COURT OF JUSTICE
OF THE EUROPEAN UNION

Annual Report 2024

The Year in Review

curia.europa.eu

The Court of Justice of the European Union, upholding European Union law.

The Court of Justice of the European Union is one of seven European institutions.

It is the judicial institution of the European Union and its task is to ensure compliance with EU law by overseeing the uniform interpretation and application of the Treaties and ensuring the lawfulness of measures adopted by the EU institutions, bodies, offices and agencies.

The Institution helps to preserve the values of the European Union and, through its case-law, works towards the building of Europe.

The Court of Justice of the European Union comprises two courts: the Court of Justice and the General Court.

Annual Report 2024

The Year in Review

Table of Contents

Koen Lenaerts

President
of the Court of Justice
of the European Union

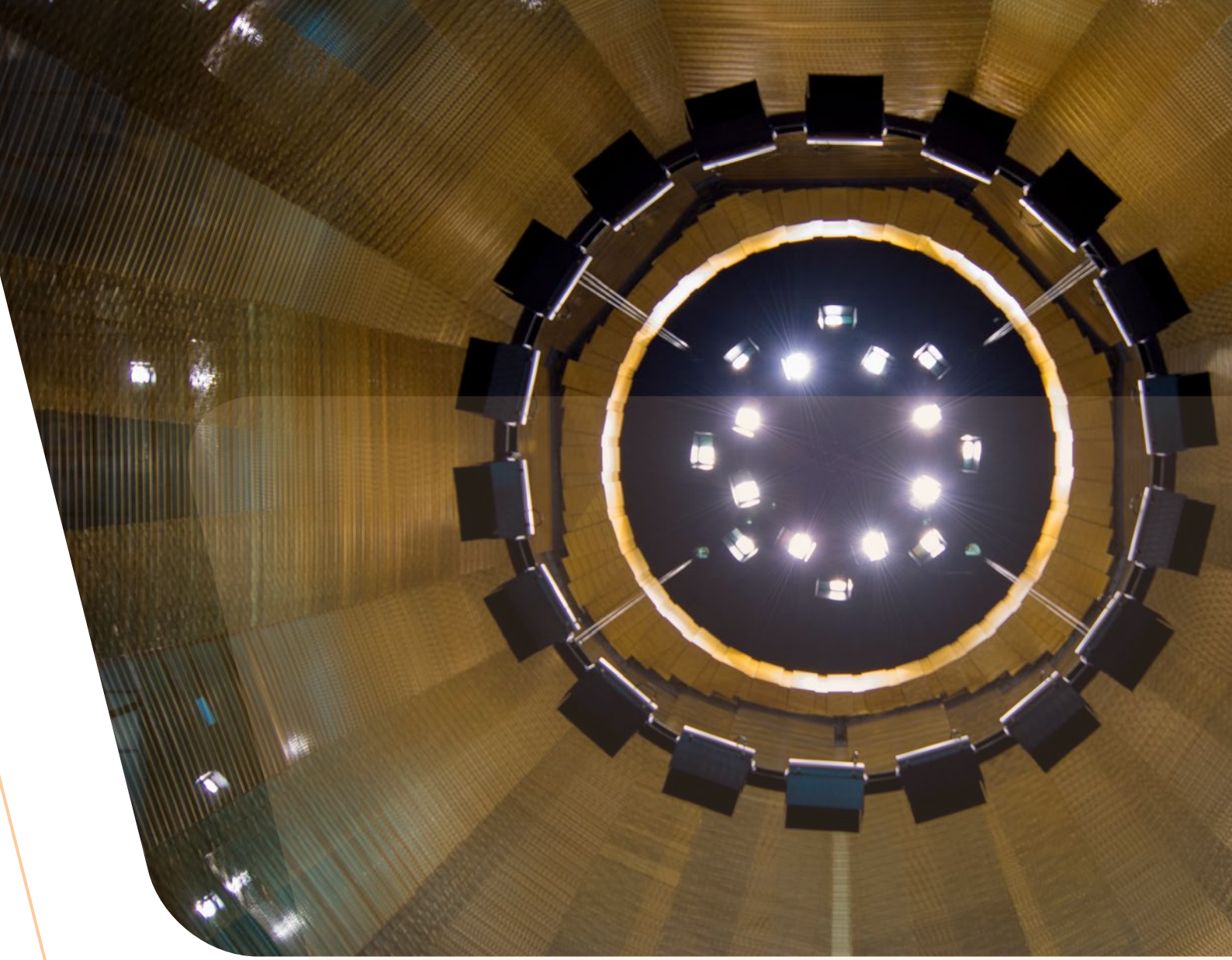
In a complex global context, the Court of Justice of the European Union has maintained its course, guided by the mission to uphold justice and the rule of law entrusted to it by the Treaties. It has continued its daily work of protecting the fundamental values of the European Union and helping to construct a common legal system for the Member States. It has also prepared new ground crucial for its functioning in the years ahead.

