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# EU News: Click & Read

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European Documentation Centre

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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, legal professionals, as well as corporations 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.

## Highlights

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**Case C-713/23. Judgment of the Court (Grand Chamber) of 25 November 2025. Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki. Request for a preliminary ruling from the Naczelny Sąd Administracyjny.**

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 21 of the Charter of Fundamental Rights of the European Union – **Right to move and reside freely within the territory of the Member States – Union citizens of the same sex who have entered into a marriage in the exercise of that right** – Obligation on the part of the Member State of origin to recognise and transcribe the marriage certificate in the civil register – **National legislation which does not permit such recognition or transcription on the ground that same-sex marriage is not allowed.**

[EUR-Lex - 62023CJ0713](#)

**Case C-57/23. Judgment of the Court (Fifth Chamber) of 20 November 2025. JH v Policejní prezidium. Request for a preliminary ruling from the Nejvyšší správní soud.**

Reference for a preliminary ruling – Protection of natural persons with regard to the processing of their personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data – Directive (EU) 2016/680 – Article 4(1)(c) and (e) – Minimisation of data processing – Storage limitation of personal data – Article 10 – Collection and storage of biometric and genetic data – Strict necessity – Article 6(a) – Obligation to make a distinction between personal data of different categories of persons – **National legislation which provides for the collection of biometric and genetic data of any person suspected or accused of having committed an intentional criminal offence** – Article 5 – Appropriate time limits for erasure or for a periodic review of the need for the storage of those data – **No maximum time limit for storage** – Assessment of the need for the storage of biometric and genetic data by the police on the basis of internal rules – Article 8(2) – Lawfulness of the processing of those data.

[EUR-Lex - 62023CJ0057](#)

**Case C-19/23. Judgment of the Court (Grand Chamber) of 11 November 2025. Kingdom of Denmark v European Parliament and Council of the European Union.**

Action for annulment – Directive (EU) 2022/2041 – **Adequate minimum wages in the European Union** – Article 153(1)(b) TFEU – Article 153(2)(b) TFEU – Respect for the competences conferred on the Union by the Treaties – Article 153(5) TFEU – Exclusions of competence – ‘Pay’ and ‘right of association’ – **Direct interference by EU law in the determination of pay within the European Union and in the right of association** – Partial annulment – Article 5(1), in part, (2) and (3).

## 1. EU-Swiss Relations

### Case Law

**Decision No 3/2025 of the joint European Union/Switzerland Air Transport Committee** set up under the Agreement between the European Community and the Swiss Confederation on air Transport of 26 November 2025 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport [2025/2348]

[EUR-Lex - 22025D2348](#)

**Proposal for a COUNCIL DECISION on the conclusion of the Agreement between the European Union and the Swiss Confederation on the transfer of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime** COM/2025/676 final

[EUR-Lex - 52025PC0676](#)

## 2. External Relations / Foreign Policy

### Community Legislation

**Council Regulation (EU) 2025/2397 of 24 November 2025 amending 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**

[Regulation - EU - 2025/2397](#)

## 3. Agriculture and Fisheries / Maritime Affairs

Nothing to report for the period under review.

## 4. Audiovisual and Media and Information Society

### Case Law

**Case C-327/24. Judgment of the Court (First Chamber) of 20 November 2025. Telekom Deutschland GmbH v Bundesrepublik Deutschland. Request for a preliminary ruling from the Verwaltungsgericht Köln.**

Reference for a preliminary ruling – **European Electronic Communications Code** – Directive (EU) 2018/1972 – **Access remedies imposed on undertakings with significant market power** – Article 72 – Obligations of access to civil engineering assets – Conditions.

