — Retroactive equalisation of that age to the normal pension age of the persons previously disadvantaged

Celex Code: 62018CJ0171



JOINED CASES C-609/17 Y C-610/17 TSN Y AKT / HYVINVOINTIALAN LIITTO Y SATAMAOPERAATTORIT. JUDGMENT OF THE COURT (GRAND CHAMBER) OF 19 NOVEMBER 2019

[ACCESS HERE](#)



Summary: These requests for a preliminary ruling concern the interpretation of Article 7 of Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ 2003 L 299, p. 9) and of Article 31(2) of the Charter of Fundamental Rights of the European Union ('the Charter').

Publication date: 19-11-2019

Keywords: Social policy — Article 153 TFEU — Minimum safety and health requirements for the organisation of working time — Directive 2003/88/EC — Article 7 — Right to paid annual leave of at least 4 weeks — Article 15 — Provisions of national legislation and collective agreements more favourable to the protection of the safety and health of workers — Workers incapable of working during a period of paid annual leave due to illness — Refusal to carry over that leave where not carrying over that leave does not reduce the actual duration of the paid annual leave below 4 weeks

Celex Code: 62017CC0609

AGRICULTURE AND FISHING



COMMISSION IMPLEMENTING REGULATION (EU) 2019/1873 OF 7 NOVEMBER 2019 ON THE PROCEDURES AT BORDER CONTROL POSTS FOR A COORDINATED PERFORMANCE BY COMPETENT AUTHORITIES OF INTENSIFIED OFFICIAL CONTROLS ON PRODUCTS OF ANIMAL ORIGIN, GERMINAL PRODUCTS, ANIMAL BY-PRODUCTS AND COMPOSITE PRODUCTS

[ACCESS HERE](#)



Summary: This Regulation lays down rules relating to the procedures at border control posts for a coordinated performance by competent authorities of intensified official controls on products of animal origin, germinal products, animal by-products and composite products entering the Union for placing on the market.

Publication date: 08-11-2019

Keywords: Regulation, binding legal elements, products of animal origin, reproductive products, animal by-products and composite products

Celex Code: 32019R1873



COMMISSION DECISION (EU) 2019/1862 OF NOVEMBER 6, 2019 ESTABLISHING INTERNAL RULES REGARDING THE COMMUNICATION OF INFORMATION TO INTERESTED PARTIES AND THE LIMITATIONS OF SOME OF THEIR RIGHTS IN THE CONTEXT OF THE PROCESSING OF PERSONAL DATA BY THE COMMISSION IN THE UNION SYSTEM TO PREVENT, DISCOURAGE AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

[ACCESS HERE](#)



Summary: Decision by which the notification of the possibility of being considered by the Commission as a third non-cooperating country in the fight against illegal, unreported and unregulated fishing (IUU) should be submitted to Ecuador.

Publication date: 07-11-2019

Keywords: Decisions, legal acts, binding legal elements, Regulation (EC) No. 1005/2008, personal data, fishing, fishing activities

Celex Code: 32019D1862



COMMISSION DECISION OF 30 OCTOBER 2019 NOTIFYING THE REPUBLIC OF ECUADOR OF THE POSSIBILITY OF BEING IDENTIFIED AS A NON-COOPERATING THIRD COUNTRY IN FIGHTING ILLEGAL, UNREPORTED AND UNREGULATED FISHING

[ACCESS HERE](#)



Summary: Ecuador shall be notified of the possibility of being identified by the Commission as a non-cooperating third country in fighting illegal, unreported and unregulated fishing.

Publication date: 05-11-2019

Keywords: Decisions, binding legal elements, legal acts, illegal fishing, non-cooperating country, developing countries, Ecuador

Celex Code: 32019D1105(01)

ENVIRONMENT



COMMISSION REGULATION (EU) 2019/1782 OF 1 OCTOBER 2019 LAYING DOWN ECODSIGN REQUIREMENTS FOR EXTERNAL POWER SUPPLIES PURSUANT TO DIRECTIVE 2009/125/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AND REPEALING COMMISSION REGULATION (EC) NO 278/2009

[ACCESS HERE](#)



Summary: This Regulation establishes ecodesign requirements for the placing on the market or putting into service of external power supplies.

