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This newsletter contains a selection of recent official documents of the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trading enterprises and financial businesses with information about the latest legal developments in the European Union. Written in English or French, the newsletter offers links to documents in one of those languages.

We hope you will find this issue both useful and a pleasure to read.

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Case C-25/17: JUDGMENT OF THE COURT (Grand Chamber) of 10 July 2018 - Tietosuojavaltuutettu v Jehovan todistajat — uuskonnollinen yhdistys — REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus [Supreme Administrative Court, Finland] - Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Scope of the directive — Article 3 — Data collected and processed by the members of a religious community in the course of their door-to-door preaching — Article 2(c) — Definition of a ‘personal data filing system’ — Article 2(d) — Definition of a ‘controller’ of the processing of personal data — Article 10(1) of the Charter of Fundamental Rights of the European Union

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1. EU-Swiss Relations

International Agreements

OJ of the EU, L 166/20 of 3 July 2018

COUNCIL DECISION (EU) 2018/929 of 25 June 2018 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020
OJ of the EU, L 165/1 of 2 July 2018

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Community Legislation

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CURIA – Judgment of the Court of Justice in Case C-2/17 of 28 June 2018

2. External Relations / Foreign Policy

International Agreements

COUNCIL DECISION (EU) 2018/948 of 25 June 2018 on the conclusion on behalf of the European Union of the Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020
OJ of the EU, L 167/1 of 4 July 2018

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Case C-629/16: JUDGMENT OF THE COURT (Second Chamber) of 11 July 2018 - CX v Bezirkshauptmannschaft Schärding - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof (Supreme Administrative Court, Austria) - Reference for a preliminary ruling — International road transport — Agreement establishing an Association between the European Economic Community and Turkey — Article 9 — Additional Protocol — Articles 41 and 42 — Freedom to provide services — Standstill clause — Decision No 1/95 of the EC-Turkey Association Council — Articles 5 and 7 — Free movement of goods — National legislation restricting the right of road haulage undertakings with their seat in Turkey to operate their vehicles in the territory of the Member State concerned — Obligation to obtain an authorisation issued within the limits of a quota determined on the basis of a bilateral agreement concluded between that Member State and Turkey or a permit granted for a single transport of substantial public interest

CURIA – Judgment of the Court of Justice in Case C-629/16 of 11 July 2018

3. Agriculture and Fisheries / Maritime Affairs

Community Legislation

OJ of the EU, L 174/12 of 10 July 2018

OJ of the EU, L 169/27 of 6 July 2018

COMMISSION IMPLEMENTING REGULATION (EU) 2018/920 of 28 June 2018 amending Implementing Regulation (EC) No 180/2014 as regards certain provisions on checks, notifications and annual reporting and on amendments to the POSEI programmes
OJ of the EU, L 164/5 of 29 June 2018

Case Law

Case C-540/16: JUDGMENT OF THE COURT (Fifth Chamber) of 12 July 2018 - ‘Spika’ UAB, ‘Senoji Baltija’ AB, ‘Stekutis’ UAB and ‘Prekybos namai Aistra’ UAB v Žuvininkystės tarnyba prie Lietuvos Respublikos žemės ūkio ministerijos and others - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos vyriausiasis administracinis teismas (Supreme Administrative Court of Lithuania) - Reference for a preliminary ruling — Common fisheries policy — Regulation (EU) No 1380/2013 — Article 16(6) and Article 17 — Allocation of fishing opportunities — National legislation laying down a method based on objective and transparent criteria — Inequalities in the conditions of competition between operators in the sector — Charter of Fundamental Rights of the European Union — Articles 16 and 20 — Freedom to conduct a business — Equal treatment — Proportionality

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CURIA – Judgment of the Court of Justice in Case C-192/17 of 11 July 2018

Case C-25/17: JUDGMENT OF THE COURT (Grand Chamber) of 10 July 2018 - Tietosuojavaltuutettu v Jehovan todistajat — uskonnollinen yhdyskunta - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Scope of the directive — Article 3 — Data collected and processed by the members of a religious community in the course of their door-to-door preaching — Article 2(c) — Definition of a ‘personal data filing system’ — Article 2(d) — Definition of a ‘controller’ of the processing of personal data — Article 10(1) of the Charter of Fundamental Rights of the European Union

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Affaire C-298/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 5 juillet 2018 - France Télévisions SA contre Playmédia, Conseil supérieur de l’audiovisuel (CSA) et Ministre de la Culture et de la Communication - demande de décision préjudicielle formée par le Conseil d’État (France) - Renvoi préjudiciel — Directive 2002/22/CE — Réseaux et services de communications électroniques — Service universel et droits des utilisateurs — Notion d’entreprise exploitant un réseau de communications électroniques utilisé pour la diffusion publique d’émissions de radio ou de télévision — Entreprise qui propose le visionnage de programmes de télévision en flux continu et en direct sur Internet — Obligation de diffusion (must carry)

CURIA – Conclusions de l’Avocat Général dans l’affaire C-298/17 du 5 juillet 2018

5. Competition

Case Law

Case C-339/17: JUDGMENT OF THE COURT (Fifth Chamber) of 5 July 2018 - Verein für lauteren Wettbewerb eV v Princesport GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Köln (Regional Court, Cologne, Germany) - Reference for a preliminary ruling — Textile fibre names and related labelling and marking requirements — Regulation (EU) No 1007/2011 — Articles 7 and 9 — Pure textile products — Multi-fibre textile products — Labelling or marking methods

CURIA – Judgment of the Court of Justice in Case C-339/17 of 5 July 2018


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Case C-203/16 P: JUDGMENT OF THE COURT (Second Chamber) of 28 June 2018 - Dirk Andres, acting as liquidator in the insolvency of Heitkamp BauHolding GmbH, residing in Düsseldorf (Germany) v European Commission and Federal Republic of Germany - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — State aid — German tax legislation concerning the possibility of carrying certain losses forward to future tax years (‘restructuring clause’) — Decision declaring the aid scheme incompatible with the internal market — Actions for annulment — Admissibility — Article 263, fourth paragraph, TFUE — Person individually concerned — Article 107(1) TFUE — Concept of ‘State aid’ — Condition relating to selectivity — Determination of the reference framework — Legal classification of the facts
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6. Customs