[EUR-Lex - 62024CJ0327](#)

**Case C-57/23. Judgment of the Court (Fifth Chamber) of 20 November 2025. JH v Policejní prezidium. Request for a preliminary ruling from the Nejvyšší správní soud.**

Reference for a preliminary ruling – Protection of natural persons with regard to the processing of their personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data – Directive (EU) 2016/680 – Article 4(1)(c) and (e) – Minimisation of data processing – Storage limitation of personal data – Article 10 – Collection and storage of biometric and genetic data – Strict necessity – Article 6(a) – Obligation to make a distinction between personal data of different categories of persons – **National legislation which provides for the collection of biometric and genetic data of any person suspected or accused of having committed an intentional criminal offence** – Article 5 – Appropriate time limits for erasure or for a periodic review of the need for the storage of those data – **No maximum time limit for storage** – Assessment of the need for the storage of biometric and genetic data by the police on the basis of internal rules – Article 8(2) – Lawfulness of the processing of those data – Concept of ‘Member State law’ – Whether national case-law may be classified as ‘Member State law’.

[EUR-Lex - 62023CJ0057](#)

**Case C-654/23. Judgment of the Court (First Chamber) of 13 November 2025. Inteligo Media SA v Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal (ANSPDCP). Request for a preliminary ruling from the Curtea de Apel București.**

Reference for a preliminary ruling – **Processing of personal data and the protection of privacy in the electronic communications sector** – Directive 2002/58/EC – Article 13(1) and (2) – Unsolicited communications – Concept of communication ‘for the purposes of direct marketing’ – **Obtaining electronic contact details ‘in the context of the sale of a product or a service’** – Registration on an online platform giving access to additional content – Sending of a daily newsletter via email – Regulation (EU) 2016/679 – Article 6 – Lawfulness of processing – Article 95 – Relationship with Directive 2002/58.

[EUR-Lex - 62023CJ0654](#)

## 5. Competition and State Aid

### Case Law

**Case C-401/24. Judgment of the Court (First Chamber) of 20 November 2025. Staten genom Sjöfartsverket v Stockholms Hamn AB. Request for a preliminary ruling from the Stockholms tingsrätt.**

Reference for a preliminary ruling – **State aid – Agreement concluded before the accession of the Kingdom of Sweden to the European Union – Compensation for the loss of revenue arising from the abolition of passage fees for a lock** – Concept of aid – Concept of undertaking – Economic activity – Existing or new aid.

[EUR-Lex - 62024CJ0401](#)

## 6. Customs

### Case Law

**Case C-617/24. Judgment of the Court (Seventh Chamber) of 20 November 2025. Siegfried PharmaChemikalien Minden GmbH v Hauptzollamt Bielefeld. Request for a preliminary ruling from the Finanzgericht Düsseldorf.**

Reference for a preliminary ruling – Customs union – Regulation (EU) No 952/2013 – Union Customs Code – Article 24(d) and Article 211(2) – **Delegation of power to the European Commission – Power to ‘supplement’ a legislative act** – Delegated Regulation (EU) 2015/2446 – Article 172(1) and (2) – Validity – Retroactive effect of an inward processing authorisation.

[EUR-Lex - 62024CJ0617](#)

## 7. Economic and Monetary Affairs, Taxation, Enterprise

### Case Law

**Case C-567/24. Judgment of the Court (Fifth Chamber) of 27 November 2025. YO v SVEMA TRADE, d. o. o. Request for a preliminary ruling from the Okrožno sodišče v Ljubljani.**

Reference for a preliminary ruling – Company law – Directive 2004/25/EC – **Mandatory takeover bid** – Squeeze-out of holders of securities – **Minority shareholder protection** – Third subparagraph of Article 15(5) – Consideration offered in the bid presumed to be fair – Rebuttable presumption.