Publication date: 25-10-2019

Keywords: Regulation, legal acts, binding legal elements, Directive 2009/125 / EC, ecological design, external power supplies, medical devices

Celex Code: 32019R1782



COMMISSION IMPLEMENTING DECISION (EU) 2019/1971 OF 26 NOVEMBER 2019 ON RECOGNITION OF THE 'UNIVERSAL FEED ASSURANCE SCHEME' FOR DEMONSTRATING COMPLIANCE WITH THE SUSTAINABILITY CRITERIA UNDER DIRECTIVES 98/70/EC AND 2009/28/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

[ACCESS HERE](#)



Summary: Commission Execution Decision (EU) 2019/1971 of November 26, 2019 on the recognition of the Universal Feed Insurance Regime to demonstrate compliance with the sustainability criteria established in Directives 98/70 / EC and 2009/28 / EC of the European Parliament and of the Council

Publication date: 28-11-2019

Keywords: Binding Legal Elements, Decision, Feed, biofuels and bioliquids,

Celex Code: 32019D1971



COMMISSION IMPLEMENTING DECISION (EU) / 2005 OF 29 NOVEMBER 2019 ON GREENHOUSE GAS EMISSIONS REFERRED TO IN DECISION NO 406/2009 / EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CORRESPONDING TO EACH MEMBER STATE IN 2017

[ACCESS HERE](#)



Summary: The total sum of greenhouse gas emissions referred to in Decision No 406/2009 / EC corresponding to each Member State in 2017 is contained in the annex to this Decision, obtained from the corrected inventory data after the completion of the Annual review mentioned in Article 19 (2) of Regulation (EU) No 525/2013.

Publication date: 02-12-2019

Keywords: Binding Legal Elements, Decision, greenhouse gas emissions, Decision No. 406/2009 / EC

Celex Code: 32019D2005

SECURITY AND DEFENCE



COUNCIL DECISION 2019/1672 OF 4 OCTOBER 2019 ON A EUROPEAN UNION ACTION TO SUPPORT THE UNITED NATIONS VERIFICATION AND INSPECTION MECHANISM IN YEMEN

[ACCESS HERE](#)



Summary: The Union will renew its support for UNVIM to carry out its mandate in accordance with the provisions of the relevant resolutions of the United Nations Security Council, in particular Resolutions 2216 (2015), 2451 (2018) and 2452 (2019).

Publication date: 07-10-2019

Keywords: Decisions, legal acts, binding legal elements, free movement of goods, Yemen, Stockholm Agreement, UNVIM

Celex Code: 32019D1672



COUNCIL IMPLEMENTING REGULATION (EU) 2019/1943 OF 25 NOVEMBER 2019 IMPLEMENTING REGULATION (EU) 2016/1686 IMPOSING ADDITIONAL RESTRICTIVE MEASURES DIRECTED AGAINST ISIL (DA'ESH) AND AL-QAEDA AND NATURAL AND LEGAL PERSONS, ENTITIES OR BODIES ASSOCIATED WITH THEM

[ACCESS HERE](#)



Summary: Annex I to Regulation (EU) 2016/1686 is amended as set out in the Annex to this Regulation.

Publication date: 25-11-2019

Keywords: Binding Legal Elements, Regulation, Al-Qaida, Regulation (EU) 2016/1686, ISIL (Daesh)

Celex Code: 32019R1943



COUNCIL DECISION (CFSP) 2019/1944 OF NOVEMBER 25, 2019 AMENDING DECISION (CFSP) 2016/1693 LAYING DOWN RESTRICTIVE MEASURES AGAINST ISIL (DAESH) AND AL-QAIDA AND INDIVIDUALS, GROUPS, COMPANIES AND ENTITIES ASSOCIATED WITH THEM

[ACCESS HERE](#)



Summary: Decision (CFSP) 2016/1693 is amended as follows: The Council and the High Representative of the Union for Foreign Affairs and Security Policy may process personal data in the exercise of their functions under this Decision, in particular.

Publication date: 02-12-2019

Keywords: Decisions, Binding legal elements, Decision (CFSP) 2016/1693, ISIL (Daesh) and Al-Qaida

Celex Code: 32019D1944

INTERIOR MARKET



COMMISSION IMPLEMENTING DECISION (EU) 2019/1956 OF 26 NOVEMBER 2019 ON THE HARMONISED STANDARDS FOR ELECTRICAL EQUIPMENT DESIGNED FOR USE WITHIN CERTAIN VOLTAGE LIMITS AND DRAFTED IN SUPPORT OF DIRECTIVE 2014/35/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

[ACCESS HERE](#)



Summary: The references to harmonised standards for electrical equipment designed for use within certain voltage limits drafted in support of Directive 2014/35/EU, listed in Annex I to this Decision, are hereby published in the Official Journal of the European Union.

