

ADVANCED TRAINING IN EU LAW FOR COURT COORDINATORS (424DT36)



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BACKGROUND DOCUMENTATION *(hyperlinks)*

A. Legal framework

1. European Union

No.	Title
1.	<u>Treaty on European Union (consolidated version) 7 June 2016, OJ C202/01</u>
2.	<u>Treaty on the Functioning of the European Union (consolidated version), 7 June 2016, OJ C202/01</u>
3.	<u>Statute of the Court of Justice, consolidated version, 2019</u>
4.	<u>Selection of Treaties and Protocols provisions</u>
5.	<u>Charter of Fundamental Rights of the European Union</u>

6.	<u>Explanatory Memorandum to the Charter of Fundamental Rights</u>
7.	<u>Recommendations of the Court of Justice of the European Union: Recommendations to national courts and tribunals in relation to the initiation of preliminary proceedings (2019/C 380/01), 8 November 2011</u>
8.	<u>Opinion 2/13 of the Court (Full Court), 18 December 2014</u>

2. Council of Europe

9.	<u>European Convention on Human Rights and Fundamental Freedoms</u>
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B. Procedure at the Court of Justice

10.	<u>Rules of Procedure of the Court of Justice, consolidated version, 25 September 2012, amended on 26 November 2019</u>
11.	<u>Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling proceedings, 8 November 2019</u>

C. Selected case-law

1. Application of EU law by national courts

12.	<u>Case C-624/20 (Grand Chamber) Staatssecretaris van Justitie en Veiligheid, 7 September 2022</u>
13.	<u>Joined Cases C-609/17 and C-610/17 TSN and AKT, 19 November 2019</u>
14.	<u>Case C-619/18 Commission v. Poland, 24 June 2019</u>
15.	<u>Case C-258/17 E.B., 15 January 2019</u>

16.	<u>Case C-621/18 Wightman and Others, 10 December 2018</u>
17.	<u>Case 234/17 XC and Others, 24 October 2018</u>
18.	<u>Case C-64/16 Associação Sindical dos Juizes Portugueses, 27 February 2018</u>
19.	<u>Case C-298/16 Ispas, 9 November 2017</u>
20.	<u>Case C-173/2003 Traghetti del Mediterraneo, 13 June 2016</u>
21.	<u>Case C-198/13, Hernandez and Others, 10 July 2014</u>
22.	<u>Case C-206/13, Siragusa, 6 March 2014</u>
23.	<u>Case C-617/10, Åklagaren v Hans Åkerberg Fransson, 26 February 2013</u>
24.	<u>Case C-249/11 Byankov, 4 October 2012</u>
25.	<u>Case C-282/10 (Grand Chamber) Dominguez, 24 January 2012</u>
26.	<u>Joined Cases C-317/08, C-318/08, C-319/08 and C-320/08 Alassini, 18 March 2010</u>
27.	<u>Case C-432/05 (Grand Chamber) Unibet, 13 March 2007</u>
28.	<u>Case C-212/04 (Grand Chamber) Adeneler, 4 July 2006</u>
29.	<u>Case C-173/03 (Grand Chamber) Traghetti del Mediterraneo, 13 June 2006</u>
30.	<u>Case C-234/04 Kapferer, 16 March 2006</u>
31.	<u>Case C-105/03 (Grand Chamber) Pupino, 16 June 2005</u>
32.	<u>Joined Cases C-397/01 to C-403/01 (Grand Chamber) Pfeiffer, 5 October 2004</u>
33.	<u>Case C-453/00 Kühne & Heitz, 13 January 2004</u>
34.	<u>Case C-224/97 Ciola, 29 April 1999</u>
35.	<u>Case C-260/89 ERT v DEP, 18 June 1991</u>
36.	<u>Case C-106/89 Marleasing, 13 November 1990</u>
37.	<u>Case C-5/88 Wachauf, 13 July 1989</u>
38.	<u>Case C-222/84 Johnston, 15 May 1986</u>
39.	<u>C-106/77 Simmenthal, 9 March 1978</u>

40.	<u>Case C-11/70 Internationale Handelsgesellschaft, 17 December 1970</u>
41.	<u>Case C-6/64 Costa v ENEL, 15 July 1964</u>
42.	<u>Case C-26/62 Van Gend en Loos, 5 February 1963</u>