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Case C-305/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 5 July 2018 - FENS spol. s r.o. v Slovenská republika — Úrad pre reguláciu sieteových odvetví - Request for a preliminary ruling from the Okresný súd Bratislava II (District Court Bratislava II, Slovakia) - Free movement of goods — Customs duties on exports — Charges having equivalent effect to customs duties — Internal taxation — Charge for network services for the transmission of electricity
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7. Economic and Monetary Affairs, Taxation, Enterprise

**International Agreements**

*COUNCIL DECISION (EU) 2018/952* of 26 June 2018 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (budget line 33 02 03 01: ‘Company Law’) (Text with EEA relevance)

OJ of the EU, L 168/1 of 5 July 2018

*COUNCIL DECISION (EU) 2018/953* of 26 June 2018 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics (Text with EEA relevance)

OJ of the EU, L 168/4 of 5 July 2018

**Community Legislation**

*COMMISSION DELEGATED REGULATION (EU) 2018/990* of 10 April 2018 amending and supplementing Regulation (EU) 2017/1131 of the European Parliament and of the Council with regard to simple, transparent and standardised (STS) securitisations and asset-backed commercial papers (ABCPs), requirements for assets received as part of reverse repurchase agreements and credit quality assessment methodologies (Text with EEA relevance)

OJ of the EU, L 177/1 of 13 July 2018


OJ of the EU, L 169/1 of 6 July 2018

*COUNCIL DIRECTIVE (EU) 2018/912* of 22 June 2018 amending Directive 2006/112/EC on the common system of value added tax as regards the obligation to respect a minimum standard rate

OJ of the EU, L 162/1 of 27 June 2018

**Case Law**

*Case C-154/17: JUDGMENT OF THE COURT (Tenth Chamber) of 11 July 2018 - SIA ‘E LATS’ v Valsts ieņēmumu dienests - REQUEST for a preliminary ruling under Article 267 TFEU from the Augstākā tiesa (Supreme Court, Latvia) - Reference for a preliminary ruling — Taxation — Value added tax — Directive 2006/112/EC — Article 311(1)(1) — Special arrangements for second-hand goods — Definition of ‘second-hand goods’ — Goods containing precious metals or precious stones resold by a trader — Processing of those goods after sale — Recovery of the precious metals or precious stones — Concept of ‘precious metals or precious stones’*  

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Case C-320/17: JUDGMENT OF THE COURT (Seventh Chamber) of 5 July 2018 - Marle Participations SARL v Ministre de l’Économie et des Finances - REQUEST for a preliminary ruling under Article 267 TFEU from the Conseil d’État (Council of State, France) - Reference for a preliminary ruling — Value added tax (VAT) — Directive 2006/112/EC — Articles 2, 9 and 168 — Economic activity — Direct or indirect involvement of a holding company in the management of its subsidiaries — Letting of a building by a holding company to its subsidiary — Deduction of input tax — VAT paid by a holding company on expenditure incurred in acquiring shares in other companies
CURIA – Judgment of the Court of Justice in Case C-320/17 of 5 July 2018

Case C-339/17: JUDGMENT OF THE COURT (Fifth Chamber) of 5 July 2018 - Verein für lauteren Wettbewerb eV v Princepsport GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Köln (Regional Court, Cologne, Germany) - Reference for a preliminary ruling — Textile fibre names and related labelling and marking requirements — Regulation (EU) No 1007/2011 — Articles 7 and 9 — Pure textile products — Multi-fibre textile products — Labelling or marking methods
CURIA – Judgment of the Court of Justice in Case C-339/17 of 5 July 2018

Case C-28/17: JUDGMENT OF THE COURT (First Chamber) of 4 July 2018 - NN A/S v Skatteministeriet - REQUEST for a preliminary ruling under Article 267 TFEU from the Østre Landsret (High Court of Eastern Denmark) - Reference for a preliminary ruling — Article 49 TFEU — Corporation tax — National tax legislation making the transfer of the losses sustained by a permanent establishment, situated on national territory, of a company established in another Member State, to a resident company belonging to the same group, subject to a condition as to the impossibility of using such losses for the purpose of a foreign tax
CURIA – Judgment of the Court of Justice in Case C-28/17 of 4 July 2018

Case C-90/17: JUDGMENT OF THE COURT (First Chamber) of 27 June 2018 - Turbogás — Produtora Energética SA v Autoridade Tributária e Aduaneira - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Arbitral Tributário (Centro de Arbitragem Administrativa) (Tax Arbitration Tribunal (Centre for Administrative Arbitration), Portugal) - Reference for a preliminary ruling — Directive 2003/96/EC — Taxation of energy products and electricity — Third subparagraph of Article 21(5) — Entity producing electricity for its own use — Small producers of electricity — Article 14(1)(a) — Energy products used for the production of electricity — Obligation to exempt
CURIA – Judgment of the Court of Justice in Case C-90/17 of 27 June 2018

Joined Cases C-459/17 and C-460/17: JUDGMENT OF THE COURT (Sixth Chamber) of 27 June 2018 - SGI (C-459/17) and Valériane SNC (C-460/17) v Ministre de l’Action et des Comptes publics - TWO REQUESTS for a preliminary ruling under Article 267 TFEU from the Conseil d’État (Council of State, France) - References for a preliminary ruling — Common system of value added tax (VAT) — Right to deduct input tax — Material conditions governing the right to deduct — Actual delivery of the goods
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Case C-364/17: JUDGMENT OF THE COURT (Sixth Chamber) of 27 June 2018 - ‘Varna Holideis’ EOOD v Direktor na Direksia ‘Obzhalvane i danachno-osiguritelna praktika’– Varna pri Tsentralno upravlenie na Natsionalnata agentzia za prihodite - REQUEST for a preliminary ruling under Article 267 TFEU from Administrativni sad — Varna (Administrative Court, Varna, Bulgaria) - Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC — Supply of immovable property effected prior to the accession of the Republic of Bulgaria to the European Union — Nullity of the contract of sale coming to light after the accession — Obligation to adjust the initial deduction — Interpretation — Jurisdiction of the Court
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CURIA – Conclusions de l’Avocat Général dans l’affaire C-219/17 du 27 juin 2018