Publication date: 27-10-2019

Keywords: Decisions, Binding legal elements, Internal Market, electrical equipment, Directive 2014/35 / EU

Celex Code: 32019D1956



COMMISSION IMPLEMENTING DECISION (EU) 2019/1958 OF 25 NOVEMBER 2019 CONCERNING AN EXCEPTION BY POLAND TO THE MUTUAL RECOGNITION OF THE AUTHORIZATION OF A BIOCIDES CONTAINING HYDROGEN CYANIDE, IN ACCORDANCE WITH ARTICLE 37 OF REGULATION (EU)) NO 528/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

[ACCESS HERE](#)



Summary: The exception to the mutual recognition proposed by Poland, namely the refusal of authorization for the biocidal product referred to in paragraph 2, is justified on grounds of protection of the health and life of persons, as established in Article 37 , paragraph 1, point c), of Regulation (EU) No 528/2012.

Publication date: 27-10-2019

Keywords: Decisions, Binding Legal Elements, biocide containing hydrogen cyanide, Poland, Regulation (EU) No 528/2012

Celex Code: 32019D1958



COMMISSION IMPLEMENTING DECISION (EU) 2019/1973 OF 27 NOVEMBER 2019 NOT APPROVING SILVER COPPER ZEOLITE AS AN EXISTING ACTIVE SUBSTANCE FOR USE IN BIOCIDAL PRODUCTS OF PRODUCT-TYPES 2 AND 7

[ACCESS HERE](#)



Summary: Silver copper zeolite (EC No: n.a., CAS No: 130328-19-7) is not approved as an active substance for use in biocidal products of product-types 2 and 7.

Publication date: 27-11-2019

Keywords: Binding Legal Elements, Decision, greenhouse gas emissions, Decision No. 406/2009 / EC

Celex Code: 32019D1973



CASE BERASATEGUI ESCUDERO Y ARRIAGA ARRUABARRENA (APPLICATION N° 33637/17 Y 34083/17) [TRANSLATED TO SPANISH] BY THE SPANISH MINISTRY OF JUSTICE

[ACCESS HERE](#)



Summary: The European Court of Human Rights condemns the Constitutional Court for not admitting the resources of three ETAs to accumulate their sentences in France in Spain.

Publication date: 26-11-2019

Keywords: Demands, Judgments, violation of Article 6, right to a fair trial, constitutional procedures, access to court, France



CASE OF NATIG JAFAROV V. AZERBAIJAN (APPLICATION NO. 64581/16)

[ACCESS HERE](#)



Summary: The plaintiff alleges that his detention in a metal cage in the courtroom had violated article 3 of the Convention and that his detention and preventive detention had violated articles 5, 11 and 18 of the Convention.

Publication date: 07-11-2019

Keywords: Demands, Sentences, Art. 18 and 5 § 1 (c), restrictions for unauthorized purposes, legal arrest or detention, reasonable suspicion, arrest and detention of political activist, referendum, Azerbaijan



CASE OF BELUGIN V. RUSIA (APPLICATION NO. 2991/06)

[ACCESS HERE](#)



Summary: The applicant alleges that he had been mistreated by police officers while in police custody and that an adequate investigation in this regard had not been carried out. He also claims that the criminal proceedings against him had been unfair because his conviction had been based on a forced confession made in the absence of a lawyer.

