



Court of Justice of the European Union

PRESS RELEASE No 58/20

Luxembourg, 8 May 2020

Press and Information

Press release following the judgment of the German Constitutional Court of 5 May 2020

The Directorate for Communication of the Court of Justice received many enquiries concerning the judgment delivered by the German Constitutional Court on 5 May 2020 regarding the European Central Bank's PSPP programme.

The departments of the institution never comment on a judgment of a national court.

In general, it is recalled that the Court of Justice has consistently held that a judgment in which the Court gives a preliminary ruling is binding on the national court for the purposes of the decision to be given in the main proceedings.¹ In order to ensure that EU law is applied uniformly, the Court of Justice alone – which was created for that purpose by the Member States – has jurisdiction to rule that an act of an EU institution is contrary to EU law. Divergences between courts of the Member States as to the validity of such acts would indeed be liable to place in jeopardy the unity of the EU legal order and to detract from legal certainty.² Like other authorities of the Member States, national courts are required to ensure that EU law takes full effect.³ That is the only way of ensuring the equality of Member States in the Union they created.

The institution will refrain from communicating further on the matter.

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

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¹ Case: [C-446/98](#) paragraph 49, Fazenda Pública..

² Case: [C-314/85](#) paragraphs 15 and 17, Foto-Frost.

³ Case: [C-212/04](#) paragraph 122, Adeneler and Others.