The past year marked the beginning of a new era for the Institution and the judicial relationships between the Court of Justice and the General Court, as well as between those two courts and the courts and tribunals of the EU Member States. The partial transfer of jurisdiction to give preliminary rulings from the Court of Justice to the General Court was a significant step in the development of the judicial architecture of the European Union. It will ensure, in the interest of individuals, a better distribution of the workload between the two courts, allowing the Court of Justice to devote greater focus to its role as the constitutional and supreme court of the European Union. This major reform was made possible thanks to the collegiate and effective cooperation between the two courts throughout its course, from the drafting of the request to amend the Statute made to the EU legislature to its actual implementation. Implementation of the reform was the result of close cooperation between the registries and services involved at the Institution so as to enable the General Court to deal with this new stream of litigation in the best possible conditions.

Furthermore, in May 2024, the Institution celebrated the twentieth anniversary of the European Union's biggest enlargement, both in terms of the number of citizens and States concerned and from a symbolic perspective. The celebration took the form of a conference highlighting how the accession of 10 new States has enriched our shared heritage by providing a wealth of new and diverse national histories, cultures and legal traditions. Bringing together the two halves of the continent – East and West – in a joint and historic constitutional project, their accession was also a concrete and striking illustration that the vision of peace towards which the European Union strives lies at the very heart of the European integration process.

From an organisational standpoint, 2024 saw a further partial – and very significant – replacement of Judges at the Court of Justice, with nine new Members taking the oath, five of whom were previously Judges at the General Court. This wide-ranging reshuffle, which was preceded by the delivery of a great many judgments on 4 October 2024, required flawless organisation so as to provide the best possible welcome to the Members and their Chambers and to minimise the impact of the changes on the continued orderly conduct of the Institution's activities.

Looking ahead to 2025, the Institution as a whole will face exciting new challenges: challenges relating to its external relations, with the redesign of its website and its case-law search engine, as well as the planned launch of a Web TV dedicated to the Court's activities. The aim of these projects is to meet the needs of legal professionals and to contribute to the fundamental objective of bringing justice closer to citizens, so that they are able to understand the Court's role and its decisions. The challenges will, however, also affect how we work going forward, involving continued work on the potential uses of artificial intelligence and on the integrated case-management system IT programme. This work will be undertaken with the goal of enabling our institution to become more efficient in order to handle the increase in the number of cases, whilst preserving the highest level of quality that is crucial to the Institution performing its mission of upholding justice and observing all the requirements underlying that mission.



1

2024 at a glance

A. The year in pictures

February

European Parliament approves partial transfer of jurisdiction to give preliminary rulings to the General Court

In order to balance out the litigation workload between the two courts of the European Union and to allow it to devote greater focus to its role as the constitutional and supreme court, in November 2022 the Court of Justice submitted a request to the European Union legislature for the Statute of the Court to be amended to allow the partial transfer of the jurisdiction to give preliminary rulings to the General Court. After several months' examination and negotiation as part of the legislative process, this significant reform is approved by the European Parliament on 27 February by a very large majority.

'Justice, Future Generations and Environment' international conference at the French Constitutional Council

Mr Koen Lenaerts, President of the Court of Justice, travels to Paris for an international conference organised by the French Constitutional Council and the French Institute for Studies and Research on Law and Justice. This unprecedented conference brings together hundreds of presidents and judges of national, regional and international supreme courts to discuss the growing impact of the concept of 'future generations' in environmental litigation.

March

Visit by the President of the Czech Republic, Mr Petr Pavel

The President of the Czech Republic, Mr Petr Pavel, is welcomed by Mr Koen Lenaerts, President of the Court of Justice, and by Mr Jan Passer, Judge at the Court of Justice, and Ms Petra Škvařilová-Pelzl and Mr David Petrlík, Judges at the General Court. At a meeting with some of the Institution's Czech staff members, the delegation is able to admire the painting *Na cestě* by Czech painter Míla Doleželová, on loan from Masaryk University, and its message of hope, freedom and humanism.

First annual dialogue between the European Parliament and the Court

Building on the high quality of exchanges that took place during the discussions on the draft regulation transferring jurisdiction to give preliminary rulings from the Court of Justice to the General Court in certain specific areas, the Parliament and the Court have decided to continue their dialogue on the basis of an annual meeting devoted to topics of common interest relating to the proper administration of justice, in strict compliance with the separation of powers. The meetings will cover European citizens' perception of justice and respect for the rule of law as well as any improvements that could be made to the functioning of the judicial system, in pursuit of the goal of bringing justice closer to European citizens.

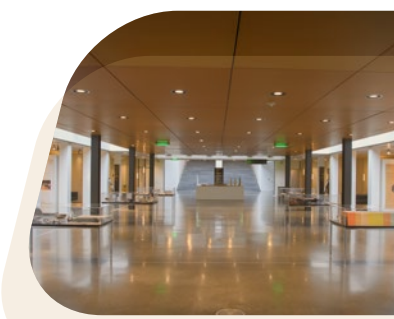
Solemn undertaking by three new Members of the European Court of Auditors

Appointed by the Council of the European Union, the new Members of the European Court of Auditors, Ms Katarína Kaszasová, Mr Alejandro Blanco Fernández and Mr João Leão, give their solemn undertaking before the Court.