Publication date: 26-11-2019

Keywords: Sentences, Claims, Art 6 § 1 (criminal), impartial hearing, self-incriminating statements, coercion in the absence of lawyer, Russia



CASE OF KUZHELEV AND OTHERS V. RUSSIA (APPLICATIONS NOS. 64098/09 AND 6 OTHERS)

[ACCESS HERE](#)



Summary: On several dates, the Government was notified of complaints regarding non-compliance with the sentences issued against the federal unitary enterprise. In 2017 they were given additional notice of the part of four requests related to the breach of the sentences issued against the corporation. The rest of the complaints us. 64098/09, 64891/09, 66035/09, 67406/09, 67697/09 and 1504/10 were declared inadmissible in accordance with Article 54 § 3 of the Rules of Court.**Publication date:** 07-11-2019

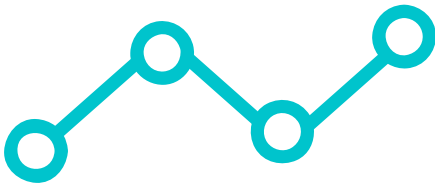
Keywords: Claims, Judgments, right to a fair trial (Art. 6), enforcement procedure (Art. 6.1), access to a court (Art. 6.1), reasonable time (P1.1) Protection of property (P1.1.1) respect for goods, Russia

STATISTICS

DECEMBER 19



INTENTIONAL HOMICIDE VICTIMS BY VICTIM-OFFENDER RELATIONSHIP AND SEX:



LEGAL CASES PROCESSED IN FIRST INSTANCE COURTS BY LEGAL STATUS OF THE COURT PROCESS:



PRISONERS BY OFFENCE CATEGORY AND SEX - NUMBER AND RATE FOR THE RELEVANT SEX GROUP

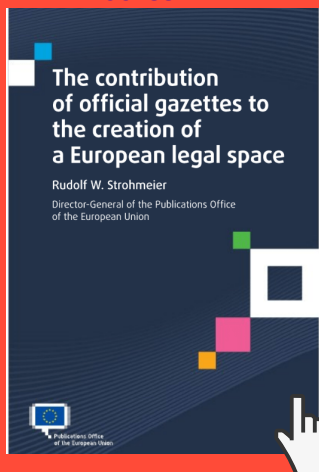


MORE STATISTICS IN:



PUBLICATIONS

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THE CONTRIBUTION OF OFFICIAL GAZETTES TO THE CREATION OF A EUROPEAN LEGAL SPACE

SUMMARY: The European Forum of Official Gazettes was created in 2004 by organizations responsible for publishing the official journals of the EU Member States, and the Publications Office of the European Union. The event was organized by the Center for Knowledge and Exploitation for Official Publications, part of the Dutch Ministry of Interior and Kingdom Relations, on the occasion of the tenth anniversary of the Dutch Digital Government Gazette.

Publication date: 25-11-2019

Authors: European Union Agency for Law Enforcement Training

Keywords: criminology, EU police cooperation, fight against crime, police, scientific research, serial publication

ISBN/ISNN: 978-92-78-41992-9

[ACCESS HERE](#)



THE ONGOING EVOLUTION OF THE CASE-LAW OF THE COURT OF JUSTICE OF THE EUROPEAN UNION ON DIRECTIVES 2000/43/EC AND 2000/78/EC. A LEGAL ANALYSIS OF THE SITUATION IN EU MEMBER STATES

SUMMARY: The Court of Justice of the European Union (the CJEU) has delivered a series of important judgments that have clarified how many of the key provisions of the directives should be interpreted and applied. This report analyses the evolution and impact of this case law, from 1 September 2012 to 1 June 2019.

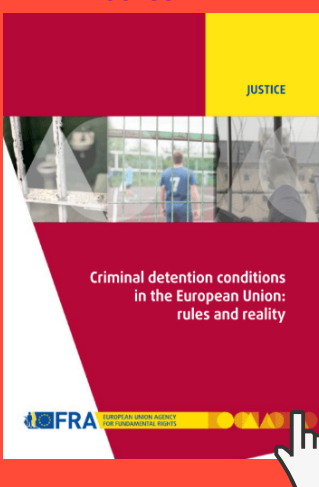
Publication date: 13-11-2019

Authors: Directorate-General for Justice and Consumers, European network of legal experts in gender equality and non-discrimination, O'Conneide Colm, Liu, Kimberly

Keywords: anti-discriminatory measure, case-law, Court of Justice of the European Union, EC Directive, equal treatment, EU Member State

ISBN/ISNN: 978-92-76-08832-5

[ACCESS HERE](#)



CRIMINAL DETENTION CONDITIONS IN THE EUROPEAN UNION. RULES AND REALITY

SUMMARY: This report looks at five core aspects of detention conditions in EU Member States: the size of cells; the amount of time detainees can spend outside of these cells, including outdoors; sanitary conditions; access to healthcare; and whether detainees are protected from violence.

