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Granting anonymity to parties in judicial proceedings before the General Court of the European Union

Any representative of a party to a dispute before the General Court may apply for anonymity in the proceedings to ensure that the identity of the party represented is not disclosed to the public.

Article 66 of the Rules of Procedure of the General Court provides that, ‘on a reasoned application by a party, made by a separate document, or of its own motion, the General Court may omit the name of a party to the dispute or of other persons mentioned in connection with the proceedings, or certain information, from those documents relating to a case to which the public has access if there are legitimate reasons for keeping the identity of a person or the information confidential’.

Points 71 to 73 of the Practice Rules for the implementation of the Rules of Procedure of the General Court define the scope of that article with regard to anonymity and provide as follows:

- ‘71. Where a party considers that his identity should not be made public in a case brought before the Court, he must request, pursuant to Article 66 of the Rules of Procedure, that the Court “anonymise” the relevant case, in whole or in part.
72. The application for anonymity must be made by a separate document stating appropriate reasons.
73. In order to ensure that anonymity is preserved, the application must be made at the outset of the proceedings. On account of the dissemination of information concerning the case on the internet, the practical effect of anonymisation is jeopardised if the case concerned has been referred to in the list of cases brought before the Court that is published on the internet site of the Court of Justice of the European Union or if the notice of the case concerned has already been published in the *Official Journal of the European Union*.’

As a result of the development of search engines on the internet and the fact that anyone can access information relating to court proceedings that is published or disseminated by the General Court, the Registrar of that court consistently draws the attention of representatives of parties before the General Court to Article 35(3) and Articles 79 and 122 of the Rules of Procedure of the General Court concerning the publication and the dissemination on the internet of documents relating to cases brought, as well as to Article 66 of the aforementioned Rules of Procedure. All representatives are therefore invited to consider whether, in the case concerned, there are legitimate reasons for keeping the identity of the party represented confidential, and, if so, to make a reasoned application, by a separate document, for that party to be granted anonymity.

Any such application must be submitted to the Registry of the General Court as soon as the first procedural document is lodged and, in any event, prior to the publication or the dissemination on the internet of information about the case concerned, in order not to jeopardise the practical effect of anonymisation.