2. Preliminary ruling procedure

43.	<u>Case C-430/21 (Grand Chamber), RS, 22 February 2022</u>
44.	<u>Case C-564/19 (Grand Chamber) IS, 23 November 2021</u>
45.	<u>Request for a preliminary ruling in Case C-648/21 M.C. and M.F., 25 October 2021</u>
46.	<u>Request for a preliminary ruling in Case C-647/21 D. K., 25 October 2021</u>
47.	<u>Case C-561/19 (Grand Chamber) Consorzio Italian Management and Catania Multiservizi, 6 October 2021</u>
48.	<u>Opinion of Advocate General Bobek in Case C-561/19 Consorzio Italian Management and Catania Multiservizi, 15 April 2021</u>
49.	<u>Case C-152/17 Consiglio di Stato, 19 April 2018</u>
50.	<u>Case C-64/16 Associação Sindical dos Juízes Portugueses, 27 February 2018</u>
51.	<u>Case C-614/14 Criminal proceedings against Atanas Ognyanov, 5 July 2016</u>
52.	<u>Case C-267/12 Frédéric Hay v Crédit agricole mutuel de Charente-Maritime et des Deux-Sèvres, 12 December 2013</u>
53.	<u>Case C-396/11 Ciprian Vasile Radu, 29 January 2013</u>
54.	<u>Case C-461/03 Gaston Schul Douane-expediteur, 6 December 2005</u>
55.	<u>Case C-176/96 Lehtonen and Castors Braine, 13 April 2000</u>
56.	<u>Case C-314/85 Foto-Frost, 22 October 1987</u>
57.	<u>Case 283/81 CILFIT, 6 October 1982</u>
58.	<u>Case 107/76 Hoffmann-Laroche, 24 May 1977</u>

59.	<u>Case C-26/62 Van Gend en Loos v Administratie der Belastingen, 5 February 1963</u>
60.	<u>Case 152/17 Consorzio Italian Management e Catania Multiservizi, 19 April 2018</u>
61.	<u>Opinion of Advocate General Wahl in Joined Cases C-72/14 and C-197/14 X, 13 May 2015</u>
62.	<u>Case C-950/19 A, 24 March 2021</u>
63.	<u>ECtHR Judgement of 8 April 2014, Dhahbi v. Italy, Appl. no 17120/09</u>
64.	<u>ECtHR Judgement of 16 April 2019, Baltic Master Ltd v. Lithuania, Appl. no 16 April 2019</u>
65.	<u>ECtHR Judgement of 13 February 2020, Sanofi Pasteur v. France, Appl. no 25137/16</u>
66.	<u>ECtHR Judgement of 13 July 2021, Bio Farmland Betriebs S.R.L v. Romania, Appl. no 43639/17</u>
67.	<u>ECtHR Judgement of 15 December 2022, Rutar and Rutar Marketing D.O.O v. Slovenia, Appl. no 21164/20</u>
68.	<u>ECtHR Judgement of 14 March 2023, Georgiou v. Greece, Appl. no 57378/18</u>
69.	<u>ECtHR Judgement of 24 April 2018, Baydar v the Netherlands, Appl. no 55385/14</u>
70.	<u>ECtHR Judgement of 11 April 2019, Harisch v Germany, Appl. no 50053/16</u>
71.	<u>ECtHR Judgement of 30 April 2019, Repcevirág Szövetkezet v. Hungary, Appl. no 70750/14</u>

3. Protection of judicial independence in European law

72.	<u>Case C-791/19, Commission v Poland, 15 July 2021</u>
73.	<u>Case C-83/19, Asociația "Forumul Judecătorilor din România", 18 May 2021</u>
74.	<u>Case C-896/19, Repubblica, 20 April 2021</u>

75.	<u>Case C-648/20 PPU, PI, 10 March 2020</u>
76.	<u>Joined Cases C-354/20 PPU and C-412/20 PPU, Openbaar Ministerie, 17 December 2020</u>
77.	<u>Case C-619/18, Commission v Poland, 24 June 2019</u>
78.	<u>Case C-222/13, TDC, 9 October 2014</u>
79.	<u>Case C-506/04, Wilson, 19 September 2006</u>
80.	<u>ECtHR Judgment (Grand Chamber) of 6 November 2018, Nuñez de Carvalho e Sá v. Portugal, Appl. N. 55391/13, 57728/13 and 74041/13</u>