8. Education, Training, Youth, Culture, Research and Innovation

Community Legislation

OJ of the EU, L 173/16 of 9 July 2018

OJ of the EU, L 173/25 of 9 July 2018

9. Employment and Social Affairs

Community Legislation

OJ of the EU, L 173/25 of 9 July 2018

Case Law

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Case C-356/15: JUDGMENT OF THE COURT (Fifth Chamber) of 11 July 2018 - European Commission and Ireland v Kingdom of Belgium - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Social security — Regulation (EC) No 883/2004 — Articles 11 and 12 and Article 76(6) — Regulation (EC) No 987/2009 — Article 5 — Posting of workers — Affiliation to a social security scheme — Combating fraud — A1 Certificate — Refusal of recognition by the Member State where the professional activity is carried out in the event of fraud or abuse
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Curia – Judgment of the Court of Justice in Case C-43/17 of 5 July 2018

Case C-2/17: JUDGMENT OF THE COURT (Tenth Chamber) of 28 June 2018 - Instituto Nacional de la Seguridad Social (INSS) v Jesús Crespo Rey and Tesorería General de la Seguridad Social - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Superior de Justicia de Galicia (High Court of Justice of Galicia, Spain) - Reference for a preliminary ruling - Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons - Social security for migrant workers - Regulation (EC) No 883/2004 - Paragraph 2 of the section 'Spain' in Annex XI - Retirement pension - Method of calculation - Theoretical amount - Relevant contribution basis - Special agreement - Choice of contribution basis - National legislation requiring the worker to make contributions in accordance with the minimum contribution basis

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Case C-57/17: JUDGMENT OF THE COURT (Seventh Chamber) of 28 June 2018 - Eva Soraya Checa Honrado v Fondo de Garantía Salarial - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Superior de Justicia de la Comunidad Valenciana (High Court of Justice of the Community of Valencia, Spain) - Reference for a preliminary ruling - Social policy - Protection of employees in the event of the insolvency of their employer - Directive 2008/94/EC - Article 3, first paragraph - Payment guaranteed by the guarantee institution - Severance pay on termination of employment relationships - Transfer of workplace obliging the worker to change residence - Change to a fundamental element of the contract of employment - Termination of the contract of employment by the worker - Principle of equality and non-discrimination

Curia – Judgment of the Court of Justice in Case C-57/17 of 28 June 2018

Case C-147/17: OPINION OF ADVOCATE GENERAL WAHL of 28 June 2018 - Sindicatul Familia Constanța, Ustinia Cvas, Silvica Jianu, Dumitra Bocu, Cader Aziz, Georgeta Crângașu and Sema Cutlaci v Direcția Generală de Asistență Socială și Protecția Copilului Constanța - Request for a preliminary ruling from the Curtea de Apel Constanța (Court of Appeal, Constanța, Romania) - Request for a preliminary ruling - Directive 2003/88/EC - Working time - Scope - Concept of worker - Foster parents - Exclusion

Curia – Opinion of Advocate General in Case C-147/17 of 28 June 2018

Case C-451/16: JUDGMENT OF THE COURT (Grand Chamber) of 26 June 2018 - MB v Secretary of State for Work and Pensions - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling - Directive 79/7/EEC - Equal treatment for men and women in matters of social security - National State pension scheme - Conditions for recognition of change of gender - National legislation under which such recognition is subject to the annulment of any marriage entered into before that change of gender - Refusal to grant a person who has changed gender a State retirement pension as from the pensionable age for persons of the gender acquired - Direct discrimination on grounds of sex

Curia – Judgment of the Court of Justice in Case C-451/16 of 26 June 2018
10. Energy and Environment

Community Legislation


OJ of the EU, L 182/1 of 18 July 2018

**COMMISSION IMPLEMENTING REGULATION (EU) 2018/986** of 3 April 2018 amending Implementing Regulation (EU) 2015/504 as regards the adaptation of the administrative provisions for the approval and market surveillance of agricultural and forestry vehicles to Stage V emission limits (Text with EEA relevance)

OJ of the EU, L 182/16 of 18 July 2018


OJ of the EU, L 182/40 of 18 July 2018

**COMMISSION IMPLEMENTING REGULATION (EU) 2018/988** of 27 April 2018 amending and correcting Implementing Regulation (EU) 2017/656 laying down the administrative requirements relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council (Text with EEA relevance)

OJ of the EU, L 182/46 of 18 July 2018


OJ of the EU, L 182/61 of 18 July 2018

**COMMISSION IMPLEMENTING REGULATION (EU) 2018/1002** of 16 July 2018 amending Implementing Regulation (EU) 2017/1153 to clarify and simplify the correlation procedure and to adapt it to changes to Regulation (EU) 2017/1151 (Text with EEA relevance)

OJ of the EU, L 180/10 of 17 July 2018

**COMMISSION IMPLEMENTING REGULATION (EU) 2018/1003** of 16 July 2018 amending Implementing Regulation (EU) 2017/1152 to clarify and simplify the correlation procedure and to adapt it to changes to Regulation (EU) 2017/1151 (Text with EEA relevance)

OJ of the EU, L 180/16 of 17 July 2018


OJ of the EU, L 174/5 of 10 July 2018


OJ of the EU, L 173/1 of 9 July 2018
COMMISSION REGULATION (EU) 2018/932 of 29 June 2018 amending Regulation (EU) No 582/2011 as regards the provisions on testing by means of portable emission measurement systems (PEMS) and the requirements for universal fuel range type-approval (Text with EEA relevance)
OJ of the EU, L 165/32 of 2 July 2018

