



PRESS RELEASE No 126/25

Luxembourg, 18 September 2025

Advocate General's Opinion in Joined Cases C-188/24 | WebGroup Czech Republic and NKL Associates, and C-190/24 | Coyote System

Advocate General Szpunar: a measure constituting a corollary of the provisions of criminal law or necessary in order to ensure the effectiveness of roadside checks comes under the country of origin principle, as provided for in the Directive on electronic commerce

French legislation restricts certain digital services in order to protect public order and security. In particular, it prohibits the provision of access to pornographic sites by minors and requires publishers of such sites to implement technical arrangements to prevent such access. It also limits geolocation-based driving assistance services by prohibiting the reporting of certain roadside inspections. Those measures are implemented by two decrees, the annulment of which is sought before the French Council of State in two separate cases.

In Case C-188/24, the companies WebGroup Czech Republic and NKL Associates, established in the Czech Republic, submit that French legislation infringes the 'country of origin' principle laid down in the Directive on electronic commerce, ¹ according to which, as regards requirements falling within the 'coordinated field', services are governed by the law of the State of establishment.

In Case C-190/24, the company specialising in the Coyote System driving aid, established in France, submits that the prohibition on reporting certain roadside inspections infringes the 'country of origin' principle and imposes a monitoring obligation prohibited by the directive.

The Council of State referred the matter to the Court of Justice in order to ascertain, *inter alia*, whether the obligation imposed on online service publishers falls within the 'coordinated field' ² of the directive and whether that field covers the prohibition on driving assistance services.

In his Opinion delivered today, Advocate General Maciej Szpunar proposes that the Court rule that the coordinated field defined by the directive **encompasses the obligation on publishers of online communication services to implement technical arrangements designed to prevent minors from accessing pornographic content**. He also considers that that field includes a **prohibition on operators of an electronic driving assistance or geolocation-based navigation service from circulating any message or indication issued by users which may enable other users to evade roadside inspections**. In his view, that is so despite the fact that those obligations do not relate to any of the matters governed by the harmonising provisions of that directive.

The Advocate General considers that the measures taken by France are not excluded from the coordinated field on the sole ground that they constitute, respectively, a corollary of provisions of criminal law and a necessary measure to ensure the effectiveness of roadside inspections carried out to stop persons wanted for crimes or offences, or who pose a threat to public order or security.

As regards the WebGroup Czech Republic and NKL Associates case, he notes that the arrangements for the protection of minors provided for by EU law, the result of a consensus between Member States, are already circumscribed, *inter alia*, by a derogation provided for in the directive,³ so that it is not possible to circumvent that mechanism in order to impose obligations arising from general and abstract provisions on service providers.

Furthermore, in the Coyote System case, the Advocate General points out that the third question concerns a provision⁴ of the directive which applies only where the service provider is classified as a 'host'. However, the geolocation service of the Coyote System does not fall within the definition of host: it does not merely store and disseminate the data as provided, but transforms that data, using an algorithm, into a new information layer, with the result that that provision is not applicable to that service.

NOTE: The Advocate General's Opinion is not binding on the Court of Justice. It is the role of the Advocates General to propose to the Court, in complete independence, a legal solution to the cases for which they are responsible. The Judges of the Court are now beginning their deliberations in this case. Judgment will be given at a later date.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of EU law or the validity of an EU act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

Unofficial document for media use, not binding on the Court of Justice.

The [full text](#) of the Opinion is published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit ☎ (+352) 4303 3355.

Images of the delivery of the Opinion are available on '[Europe by Satellite](#)' ☎ (+32) 2 2964106.

Stay Connected!



¹ [Directive 2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce').

² The coordinated field corresponds to the requirements laid down by the legal systems of the Member States, applicable to providers of information society services or to information society services, whether they are of a general nature or whether they have been specifically designed for them.

³ Article 3(4).

⁴ Article 15, which prohibits Member States from imposing on hosts a general and permanent monitoring obligation.