[EUR-Lex - 62024CJ0567](#)

**Case C-570/24. Judgment of the Court (Seventh Chamber) of 20 November 2025. Transilvania Master Insolv IPURL, en tant d'administrateur judiciaire d' Ecoserv SRL v Direcția Generală Regională a Finanțelor Publice Cluj and Others. Request for a preliminary ruling from the Curtea de Apel Cluj.**

Reference for a preliminary ruling – **Excise duties** – Directive 2008/118/EC – Article 8(1)(a)(i) and (2) – Person liable to pay excise duty – **Quantity of ethyl alcohol missing from a company's business assets** – Managing director of a company guilty of embezzlement and of a failure to make entries in the accounts – **Determination of the person liable to pay excise duty** – More than one person liable – Effect of a judgment of a criminal court delivered in respect of civil matters, finding the managing director solely liable.

[EUR-Lex - 62024CJ0570](#)

**Case C-197/24. Judgment of the Court (Fourth Chamber) of 13 November 2025. AK v RU. Request for a preliminary ruling from the Mestský súd Bratislava IV.**

Reference for a preliminary ruling – Directive 2011/7/EU – **Combating late payment in commercial transactions** – Scope – Article 2(1) and (3) – **Concept of 'undertaking'** – Concept of 'commercial transaction' – Contract for the provision of legal services with a view to setting up a commercial company – Directive 93/13/EEC – Article 2(b) – Concept of consumer – **Natural person who engaged the services of a lawyer with a view to setting up a commercial company.**

[EUR-Lex - 62024CJ0197](#)

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

Nothing to report for the period under review.

## 9. Employment and Social Affairs

### Case Law

**Case C-356/24. Judgment of the Court (Tenth Chamber) of 27 November 2025. A.B. v Kärntner Landesregierung. Request for a preliminary ruling from the Landesverwaltungsgericht Kärnten.**

Reference for a preliminary ruling – **Freedom of movement for workers** – Article 45 TFEU – Regulation (EU) No 492/2011 – Article 7(1) – Social policy – Equal treatment in employment and occupation – Directive 2000/78/EC – Prohibition of discrimination on grounds of age – **Civil servants' salary scale – National legislation excluding the consideration of previous periods of equivalent service completed in another Member State** – Exclusion following a decision, falling within the discretionary power of the administration, to grant a promotion to the civil servant – Promotion subject to completion of a certain number of years of service – National legislation excluding the consideration of previous periods of equivalent service completed in the Member State concerned.

[EUR-Lex - 62024CJ0356](#)

**Case C-272/24. Judgment of the Court (First Chamber) of 13 November 2025. HZ v Tribunalul Galați. Request for a preliminary ruling from the Curtea de Apel București.**

Reference for a preliminary ruling – Article 2 TEU – Second subparagraph of Article 19(1) TEU – Principle of judicial independence – Directive 2003/88/EC – Weekly working time – **Overtime worked by judges** – National legislation providing for compensation by means of a rest period excluding financial compensation – **Adequate remuneration**.

[EUR-Lex - 62024CJ0272](#)

**Case C-678/23. Judgment of the Court (Fifth Chamber) of 13 November 2025. JU v Spitalul Clinic de Pneumoftiziologie Iași. Request for a preliminary ruling from the Curtea de Apel Iași.**

Reference for a preliminary ruling – Social policy – Directive 89/391/EEC – Safety and health of workers at work – Article 9 – **Employers' obligations – Classification of workplaces according to whether they are exposing workers to risk factors to their safety and health** – Article 11(6) – Proceedings before the authority responsible for safety and health protection at work – Effective judicial protection.

[EUR-Lex - 62023CJ0678](#)

**Case C-19/23. Judgment of the Court (Grand Chamber) of 11 November 2025. Kingdom of Denmark v European Parliament and Council of the European Union.**

Action for annulment – Directive (EU) 2022/2041 – **Adequate minimum wages in the European Union** – Article 153(1)(b) TFEU – Article 153(2)(b) TFEU – Respect for the competences conferred on the Union by the Treaties – Article 153(5) TFEU – Exclusions of competence – 'Pay' and 'right of association' – **Direct interference by EU law in the determination of pay within the European Union and in the right of association** – Partial annulment – Article 5(1), in part, (2) and (3) in fine.