Case Law

Case C-15/17: JUDGMENT OF THE COURT (Third Chamber) of 11 July 2018 - Bosphorus Queen Shipping Ltd Corp. v Rajavartiolaitos - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein oikeus (Supreme Court, Finland) - Reference for a preliminary ruling — Montego Bay Convention — Article 220(6) — Enforcement by the coastal State — Jurisdiction of the Court to interpret provisions of international law — Directive 2005/35/EC — Ship-source pollution — Article 7(2) — Marpol Convention 73/78 — Oil spill in the exclusive economic zone from a foreign vessel in transit — Circumstances in which a coastal State may instigate proceedings against a foreign vessel — Freedom of navigation — Protection of the marine environment — Major damage or threat of major damage to the coastline, related interests or any resources in the territorial sea or exclusive economic zone — Clear objective evidence
CURIA – Judgment of the Court of Justice in Case C-15/17 of 11 July 2018

Case C-305/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 5 July 2018 - FENS spol. s r.o. v Slovenská republika — Úrad pre reguláciu sieťových odvetví - Request for a preliminary ruling from the Okresný súd Bratislava II (District Court Bratislava II, Slovakia) - Free movement of goods — Customs duties on exports — Charges having equivalent effect to customs duties — Internal taxation — Charge for network services for the transmission of electricity
CURIA – Opinion of Advocate General in Case C-305/17 of 5 July 2018

Case C-626/16: JUDGMENT OF THE COURT (Fourth Chamber) of 4 July 2018 - European Commission v Slovak Republic - ACTION for failure to fulfil obligations under Article 260(2) TFEU - Failure of a Member State to fulfil obligations — Environment — Landfill of waste — Directive 1999/31/EC — Existing landfill sites — Article 14 — Definite decision on whether or not operations may continue — Article 13 — Closure procedures — Judgment of the Court declaring a failure to fulfil obligations — Non-compliance — Article 260(2) TFEU — Pecuniary penalties — Penalty payment and lump sum
CURIA – Judgment of the Court of Justice in Case C-626/16 of 4 July 2018

Case C-90/17: JUDGMENT OF THE COURT (First Chamber) of 27 June 2018 - Turbogás — Produtora Energética SA v Autoridade Tributária e Aduaneira - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Arbitral Tributário (Centro de Arbitragem Administrativa) (Tax Arbitration Tribunal (Centre for Administrative Arbitration), Portugal) - Reference for a preliminary ruling — Directive 2003/96/EC — Taxation of energy products and electricity — Third subparagraph of Article 21(5) — Entity producing electricity for its own use — Small producers of electricity — Article 14(1)(a) — Energy products used for the production of electricity — Obligation to exempt
CURIA – Judgment of the Court of Justice in Case C-90/17 of 27 June 2018

11. Food Safety, Public Health and Consumers

Community Legislation

OJ of the EU, L 174/12 of 10 July 2018

COMMISSION IMPLEMENTING DECISION (EU) 2018/945 of 22 June 2018 on the communicable diseases and related special health issues to be covered by epidemiological surveillance as well as relevant case definitions (Text with EEA relevance)
OJ of the EU, L 170/1 of 6 July 2018
Case Law

Case C-339/17: JUDGMENT OF THE COURT (Fifth Chamber) of 5 July 2018 - Verein für lauteren Wettbewerb eV v Princesport GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Köln (Regional Court, Cologne, Germany) - Reference for a preliminary ruling — Textile fibre names and related labelling and marking requirements — Regulation (EU) No 1007/2011 — Articles 7 and 9 — Pure textile products — Multi-fibre textile products — Labelling or marking methods

CURIA – Judgment of the Court of Justice in Case C-339/17 of 5 July 2018

Case C-220/17: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 4 July 2018 - Planta Tabak-Manufaktur Dr. Manfred Obermann GmbH & Co. KG v Land Berlin - Request for a preliminary ruling from the Verwaltungsgericht Berlin (Administrative Court, Berlin, Germany) - Reference for a preliminary ruling — Approximation of laws — Manufacture, presentation and sale of tobacco products — Directive 2014/40/EU — Article 7(1) and (7) — Prohibition on the placing on the market of tobacco products with characterising flavours — Article 7(14) — Transitional period for tobacco products with a characterising flavour whose European Union-wide sales volumes represent 3% or more in a particular product category — Assessment of validity — Principle of equal treatment — Article 13(1)(c) — Interpretation — Prohibition on any element or feature that refers to taste, smell, flavourings or other additives or the absence thereof — Application to tobacco products containing a characterising flavour whose sale is still permitted after 20 May 2016

CURIA – Opinion of Advocate General in Case C-220/17 of 4 July 2018

Affaire C-419/17 P: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 26 juin 2018 Deza a.s. contre Agence européenne des produits chimiques - Pourvoi — Établissement d’une liste des substances soumises à autorisation — Inscription sur la liste de substances identifiées en vue d’une inclusion à terme dans l’annexe XIV — Mise à jour de l’inscription de la substance phthalate de bis(2-éthylhexyle) (DEHP) sur la liste — Prétendues erreurs d’interprétation et d’application du règlement (CE) no 1907/2006 ainsi que du principe de sécurité juridique

CURIA – Conclusions de l’Avocat Général dans l’affaire C-419/17 du 26 juin 2018

12. Human Rights

Case Law

Case C-540/16: JUDGMENT OF THE COURT (Fifth Chamber) of 12 July 2018 - ‘Spika’ UAB, ‘Senoji Baltija’ AB, ‘Stekutis’ UAB and ‘Prekybos namai Aistra’ UAB v Žuvininkystės tarnyba prie Lietuvos Respublikos žemės ūkio ministerijos and others - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos vyriausiasis administracinis teismas (Supreme Administrative Court of Lithuania) - Reference for a preliminary ruling — Common fisheries policy — Regulation (EU) No 1380/2013 — Article 16(6) and Article 17 — Allocation of fishing opportunities — National legislation laying down a method based on objective and transparent criteria — Inequalities in the conditions of competition between operators in the sector — Charter of Fundamental Rights of the European Union — Articles 16 and 20 — Freedom to conduct a business — Equal treatment — Proportionality