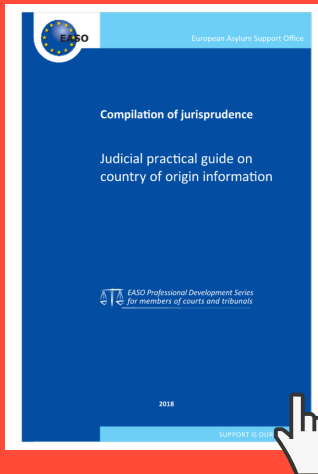
Publication date: 09-12-2019

Authors: European Union Agency for Fundamental Rights, Optimity Advisors, Vitosha Research

Keywords: EU law - national law, imprisonment, prison system, prisoner, report, rights of the individual, standard

ISBN/ISNN: 978-92-9474-645-0

[ACCESS HERE](#)



JUDICIAL PRACTICAL GUIDE ON COUNTRY OF ORIGIN INFORMATION. COMPILATION OF JURISPRUDENCE

SUMMARY: The purpose of this compilation of jurisprudence is to provide courts and tribunals in Member States with a helpful aid for dealing with country of origin information (COI) in international protection cases. Members of courts and tribunals are now faced with an almost overwhelming amount of information. Many jurisdictions have extensive case-law on COI and the use of COI.

Publication date: 29-10-2019

Authors: European Asylum Support Office

Keywords: case law (EU), Court of Justice of the European Union, European Court of Human Rights, political asylum, right of asylum

ISBN/ISSN: 978-92-9494-746-8

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EU ENVIRONMENT AND CLIMATE CHANGE POLICIES. STATE OF PLAY, CURRENT AND FUTURE CHALLENGES

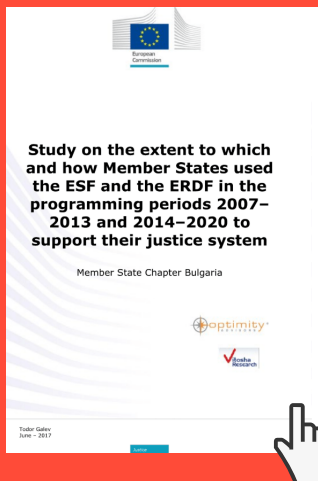
SUMMARY: This study reviews the state of play of on-going European Union (EU) environmental and climate legislation and pinpoints key challenges for the next five years. Challenges identified arise from the plans released by the President-elect von der Leyen, such as a new European Green Deal and the completion of work started in the previous term including the Regulation on a framework for sustainable finance and the completion of the Multiannual Financial Framework (MFF), by undertaking reviews of legislation foreseen for the next term and by analysing the need for action where indicators show that current EU environment targets may not be achieved.

Authors: Directorate-General for Internal Policies of the Union

Keywords: adaptation to climate change, biodiversity, energy efficiency, environmental legislation, environmental protection, EU environmental policy, sustainable development

ISBN/ISSN: 978-92-846-5819-0

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STUDY ON THE EXTENT TO WHICH AND HOW MEMBER STATES USED THE ESF AND THE ERDF IN THE PROGRAMMING PERIODS 2007-2013 AND 2014-2020 TO SUPPORT THEIR JUSTICE SYSTEM. MEMBER STATE CHAPTER : BULGARIA - STUDY

SUMMARY: wo OPs are related to the national justice system – one per each programming period, namely OP Administrative capacity 2007–2013 (OPAC) and OP Good Governance 2014–2020 (OPGG), both of which relate only to ESF. The Council of Ministers maintains centralised databases for each programming period and all OPs in the country. Both databases offer public online access to data on OP, priority axis, sub-priority and project levels in a structured template-based format.

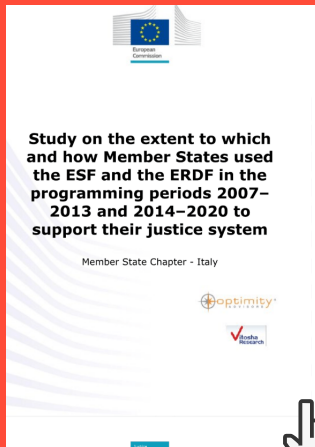
Publication date: 29-10-2019

Authors: Directorate-General for Justice and Consumers, Optimity Advisors, Vitoshka Research

Keywords: Bulgaria, EU Member State, European Regional Development Fund, European Social Fund, legal system