4. Scope of application of the EU Charter of Fundamental Rights

81.	<u>Case C-491/21 Direcția pentru Evidența Persoanelor și Administrarea Bazelor de Date, 22 February 2024</u>
82.	<u>Case C-365/21, Generalstaatsanwaltschaft Bamberg, 20 October 2022</u>
83.	<u>Case C-19/21 (Grand Chamber), Staatssecretaris van Justitie en Veiligheid, 1 August 2022</u>
84.	<u>Order of the Court (Ninth Chamber), Case C-710/20, AM, 8 July 2022</u>
85.	<u>Case C-151/20 (Grand Chamber), Nordzucker and Others, 22 March 2022</u>
86.	<u>Case C-117/20 (Grand Chamber), bpost, 22 March 2022</u>
87.	<u>Request for a preliminary ruling in Case C-203/21, DELTA STROY 2003, 31 March 2021</u>
88.	<u>Case C-78/18 (Grand Chamber), Commission v Hungary, 18 June 2020</u>
89.	<u>Case C-347/18, Salvoni, 4 September 2019</u>
90.	<u>Case C-556/17 (Grand Chamber), Torubarov, 29 July 2019</u>
91.	<u>Case C-646/17, Moro, 13 June 2019</u>
92.	<u>Case C-235/17 (Grand Chamber), Commission v Hungary, 21 May 2019</u>

93.	<u>Case C-216/18 PPU, LM, 25 July 2018</u>
94.	<u>Joined Cases C-596/16 and C-597/16 (Grand Chamber), Di Puma, 20 March 2018</u>
95.	<u>Case C-537/16 (Grand Chamber), Garlsson Real Estate and Others, 20 March 2018</u>
96.	<u>Case C-524/15 (Grand Chamber), Menci, 20 March 2018</u>
97.	<u>Joined Cases C-52/16 and C-113/16 (Grand Chamber), SEGRO, 6 March 2018</u>
98.	<u>Case C-298/16 Ispas, 9 November 2017</u>
99.	<u>Joined Cases C-203/15 and C-698/15, Tele2 Sverige and Watson, 21 December 2016</u>
100.	<u>Joined Cases C-446/12 - 449/12, Willems and Others, 16 April 2015</u>
101.	<u>Case 198/13, Hernández, 10 July 2014</u>
102.	<u>Case C-483/12, Pelckmans Turnhout, 8 May 2014</u>
103.	<u>Order of the Court (Ninth Chamber), Case C-329/13, Stefan, 8 May 2014</u>
104.	<u>Case C-390/12, Pflieger, 30 April 2014</u>
105.	<u>Case C-206/13, Siragusa, 6 March 2014</u>
106.	<u>Case C-176/12, Association de médiation sociale v Union locale des syndicats CGT, Hichem Laboubi, Union départementale CGT des Bouches-du-Rhône, Confédération générale du travail (CGT), 15 January 2014</u>
107.	<u>Opinion of Advocate General, Case C-176/12, Association de médiation sociale contre Union locale des syndicats CGT and Others, 18 July 2013</u>
108.	<u>Case C-617/10, Åklagaren v Hans Åkerberg Fransson, 26 February 2013</u>
109.	<u>Case C-399/11, Stefano Melloni v Ministerio Fiscal, 26 February 2013</u>
110.	<u>Case C-40/11, Yoshikazu Iida v Stadt Ulm, 8 November 2012</u>
111.	<u>Opinion of Advocate General, Case C-399/11, Melloni, 2 October 2012</u>
112.	<u>Case C-27/11, Vinkov v Nachalnik Administrativno-nakazatelna deynost, 7 June 2012</u>