CURIA – Judgment of the Court of Justice in Case C-540/16 of 12 July 2018
Case C-89/17: JUDGMENT OF THE COURT (Fourth Chamber) of 12 July 2018 - Secretary of State for the Home Department v Rozanne Banger - REQUEST for a preliminary ruling under Article 267 TFEU from the Upper Tribunal (Immigration and Asylum Chamber) (United Kingdom) - Reference for a preliminary ruling — Citizenship of the European Union — Article 21 TFEU — Right of Union citizens to move and reside freely within the territory of the European Union — Directive 2004/38/EC — Point (b) of the first subparagraph of Article 3(2) — Partner with whom the Union citizen has a duly-attested durable relationship — Return to the Member State of which the Union citizen is a national — Application for residence authorisation — Extensive examination of the applicant’s personal circumstances — Articles 15 and 31 — Effective judicial protection — Charter of Fundamental Rights of the European Union — Article 47
CURIA – Judgment of the Court of Justice in Case C-89/17 of 12 July 2018

Case C-25/17: JUDGMENT OF THE COURT (Grand Chamber) of 10 July 2018 - Tietosuojavaltuutettu v Jehovan todistajat — uskonnollinen yhdyskunta - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Scope of the directive — Article 3 — Data collected and processed by the members of a religious community in the course of their door-to-door preaching — Article 2(c) — Definition of a ‘personal data filing system’ — Article 2(d) — Definition of a ‘controller’ of the processing of personal data — Article 10(1) of the Charter of Fundamental Rights of the European Union
CURIA – Judgment of the Court of Justice in Case C-25/17 of 10 July 2018

Case C-213/17: JUDGMENT OF THE COURT (Third Chamber) of 5 July 2018 - X v Staatssecretaris van Veiligheid en Justitie - REQUEST for a preliminary ruling under Article 267 TFEU from the Rechtbank Den Haag, zittingsplaats Amsterdam (District Court, The Hague, sitting in Amsterdam, the Netherlands) - Reference for a preliminary ruling — Regulation (EU) No 604/2013 — Determining the Member State responsible for examining an application for international protection made in one of the Member States by a third-country national — Articles 17, 18, 23 and 24 — Prior international protection procedure ongoing in one Member State — New application in another Member State — Take back request not made within the prescribed periods — Surrender of the person concerned for criminal prosecution
CURIA – Judgment of the Court of Justice in Case C-213/17 of 5 July 2018

CURIA – Conclusions de l’Avocat Général dans l’affaire C-220/18 du 4 juillet 2018

CURIA – Conclusions de l’Avocat Général dans l’affaire C-652/16 du 28 juin 2018
Case C-230/17: JUDGMENT OF THE COURT (Third Chamber) of 27 June 2018 - Erdem Deha Altiner and Isabel Hanna Ravn v Udlændingestyrelsen - REQUEST for a preliminary ruling under Article 267 TFEU from the Østre Landsret (High Court of Eastern Denmark) - Reference for a preliminary ruling — Citizenship of the Union — Article 21(1) TFEU — Directive 2004/38/EC — Right to move and reside freely within the territory of the Member States — Right of residence of a third-country national who is a family member of a Union citizen in the Member State of which that citizen is a national — Entry by that family member into the territory of the Member State in question subsequent to the return of the Union citizen to that Member State
CURIA — Judgment of the Court of Justice in Case C-230/17 of 27 June 2018

CURIA — Conclusions de l’Avocat Général dans l’affaire C-380/17 du 27 juin 2018

CURIA — Judgment of the Court of Justice in Case C-246/17 of 27 June 2018

Affaire C-257/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. PAOLO MENGOZZI du 27 juin 2018 — C et A contre Staatssecretaris van Veiligheid en Justitie — demande de décision préjudicielle formée par le Raad van State (Conseil d’État, Pays-Bas) - Renvoi préjudiciel — Exclusion du champ d’application de la directive 2003/86 — Dispositions du droit de l’Union rendues applicables de manière directe et inconditionnelle par le droit national — Compétence de la Cour — Droit au regroupement familial — Article 15, paragraphes 1 et 4 — Refus d’octroi de titre de séjour autonome à un ressortissant de pays tiers après cinq ans de résidence dans l’État membre — Réglementation nationale prévoyant une obligation de réussir un examen d’intégration civique — Condition procédurale — Date d’introduction d’une demande de séjour autonome comme étant la date de prise d’effet d’un titre de séjour autonome
CURIA — Conclusions de l’Avocat Général dans l’affaire C-257/17 du 27 juin 2018

13. Internal Market and Single Market

Case Law

Case C-540/16: JUDGMENT OF THE COURT (Fifth Chamber) of 12 July 2018 - ‘Spika’ UAB, ‘Senoji Baltija’ AB, ‘Stekutis’ UAB and ‘Prekybos namai Aistra’ UAB v Žuvinkystės tarnyba prie Lietuvos Respublikos žemės ūkio ministerijos and others - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos vyriausiasis administracinis teismas (Supreme Administrative Court of Lithuania) - Reference for a preliminary ruling — Common fisheries policy — Regulation (EU) No 1380/2013 — Article 16(6) and Article 17 — Allocation of fishing opportunities — National legislation laying down a method based on objective and transparent criteria — Inequalities in the conditions of competition between operators in the sector — Charter of Fundamental Rights of the European Union — Articles 16 and 20 — Freedom to conduct a business — Equal treatment — Proportionality
CURIA — Judgment of the Court of Justice in Case C-540/16 of 12 July 2018
Case C-14/17: JUDGMENT OF THE COURT (Fourth Chamber) of 12 July 2018 - VARSrl and Azienda Trasporti Milanesi SpA (ATM) v Iveco Orecchia SpA - REQUEST for a preliminary ruling under Article 267 TFEU from the Consiglio di Stato (Council of State, Italy) - Reference for a preliminary ruling — Public procurement — Directive 2004/17/EC — Article 34 — Supply of spare parts for buses and trolley-buses — Technical specifications — Equivalent products — Whether proof of equivalence may be provided after the contract has been awarded
CURIA – Judgment of the Court of Justice in Case C-14/17 of 12 July 2018