[EUR-Lex - 62023CJ0019](#)

## 10. Energy and Environment

### Community Legislation

**Regulation (EU) 2025/2365 of the European Parliament and of the Council of 12 November 2025 on preventing plastic pellet losses to reduce microplastic pollution**

[Regulation - 2025/2365](#)

**Directive (EU) 2025/2360 of the European Parliament and of the Council of 12 November 2025 on soil monitoring and resilience (Soil Monitoring Law)**

[Directive - EU - 2025/2360](#)

### Case Law

**Case C-117/24. Judgment of the Court (First Chamber) of 13 November 2025. JYSK Kereskedelmi Kft. v Nemzeti Élelmiszerlánc-biztonsági Hivatal. Request for a preliminary ruling from the Fővárosi Törvényszék.**

Reference for a preliminary ruling – Environment – **Obligations of operators placing timber and timber products on the market** – Regulation (EU) No 995/2010 – **Use, maintenance and regular evaluation of a due diligence system** – Article 4(2) and (3) and Article 6 – Group of companies – Access of an operator to a due diligence system maintained and evaluated by its parent company or established by a monitoring organisation and used by that parent company.

[EUR-Lex - 62024CJ0117](#)

## 11. Food Safety, Public Health and Consumers

### Case Law

**Case C-509/24. Judgment of the Court (Ninth Chamber) of 27 November 2025. Investcapital Ltd v M.H.S. Request for a preliminary ruling from the Juzgado de Primera Instancia e Instrucción de Arucas.**

Reference for a preliminary ruling – **Unfair terms in consumer contracts** – Directive 93/13/EEC – Article 6(1) – Article 7(1) – Contract concerning a bank account – Order for payment procedure – Review of the court's own motion of whether contractual terms are unfair – **Proposal by the court to reduce the claim by the amount corresponding to the application of a term considered to be unfair – Acceptance by the seller or supplier and possibility to claim that amount in subsequent proceedings** – Principle of effectiveness – Participation of the consumer in the review of whether a contractual term is unfair.

[EUR-Lex - 62024CJ0509](#)

**Case C-746/24. Judgment of the Court (Ninth Chamber) of 27 November 2025. Bank Millennium S.A. v PR. Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.**

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Article 6(1) and Article 7(1) – Effects of a finding that a term is unfair – Invalidity of the contract – **Action brought by a seller or supplier for restitution of the loan capital paid under an agreement declared invalid – Rules on the award of costs** – Different methods of calculating court costs according to the status of the applicant – **Principle of effectiveness** – Obligation to interpret national law in conformity with EU law.

[EUR-Lex - 62024CJ0746](#)

## 12. Human Rights

### Case Law

**Case C-713/23. Judgment of the Court (Grand Chamber) of 25 November 2025. Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki. Request for a preliminary ruling from the Naczelny Sąd Administracyjny.**

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 21 of the Charter of Fundamental Rights of the European Union – **Right to move and reside freely within the territory of the Member States – Union citizens of the same sex who have entered into a marriage in the exercise of that right** – Obligation on the part of the Member State of origin to recognise and transcribe the marriage certificate in the civil register – **National legislation which does not permit such recognition or transcription on the ground that same-sex marriage is not allowed.**

[EUR-Lex - 62023CJ0713](#)

**Case C-563/24. Judgment of the Court (Seventh Chamber) of 13 November 2025. Verband Sozialer Wettbewerb eV v PB Vi Goods GmbH. Request for a preliminary ruling from the Landgericht Potsdam.**

Reference for a preliminary ruling – Definition, description, presentation, labelling and protection of spirit drinks – Regulation (EU) 2019/787 – Article 10(7) – **Prohibition on using legal names for any beverage that does not comply with the requirements of the relevant categories** – Gin – **Beverage named 'non-alcoholic gin'** – Article 12(1) – Allusions – Validity of Article 10(7) – Article 16 of the Charter of Fundamental Rights of the European Union – **Freedom to conduct a business** – Principle of proportionality.