ISBN/ISSN: 978-92-76-08832-5

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STUDY ON THE EXTENT TO WHICH AND HOW MEMBER STATES USED THE ESF AND THE ERDF IN THE PROGRAMMING PERIODS 2007-2013 AND 2014-2020 TO SUPPORT THEIR JUSTICE SYSTEM. MEMBER STATE CHAPTER : ITALY - STUDY

SUMMARY: The Partnership Agreement (PA) specifically refers to justice a number of times. These references closely follow the needs identified in the 2014 Country Specific Recommendations which highlight the need to enhance coordination between different level of government and different public administrations, and the inefficiencies in civil justice.

Publication date: 29-10-2019

Authors: DG JUST, Optimity Advisors, Vitosha Research

Keywords: EU Member State, European Regional Development Fund, European Social Fund, Italy, legal system

ISBN/ISNN: 978-92-76-09534-7

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FREEDOM OF EXPRESSION, A PERSPECTIVE OF COMPARATIVE LAW PERU - STUDY

SUMMARY: This study is part of a more global project aimed at laying the foundations for a comparison of the regulation of freedom of expression in different legal systems. The following pages describe, in relation to Peru, and in relation to the object of the study, current legislation, the most significant jurisprudence and the concept of freedom of expression with its current and future limits, and conclude with the possible solutions to Future challenges.

Publication date: 14-11-2019

Authors: European Parliamentary Research Service; Espinosa-Saldaña Barrera, Eloy

Key Words: Comparative law, Information law, individual law, freedom of expression, Peru

ISBN/ISNN: 978-92-846-5966-1

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FREEDOM OF EXPRESSION, A COMPARATIVE-LAW PERSPECTIVE.THE UNITED KINGDOM - STUDY

SUMMARY: This study forms part of a wider-ranging project which seeks to lay the groundwork for comparisons between legal frameworks governing freedom of expression in different legal systems. The following pages will analyse, with reference to the United Kingdom and the subject at hand, the legislation in force, the most relevant case law and the concept of freedom of expression with its current and prospective limits, ending with some conclusions and possible solutions for future challenges.

Publication date: 24-10-2019

Authors: European Parliamentary Research Service; Cram, Ian

Keywords: Comparative law, Information law, individual law, freedom of expression, United Kingdom

ISBN/ISNN: 978-92-846-5837-4

MAGAZINES AND MEDIA COLLECTION

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EUROPEAN EQUALITY LAW REVIEW 2019/2

SUMMARY: This is the tenth number of the biannual review of the European equality law, produced by the European network of legal experts on gender equality and non-discrimination (EELN). This issue provides an overview of legal and political developments in Europe and, as far as possible, reflects the situation from January 1 to June 30, 2019.

Authors: Dirección General de Justicia y Consumidores



EUROPEAN LAW ENFORCEMENT RESEARCH BULLETIN. SPECIAL CONFERENCE EDITION NR. 4

SUMMARY: Fourth edition of the Special Conference of the European Research Bulletin on the Application of Law¹¹ article twenty-nine, based on original contributions made at the CEPOL Research and Science Conference at the end of 2017, covering a broad spectrum of police innovations and having Consider its various aspects.

Authors: European Union Agency for Law Enforcement Training; Jurczak, Justyna; Nogala, Detlef; Vegríchtová, Barbora; Mészáros, Bence; Neyroud, Peter; País, Lucia G; Görgen, Thomas



Eurojust: keeping European citizens safe

During a joint action day on 26 March 2019, Eurojust supported the national authorities of 15 countries in taking down an organised crime group involved in trafficking of human beings for sexual exploitation and money laundering. A joint investigation team had been working on the case for two years.



Advanced search on EUR-Lex (2019)

How to search for EU law with the advanced search on EUR-Lex - tutorial



The Court of Justice of the EU and Sport – ensuring fair play off the field

Rulings of the Court of Justice of the EU have an impact in many areas, including in the world of sport. This film explains how the Court's rulings have impacted the rights of sportspeople to freely move around the EU and how we watch sport on TV.



The Court of Justice and the Environment

The EU strives for a high level of environmental protection, but these rules are only effective if they are enforced in the same way across Europe. This short video explains just a few of the Court's rulings in the field of environmental protection, affecting the quality of the air we breathe, our water supplies and climate change.



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