Affaire C-272/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. CAMPOS SÁNCHEZ-BORDONA du 11 juillet 2018 - K. et M. Mme Zyla contre Staatssecretaris van Financiën - Demande de décision préjudicielle présentée par le Hoge Raad der Nederlanden (Cour suprême, Pays-Bas) - Question préjudicielle – Libre circulation des travailleurs — Égalité de traitement — Impôts sur le revenu — Cotisations aux assurances sociales — Réduction d’impôts et de cotisations — Travailleur ayant déménagé au cours de l’année civile — Réduction au prorata de la période assurée
CURIA – Conclusions de l’Avocat Général dans l’affaire C-272/17 du 11 juillet 2018

CURIA – Conclusions de l’Avocat Général dans l’affaire C-328/17 du 5 juillet 2018

Case C-305/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 5 July 2018 - FENS spol. s r.o. v Slovenská republika — Úrad pre reguláciu sieťových odvetví - Request for a preliminary ruling from the Okresný súd Bratislava II (District Court Bratislava II, Slovakia) - Free movement of goods — Customs duties on exports — Charges having equivalent effect to customs duties — Internal taxation — Charge for network services for the transmission of electricity
CURIA – Opinion of Advocate General in Case C-305/17 of 5 July 2018

Case C-635/16 P: JUDGMENT OF THE COURT (Tenth Chamber) of 28 June 2018 - pliethoff’s Bervoeringskantoor BV, established in Amsterdam (Netherlands) v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Actions for annulment — Admissibility — Determination of the subject-matter of the proceedings — Financial assistance in the field of Connecting Europe Facility (CEF) — Transport sector for the period 2014-2020 — Call for proposals — Innovation and Networks Executive Agency (INEA) — Email informing the appellant of the rejection of its proposal — Subsequent decision of the European Commission establishing the list of selected proposals — Effective judicial protection
CURIA – Judgment of the Court of Justice in Case C-635/16 of 28 June 2018

Affaire C-546/16: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 26 juin 2018 - Montte SL contre Musikene - demande de décision préjudicielle formée par l’Órgano Administrativo de Recursos Contractuales de la Comunidad Autónoma de Euskadi (organe administratif de la Communauté autonome du Pays basque compétent en matière de recours dans le domaine des marchés publics, Espagne) - Renvoi préjudiciel — Marchés publics — Procédure ouverte — Critères d’attribution — évaluation des offres par phases successives — Seuil de points minimum
CURIA – Conclusions de l’Avocat Général dans l’affaire C-546/16 du 26 juin 2018

Case Law


CURIA – Judgment of the Court of Justice in Case C-217/17 of 5 July 2018


CURIA – Judgment of the Court of Justice in Case C-564/16 of 28 June 2018


Case Law

Case C-88/17: JUDGMENT OF THE COURT (Third Chamber) of 11 July 2018 - Zurich Insurance plc and Metso Minerals Oy v Abnormal Load Services (International) Ltd - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein oikeus (Supreme Court, Finland) - Reference for a preliminary ruling — Cooperation in civil and commercial matters — Regulation (EC) No 44/2001 — Jurisdiction — Second indent of Article 5(1)(b) — Jurisdiction of the courts for the place of performance of the obligation — Place of provision of services — Contract for the carriage of goods between two Member States — Route consisting of several stages and involving a number of means of transport

CURIA – Judgment of the Court of Justice in Case C-88/17 of 11 July 2018


CURIA – Conclusions de l’Avocat Général dans l’affaire C-478/17 du 10 juillet 2018


CURIA – Judgment of the Court of Justice in Case C-27/17 of 5 July 2018
Case C-43/17 P: JUDGMENT OF THE COURT (First Chamber) of 5 July 2018 - Liam Jenkinson, residing in Killarney (Ireland) v Council of the European Union, European Commission, European External Action Service (EEAS) and Eulex Kosovo, established in Pristina (Kosovo) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Arbitration clause — Staff of international missions of the European Union — Jurisdiction to rule on disputes concerning employment contracts — Consecutive fixed-term contracts — Arbitration clauses conferring jurisdiction, in the final contract, on the Courts of the European Union, and, in the previous contracts, on the Brussels (Belgium) courts — Decision not to renew the final contract — Claim that all the contractual relationships should be recategorised as a ‘contract of indefinite duration’ — Claims for compensation for unfair dismissal — Contractual relationships prior to the final contract to be taken into account — Jurisdiction of the General Court of the European Union

CURIA – Judgment of the Court of Justice in Case C-43/17 of 5 July 2018

Case C-390/16: JUDGMENT OF THE COURT (Second Chamber) of 5 July 2018 - Dániel Bertold Lada - REQUEST for a preliminary ruling under Article 267 TFEU from the Szombathelyi Törvényzék (Szombathely Court, Hungary) - Reference for a preliminary ruling — Judicial cooperation in criminal matters — Framework Decision 2008/675/JHA — Taking account in new criminal proceedings of a previous conviction in another Member State — Special procedure for recognition of a conviction in another Member State — Review and legal reclassification of the earlier decision — Principle of mutual recognition — Article 82(1) TFEU

CURIA – Judgment of the Court of Justice in Case C-390/16 of 5 July 2018

Affaire C-595/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. NILS WAHL du 5 juillet 2018 - Apple Sales International, Apple Inc. et Apple retail France EURL contre MJA, en qualité de mandataire liquidateur de eBizcuss.com (eBizcuss) - demande de décision préjudicielle formée par la Cour de cassation (France) - Renvoi préjudiciel — Espace de liberté, de sécurité et de justice — Compétence judiciaire en matière civile et commerciale — Article 23 du règlement (CE) no 44/2001 — Clause attributive de juridiction figurant dans un contrat de distribution — Action indemnitaire du distributeur fondée sur la violation de l’article 102 TFUE par le fournisseur