113.	<u>C-571/10, Kamberaj, 24 April 2012</u>
114.	<u>Joined Cases C-411/10 and C-493/10, N. S. (C-411/10) v Secretary of State for the Home Department and M. E. (C-493/10), A. S. M., M. T., K. P., E. H. v Refugee Applications Commissioner, Minister for Justice, Equality and Law Reform, 21 December 2011</u>
115.	<u>Case C-482/10, Teresa Cicala v Regione Siciliana, 21 December 2011</u>
116.	<u>Opinion of Advocate General, Case C-282/10, Case C-282/10, Dominguez v Centre informatique du Centre Ouest Atlantique, Préfet de la région Centre, 8 September 2011</u>
117.	<u>Case C-208/09, Sayn-Wittgenstein, 22 December 2010</u>
118.	<u>Case C-279/09, DEB, 22 December 2010</u>
119.	<u>Case C-555/07, Küçükdeveci, 19 January 2010</u>
120.	<u>Case C-309/96, Annibaldi, 18 December 1997</u>
121.	<u>Case C-260/89, ERT v DEP, 18 June 1991</u>
122.	<u>Case C-5/88, Wachauf, 13 July 1989</u>
123.	<u>ECtHR Judgment (Grand Chamber) of 15 November 2016, A and B v. Norway, Appl. nos 24130/11 and 29758/11</u>
124.	<u>Joined Cases C-267/91 and C-268/91 Keck and Mithouard, 24 November 1993</u>

5. Fundamental / Human Rights

125.	<u>Case C-439/19, Latvijas Republikas Saeima, 22 June 2021</u>
126.	<u>Case C-28/20, Airhelp, 23 March 2021</u>
127.	<u>Case C-414/20 PPU, MM, 13 January 2021</u>
128.	<u>Case C-709/20, The Department for Communities in Northern Ireland, 15 July 2021</u>

129.	<u>Case C-702/19 P, Silver Plastics and Johannes Reifenhäuser v Commission, 22 October 2020</u>
130.	<u>Case C-311/18, Facebook Ireland and Scherms, 16 July 2020</u>
131.	<u>Case C-623/17 (Grand Chamber) Privacy International, 6 October 2020</u>
132.	<u>Case C-708/18 TK v Asociația de Proprietari bloc M5A-ScaraA, 11 December 2019</u>
133.	<u>Joined Cases C-609/17 and C-610/17, Terveys and AKT, 19 November 2019</u>
134.	<u>Case C-377/18 AH and Others, 5 September 2019</u>
135.	<u>Case C-516/17 (Grand Chamber) Spiegel Online, 29 July 2019</u>
136.	<u>Joined Cases C-569/16 and C-570/16, Stadt Wuppertal v Maria Elisabeth Bauer and Volker Willmeroth v Martina Broßonn, 6 November 2018</u>
137.	<u>Case C-216/18 PPU, LM, 25 July 2018</u>
138.	<u>Case C-524/15 (Grand Chamber) Menci, 20 March 2018</u>
139.	<u>Case C-498/16, Maximilian Schrems v Facebook Ireland Limited, 25 January 2018</u>
140.	<u>Case C-188/15 (Grand Chamber) Bougnaoui and ADDH, 14 March 2017</u>
141.	<u>Case C-157/15 (Grand Chamber) G4S Secure Solutions, 14 March 2017</u>
142.	<u>Case C-638/16 PPU, X and X, v État belge, 7 March 2017</u>
143.	<u>Joined Cases C-404/15 and C-659/15 PPU (Grand Chamber) Aranyosi and Căldăraru, 5 April 2016</u>
144.	<u>Case C-333/13, Dano, 19 December 2014</u>
145.	<u>Case C-131/12 Google Spain SL and Google v AEPD and Mario Costeja González, 13 May 2014</u>
146.	<u>Case C-400/10 PPU, McB., 5 October 2010</u>
147.	<u>Case C-144/04, Werner Mangold v Rüdiger Helm, 22 November 2005</u>