[EUR-Lex - 62024CJ0563](#)



## 13. Internal Market and Free Movement

### Case Law

**Case C-525/24. Judgment of the Court (Sixth Chamber) of 27 November 2025. Santander Renta Variable España Pensiones, Fondo de Pensiones v Autoridade Tributária e Aduaneira.** Request for a preliminary ruling from the Tribunal Arbitral Tributário (Centro de Arbitragem Administrativa - CAAD).

Reference for a preliminary ruling – Article 63 TFEU – **Free movement of capital** – Taxation – **Corporation tax on dividends – Legal person governed by Spanish law, taxable person not resident in Portugal** – Withholding tax – Exemption – Standard of proof – Certificate attesting that the conditions for exemption are satisfied – Article 65 TFEU – Overriding reasons in the public interest – Effectiveness of fiscal supervision – Effective collection of tax – Cooperation and mutual assistance between the competent authorities of the Member States.

[EUR-Lex - 62024CJ0525](#)

**Case C-356/24. Judgment of the Court (Tenth Chamber) of 27 November 2025. A.B. v Kärntner Landesregierung.** Request for a preliminary ruling from the Landesverwaltungsgericht Kärnten.

Reference for a preliminary ruling – **Freedom of movement for workers** – Article 45 TFEU – Regulation (EU) No 492/2011 – Article 7(1) – Social policy – Equal treatment in employment and occupation – Directive 2000/78/EC – Prohibition of discrimination on grounds of age – **Civil servants' salary scale – National legislation excluding the consideration of previous periods of equivalent service completed in another Member State** – Exclusion following a decision, falling within the discretionary power of the administration, to grant a promotion to the civil servant – Promotion subject to completion of a certain number of years of service – National legislation excluding the consideration of previous periods of equivalent service completed in the Member State concerned.

[EUR-Lex - 62024CJ0356](#)

**Case C-713/23. Judgment of the Court (Grand Chamber) of 25 November 2025. Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki.** Request for a preliminary ruling from the Naczelny Sąd Administracyjny.

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 21 of the Charter of Fundamental Rights of the European Union – **Right to move and reside freely within the territory of the Member States – Union citizens of the same sex who have entered into a marriage in the exercise of that right** – Obligation on the part of the Member State of origin to recognise and transcribe the marriage certificate in the civil register – **National legislation which does not permit such recognition or transcription on the ground that same-sex marriage is not allowed.**

[EUR-Lex - 62023CJ0713](#)

**Joined Cases C-340/24 and C-442/24. Judgment of the Court (Eighth Chamber) of 20 November 2025. EW and LO v Ministero dell'Istruzione e del Merito and Ministero dell'Università e della Ricerca.** Requests for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.

Reference for a preliminary ruling – Free movement of persons – Articles 45 and 49 TFEU – Recognition of professional qualifications – **Right to pursue the profession of a support teacher in a Member State** – Nationals of that Member State who have obtained evidence of formal qualifications issued by a private higher education institute in another Member State – **Formal qualification which is not legally recognised and does not give access to the corresponding profession in the latter Member State** – Obligation on the first Member State to take into consideration all of the diplomas, certificates and other evidence which the person concerned holds – Derogation.

[EUR-Lex - 62024CJ0340](#)

**Case C-445/24. Judgment of the Court (Tenth Chamber) of 13 November 2025. MS Amlin Insurance SE v (W)onderweg VZW.** Request for a preliminary ruling from the Hof van Cassatie.

Reference for a preliminary ruling – Approximation of laws – Directive (EU) 2015/2302 – **Package travel and linked travel arrangements** – Article 3(6) – **Concept of 'traveller'** – Legal person who has concluded a travel contract for its members.

[EUR-Lex - 62024CJ0445](#)

**Case C-563/24. Judgment of the Court (Seventh Chamber) of 13 November 2025. Verband Sozialer Wettbewerb eV v PB Vi Goods GmbH.** Request for a preliminary ruling from the Landgericht Potsdam.