CURIA – Conclusions de l’Avocat Général dans l’affaire C-595/17 du 5 juillet 2018


CURIA – Conclusions de l’Avocat Général dans l’affaire C-220/18 du 4 juillet 2018

Affaire C-308/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. YVES BOT du 4 juillet 2018 - Hellenische Republik contre Leo Kuhn - demande de décision préjudicielle formée par l’Oberster Gerichtshof (Cour suprême, Autriche) - Renvoi préjudiciel — Règlement (UE) no 1215/2012 — Compétence judiciaire en matière civile et commerciale — Champ d’application — Article 1er, paragraphe 1 — Notion de “matière civile et commerciale” — Obligations émises par un État membre — Participation à la restructuration de la dette publique — Modification unilatérale et rétroactive des conditions de l’emprunt — Clauses d’action collective — Recours exercé contre l’État par des créanciers privés détenteurs de ces obligations en tant que personnes physiques — Responsabilité de l’État pour les acta jure imperii — Compétences spéciales — Article 7, point 1, sous a) — Compétence en matière contractuelle — Notion de “matière contractuelle” — Notion d’”engagement librement assumé d’une partie envers une autre” — Notion de “lieu d’exécution de l’obligation qui sert de base à la demande” — Conditions de souscription de l’emprunt obligataire d’État — Transferts successifs de la créance — Lieu effectif d’exécution de l’“obligation principale” — Paiement d’intérêts

CURIA – Conclusions de l’Avocat Général dans l’affaire C-308/17 du 4 juillet 2018

CURIA – Judgment of the Court of Justice in Case C-512/17 of 28 June 2018


CURIA – Conclusions de l’Avocat Général dans l’affaire C-296/17 du 28 juin 2018


CURIA – Conclusions de l’Avocat Général dans l’affaire C-652/16 du 28 juin 2018

Case C-216/18 PPU: OPINION OF ADVOCATE GENERAL TANCHEV of 28 June 2018 - Minister for Justice and Equality v LM - Deficiencies in the system of justice - Request for a preliminary ruling from the High Court (Ireland) - Reference for a preliminary ruling — Judicial cooperation in criminal matters — Framework Decision 2002/584/ÎHA — European arrest warrant — Grounds for refusal to execute — Charter of Fundamental Rights of the European Union — Article 47 — Right to a fair trial — Rule of law — Article 7 TEU — Reasoned proposal of the Commission inviting the Council to determine that there is a clear risk of a serious breach by the Republic of Poland of a value referred to in Article 2 TEU

CURIA – Opinion of Advocate General in Case C-216/18 of 28 June 2018

Case C-364/17: JUDGMENT OF THE COURT (Sixth Chamber) of 27 June 2018 - ‘Varna Holideis’ EOOD v Direktor na Direksiya ‘Obzhalvane i danachno-osiguritelna praktika’ – Varna pri Tsentralno upravlenie na Nacionalnata agentsia za prihodite - REQUEST for a preliminary ruling under Article 267 TFEU from Administrativn sad — Varna (Administrative Court, Varna, Bulgaria) - Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC — Supply of immovable property effected prior to the accession of the Republic of Bulgaria to the European Union — Nullity of the contract of sale coming to light after the accession — Obligation to adjust the initial deduction — Interpretation — Jurisdiction of the Court

CURIA – Judgment of the Court of Justice in Case C-364/17 of 27 June 2018

Affaire C-257/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. PAOLO MENGozzi du 27 juin 2018 – C et A contre Staatssecretaris van Veiligheid en Justitie - demande de décision préjudicielle formée par le Raad van State (Conseil d’État, Pays-Bas) - Renvoi préjudiciel – Exclusion du champ d’application de la directive 2003/86 – Dispositions du droit de l’Union rendues applicables de manière directe et inconditionnelle par le droit national — Compétence de la Cour — Droit au regroupement familial — Article 15, paragraphes 1 et 4 — Refus d’octroi de titre de séjour autonome à un ressortissant de pays tiers après cinq ans de résidence dans l’État membre — Réglementation nationale prévoyant une obligation de réussir un examen d’intégration civique — Condition procédurale – Date d’introduction d’une demande de séjour autonome comme étant la date de prise d’effet d’un titre de séjour autonome

CURIA – Conclusions de l’Avocat Général dans l’affaire C-257/17 du 27 juin 2018


16. Transport

International Agreements


OJ of the EU, L 166/20 of 3 July 2018

Community Legislation


OJ of the EU, L 182/1 of 18 July 2018

COMMISSION IMPLEMENTING REGULATION (EU) 2018/986 of 3 April 2018 amending Implementing Regulation (EU) 2015/504 as regards the adaptation of the administrative provisions for the approval and market surveillance of agricultural and forestry vehicles to Stage V emission limits (Text with EEA relevance)

OJ of the EU, L 182/16 of 18 July 2018


OJ of the EU, L 182/40 of 18 July 2018

COMMISSION IMPLEMENTING REGULATION (EU) 2018/988 of 27 April 2018 amending and correcting Implementing Regulation (EU) 2017/656 laying down the administrative requirements relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council (Text with EEA relevance)

OJ of the EU, L 182/46 of 18 July 2018


OJ of the EU, L 182/61 of 18 July 2018

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1002 of 16 July 2018 amending Implementing Regulation (EU) 2017/1153 to clarify and simplify the correlation procedure and to adapt it to changes to Regulation (EU) 2017/1151 (Text with EEA relevance)

OJ of the EU, L 180/10 of 17 July 2018
COMMISSION IMPLEMENTING REGULATION (EU) 2018/1003 of 16 July 2018 amending Implementing Regulation (EU) 2017/1152 to clarify and simplify the correlation procedure and to adapt it to changes to Regulation (EU) 2017/1151 (Text with EEA relevance)
OJ of the EU, L 180/16 of 17 July 2018