5. Rule of Law

148.	<u>Case C-718/21 Krajowa Rada Sądownictwa (Maintien en fonctions d'un juge), 21 December 2023</u>
149.	<u>Case C-216/21 Asociația "Forumul Judecătorilor din România", 7 September 2023</u>
150.	<u>Case C-107/23 PPU Lin, 24 July 2023</u>
151.	<u>Joined cases C-615/20 and C-671/20 (Grand Chamber), YP and Others (Levée d'immunité et suspension d'un juge), 13 July 2023</u>
152.	<u>Case C-204/21 (Grand Chamber), Commission v Poland, 5 June 2023</u>
153.	<u>Case C-817/21 Inspekția Judiciară, 11 May 2023</u>
154.	<u>Case C-132/20 (Grand Chamber), Getin Noble Bank, 29 March 2022</u>
155.	<u>Case C-508/19 (Grand Chamber), Prokurator Generalny, 22 March 2022</u>
156.	<u>Case C-430/21 (Grand Chamber), RS, 22 February 2022</u>
157.	<u>Case C-157/21 (Full Court), Poland v European Parliament and Council of the European Union, 16 February 2022</u>
158.	<u>Case C-156/21 (Full Court), Hungary v European Parliament and Council of the European Union, 16 February 2022</u>
159.	<u>Request for a preliminary ruling in Case C-817/21 Inspekția Judiciară, 21 December 2021</u>
160.	<u>Joined Cases C-357/19, C-379/19, C-547/19, C-811/19 and C-840/19 (Grand Chamber), Euro Box Promotion and Others, 21 December 2021</u>
161.	<u>Joined Cases C-748/19 to C-754/19 (Grand Chamber), Prokuratura Rejonowa w Mińsku Mazowieckim, 16 November 2021</u>
162.	<u>Request for a preliminary ruling in Case C-648/21 M.C. and M.F., 25 October 2021</u>
163.	<u>Request for a preliminary ruling in Case C-647/21 D. K., 25 October 2021</u>

164.	<u>Case C-487/19 (Grand Chamber), W. Ż., 6 October 2021</u>
165.	<u>Request for a preliminary ruling in Case C-216/21 Asociația "Forumul Judecătorilor din România", 23 July 2021</u>
166.	<u>Case C-791/19 (Grand Chamber), Commission v. Poland, 15 July 2021</u>
167.	<u>Case C-896/19 (Grand Chamber), Repubblica, 20 April 2021</u>
168.	<u>Case C-824/18 (Grand Chamber), A.B. and Others, 2 March 2021</u>
169.	<u>Joined Cases C-558/18 and C-563/18 (Grand Chamber), Miasto Łowicz, 26 March 2020</u>
170.	<u>Joined Cases C-585/18, C-624/18 and C-625/18 (Grand Chamber), A.K., 19 November 2019</u>
171.	<u>Case C-619/18 (Grand Chamber), Commission v. Poland, 24 June 2019</u>
172.	<u>Case C-543/18 RX, HG v Commission, 17 September 2018</u>
173.	<u>Case C-542/18 RX, Simpson v Council, 17 September 2018</u>
174.	<u>Case C-64/16 (Grand Chamber), Associação Sindical dos Juizes Portugueses, 27 February 2018</u>
175.	<u>Case 222/84, Johnston, 15 May 1986</u>
176.	<u>ECtHR Judgment of 23 November 2023, Wałęsa v. Poland, Appl. no 50849/21</u>
177.	<u>ECtHR Judgment of 6 October 2023, Tuleya v. Poland, Appl. nos 21181/19 and 51751/20</u>
178.	<u>ECtHR Judgment of 22 September 2023, Bragado and Others v. Spain, Appl. no 53193/21</u>
179.	<u>ECtHR Judgment of 17 January 2023, Cotoră v. Romania, Appl. no 30745/18 (French only)</u>
180.	<u>ECtHR Judgment of 6 October 2022, Juszczyszyn v. Poland, Appl. no 35599/20</u>

181.	<u>ECtHR Judgment (Grand Chamber) of 28 September 2005, Broniowski v. Poland, Appl. no 31443/96</u>
182.	<u>ECtHR Judgement of 16 June 2022, Żurek v. Poland, Appl. no 39650/18</u>
183.	<u>ECtHR Judgment of 3 February 2022, Advance Pharma, Appl. no 1469/20</u>
184.	<u>ECtHR Judgment of 22 July 2021, Reczkowicz v. Poland, Appl. no 43447/19</u>
185.	<u>ECtHR Judgement (Grand Chamber) of 6 November 2018, Ramos Nunes de Carvalho e sá v. Portugal, Appl. nos 55391/13, 57728/13 and 74041/13</u>

D. Other documents

186.	<u>FRA Fundamental Rights Reports (2023)</u>
187.	<u>FRA: The EU Charter of Fundamental Rights - Use and added value in EU Member States, March 2019</u>
188.	<u>Reports on the Application of the EU Charter of Fundamental Rights, European Commission</u>