Reference for a preliminary ruling – Definition, description, presentation, labelling and protection of spirit drinks – Regulation (EU) 2019/787 – Article 10(7) – **Prohibition on using legal names for any beverage that does not comply with the requirements of the relevant categories** – Gin – **Beverage named ‘non-alcoholic gin’** – Article 12(1) – Allusions – Validity of Article 10(7) – Article 16 of the Charter of Fundamental Rights of the European Union – **Freedom to conduct a business** – Principle of proportionality.

[EUR-Lex - 62024CJ0563](#)

## 14. Intellectual Property

Nothing to report for the period under review.

## 15. Justice, Freedom and Security (incl. Judicial Cooperation)

### Case Law

**Case C-643/24. Judgment of the Court (Eighth Chamber) of 27 November 2025. Manuel Costa Filhos, Lda. v Oü Wine Port of Paldiski. Request for a preliminary ruling from the Supremo Tribunal de Justiça.**

Reference for a preliminary ruling – Judicial cooperation in civil matters – Rights of the defence – Regulation (EC) No 805/2004 – **European Enforcement Order for uncontested claims** – Article 20 – Enforcement procedure – Jurisdiction of the courts of the Member State of enforcement – Articles 21 and 23 – Grounds for the refusal, stay or limitation of enforcement – Regulation (EC) No 1393/2007 – Service of judicial and extrajudicial documents – Article 8 – **Refusal to accept the document – Failure to provide a translation into either a language which the addressee understands or the official language of the Member State of enforcement or, as the case may be, one of the official languages of the place where service of the document is to be effected** – Omission of the standard form set out in Annex II to Regulation No 1393/2007 – Consequences – Assessment by the courts of the Member State of origin.

[EUR-Lex - 62024CJ0643](#)

**Case C-195/25. Judgment of the Court (Third Chamber) of 20 November 2025. AA and Others v Migrationsverket. Request for a preliminary ruling from the Förvaltningsrätten i Göteborg.**

Reference for a preliminary ruling – **Asylum policy** – Area of freedom, security and justice – Refugee status or subsidiary protection status – Common procedures for granting and withdrawing international protection – Directive 2001/55/EC – **Temporary protection in the event of a mass influx of displaced persons** – Articles 17 and 19 – Concept of ‘application for asylum’ – Article 3(1) – **Grant of subsidiary protection status to a person enjoying temporary protection** – Directive 2011/95/EU – Article 18 – Directive 2013/32/EU – Article 33(2) – Direct effect.

[EUR-Lex - 62025CJ0195](#)

**Case C-525/23. Judgment of the Court (Fifth Chamber) of 13 November 2025. OS v Országos Idegenrendészeti Főigazgatóság. Request for a preliminary ruling from the Fővárosi Törvényszék.**

Reference for a preliminary ruling – **Immigration policy** – Directive (EU) 2016/801 – **Conditions of entry and residence of third-country nationals for the purpose of voluntary service** – Refusal to renew a residence permit – Article 7(1)(e) – Sufficient resources – Supplementary conditions arising from the case-law of a national supreme court – Evidence – Principle of the primacy of EU law.

[EUR-Lex - 62023CJ0525](#)



## 16. Transport

### Case Law

Nothing to report for the period under review.

## 17. Community Institutions, Principles and the Communities' own Resources

### Case Law

**Case C-539/24. Judgment of the Court (First Chamber) of 27 November 2025. Mikroregion Porta Bohemica v Odvolací finanční ředitelství. Request for a preliminary ruling from the Nejvyšší správní soud.**

Reference for a preliminary ruling – **Protection of the European Union's financial interests** – Regulation (EC, Euratom) No 2988/95 – **Concept of 'irregularity'** – Article 1(2) – Limitation periods – Article 3 – Starting point and duration of the limitation periods – Project co-financed through EU resources.

[EUR-Lex - 62024CJ0539](#)