OJ of the EU, L 179/14 of 16 July 2018

OJ of the EU, L 174/15 of 10 July 2018

OJ of the EU, L 173/1 of 9 July 2018

OJ of the EU, L 165/42 of 2 July 2018

OJ of the EU, L 165/35 of 2 July 2018

COMMISSION REGULATION (EU) 2018/932 of 29 June 2018 amending Regulation (EU) No 582/2011 as regards the provisions on testing by means of portable emission measurement systems (PEMS) and the requirements for universal fuel range type-approval (Text with EEA relevance)
OJ of the EU, L 165/32 of 2 July 2018

Case Law

Case C-629/16: JUDGMENT OF THE COURT (Second Chamber) of 11 July 2018 - CX v Bezirkshauptmannschaft Schärding - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof (Supreme Administrative Court, Austria) - Reference for a preliminary ruling — International road transport — Agreement establishing an Association between the European Economic Community and Turkey — Article 9 — Additional Protocol — Articles 41 and 42 — Freedom to provide services — Standstill clause — Decision No 1/95 of the EC-Turkey Association Council — Articles 5 and 7 — Free movement of goods — National legislation restricting the right of road haulage undertakings with their seat in Turkey to operate their vehicles in the territory of the Member State concerned — Obligation to obtain an authorisation issued within the limits of a quota determined on the basis of a bilateral agreement concluded between that Member State and Turkey or a permit granted for a single transport of substantial public interest
CURIA – Judgment of the Court of Justice in Case C-629/16 of 11 July 2018

Case C-532/17: JUDGMENT OF THE COURT (Third Chamber) of 4 July 2018 - Wolfgang Wirth, Theodor Mülder, Ruth Mülder and Gisela Wirth v Thomson Airways Ltd - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Hamburg (Regional Court, Hamburg, Germany) - Reference for a preliminary ruling — Transport — Regulation (EC) No 261/2004 — Article 2(b) — Scope — Definition of ‘operating air carrier’ — Lease of aircraft including crew ‘Wet lease’
CURIA – Judgment of the Court of Justice in Case C-532/17 of 7 July 2018
Case C–635/16 P: JUDGMENT OF THE COURT (Tenth Chamber) of 28 June 2018 - pliethoff's Beverwijk transport BV, established in Amsterdam (Netherlands) v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Actions for annulment — Admissibility — Determination of the subject-matter of the proceedings — Financial assistance in the field of Connecting Europe Facility (CEF) — Transport sector for the period 2014-2020 — Call for proposals — Innovation and Networks Executive Agency (INEA) — Email informing the appellant of the rejection of its proposal — Subsequent decision of the European Commission establishing the list of selected proposals — Effective judicial protection
CURIA – Judgment of the Court of Justice in Case C-635/16 of 28 June 2018

CURIA – Conclusions de l’Avocat Général dans l’affaire C-330/17 du 28 juin 2018

CURIA – Opinion of Advocate General in Case C-384/17 of 26 June 2018

Preparatory Acts, Reports, Calls, Memos, Common Positions

OJ of the EU, C 226/1 of 28 June 2018

List of N.SIS II Offices and the national Sirene Bureaux (2018/C 226/02)
OJ of the EU, C 226/170 of 28 June 2018

17. Community Institutions, Principles and the Communities’ own Resources

Case Law

Case C-89/17: JUDGMENT OF THE COURT (Fourth Chamber) of 12 July 2018 - Secretary of State for the Home Department v Rozanne Banger - REQUEST for a preliminary ruling under Article 267 TFEU from the Upper Tribunal (Immigration and Asylum Chamber) (United Kingdom) - Reference for a preliminary ruling — Citizenship of the European Union — Article 21 TFEU — Right of Union citizens to move and reside freely within the territory of the European Union — Directive 2004/38/EC — Point (b) of the first subparagraph of Article 3(2) — Partner with whom the Union citizen has a duly-attested durable relationship — Return to the Member State of which the Union citizen is a national — Application for residence authorisation — Extensive examination of the applicant’s personal circumstances — Articles 15 and 31 — Effective judicial protection — Charter of Fundamental Rights of the European Union — Article 47
CURIA – Judgment of the Court of Justice in Case C-89/17 of 12 July 2018
Case C-43/17 P: JUDGMENT OF THE COURT (First Chamber) of 5 July 2018 - Liam Jenkinson, residing in Killarney (Ireland) v Council of the European Union, European Commission, European External Action Service (EEAS) and Eulex Kosovo, established in Pristina (Kosovo) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Arbitration clause — Staff of international missions of the European Union — Jurisdiction to rule on disputes concerning employment contracts — Consecutive fixed-term contracts — Arbitration clauses conferring jurisdiction, in the final contract, on the Courts of the European Union, and, in the previous contracts, on the Brussels (Belgium) courts — Decision not to renew the final contract — Claim that all the contractual relationships should be recategorised as a ‘contract of indefinite duration’ — Claims for compensation for unfair dismissal — Contractual relationships prior to the final contract to be taken into account — Jurisdiction of the General Court of the European Union

CURIA – Judgment of the Court of Justice in Case C-43/17 of 5 July 2018

Case C-230/17: JUDGMENT OF THE COURT (Third Chamber) of 27 June 2018 - Erdem Deha Altiner and Isabel Hanna Ravn v Udlændingestyrelsen - REQUEST for a preliminary ruling under Article 267 TFEU from the Østre Landsret (High Court of Eastern Denmark) - Reference for a preliminary ruling — Citizenship of the Union — Article 21(1) TFEU — Directive 2004/38/EC — Right to move and reside freely within the territory of the Member States — Right of residence of a third-country national who is a family member of a Union citizen in the Member State of which that citizen is a national — Entry by that family member into the territory of the Member State in question subsequent to the return of the Union citizen to that Member State)

CURIA – Judgment of the Court of Justice in Case C-230/17 of 27 June 2018


CURIA – Judgment of the Court of Justice in Case C-246/17 of 27 June 2018