April

Opening of a historic exhibition at the Court

An exhibition devoted to the history of the Institution is opened at the Court. Composed of photographs, works of art and rare items, it maps the history of the courts and its buildings and is open to all visitors.



Final of the ‘European Law Moot Court’ competition

Organised for the first time in 1988, the ‘European Law Moot Court’ is the world’s largest moot competition on EU law. The 2024 edition is won by the University of Madrid, which faced off in the final against the Italian university Roma Tre.

Formal sitting to give eulogies

Formal tribute is paid to the memory of John L. Murray, Irish Judge at the Court of Justice (1991-1999), who died in January 2023; Philippe Léger, French Advocate General at the Court of Justice (1994-2006), who died in January 2023; and Waltraud Hakenberg, Registrar of the Civil Service Tribunal (2005-2016), who died in January 2024.

May

Meeting of Judges and conference to mark the 20th anniversary of the 2004 enlargement

On 1 May 2004, ten new Member States joined the European Union: the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. To mark the 20th anniversary of that event, the annual Meeting of Judges and a conference are held at the Court.

June

Presentation of the artwork ‘LL’ by Lithuanian artist Kazys Varnelis

The artwork ‘LL’ (1972) by Lithuanian artist Kazys Varnelis is presented to the Court, at a ceremony attended by its President, Mr Koen Lenaerts, the Lithuanian Deputy Minister for Justice, Ms Jurga Greičienė, and the Head of the Iconography Department at the National Museum of Lithuania, Ms Jolanta Bernotaitytė.

Visit to Warsaw by a delegation from the General Court

A delegation from the General Court composed of its President, Mr Marc van der Woude, and the Polish Judges Ms Krystyna Kowalik-Bańczyk and Ms Nina Półtorak, together with the Lithuanian Judge Mr Saulius Lukas Kalėda, travels to Warsaw, to a meeting organised by the Polish Supreme Administrative Court at the Warsaw Bar, in order to give a presentation on the role of the General Court and to strengthen ties with the national courts responsible for the areas of law concerned by the partial transfer of the jurisdiction to give preliminary rulings to the General Court.

September

Amendments to the Rules of Procedure of the Court of Justice and of the General Court

Important amendments to the Rules of Procedure of the Court of Justice and of the General Court enter into force on 1 September. They implement the amendments to the Statute of the Court of Justice in the context of the partial transfer of the jurisdiction to give preliminary rulings to the General Court, applicable from 1 October, and modernise the procedures before the two courts.

Visit by a delegation from the Supreme Court of the United States

Continuing the regular meetings that have taken place since 1998, this visit serves to strengthen the close and historic ties between the Supreme Court of the United States and the Court of Justice.

Installation of an artwork in the Garden of Multilingualism

The artwork *Genus*, created by the Luxembourg artist Simone Decker, is installed in the Garden of Multilingualism, located on the periphery of the Court's grounds. Designed specifically for the Court, it takes inspiration from multilingualism and symbolises the linguistic and cultural diversity of the European Union.

October

Partial transfer of jurisdiction to give preliminary rulings

The rules on the partial transfer of the jurisdiction to give preliminary rulings from the Court of Justice to the General Court become applicable on 1 October. In six specific areas, references for a preliminary ruling are from this date forward handled by the General Court. The first request for a preliminary ruling transferred to the General Court on 17 October (T-534/24, *Gotek*) is a Croatian-language case and was made by the Administrative Court, Osijek.

Partial replacement of the Court of Justice and entry into office of new Members of the General Court

A formal sitting is held in the Main Courtroom of the Court of Justice to mark, on the one hand, the departure from office of Mr Lars Bay Larsen, Ms Alexandra Prechal, Mr Jean-Claude Bonichot, Mr Peter George Xuereb, Ms Lucia Serena Rossi, Mr Priit Pikamäe, Mr Nils Wahl and Mr Anthony Michael Collins, and, on the other hand, the taking of the oath by nine new Members of the Court of Justice, namely Mr Bernardus Smulders, Mr Massimo Condinanzi, Mr Fredrik Schalin, Mr Stéphane Gervasoni, Mr Niels Fenger and Ms Ramona Frendo, as Judges, and Mr Dean Spielmann, Mr Andrea Biondi and Mr Rimvydas Norkus, as Advocates General, as well as by two new Judges of the General Court, Mr Hervé Cassagnabère and Mr Raphaël Meyer.

Election of the President, Vice-President and First Advocate General of the Court of Justice

Mr Koen Lenaerts is re-elected by his peers to serve as President of the Court of Justice of the European Union for the next three years. Similarly, Mr Thomas von Danwitz is elected Vice-President of the Court of Justice, succeeding Mr Lars Bay Larsen. Mr Maciej Szpunar is re-elected First Advocate General of the Court of Justice.

November

Artificial Intelligence training month

The goal of the Artificial Intelligence (AI) training campaign is to present the opportunities and challenges associated with the use of AI. It seeks to demystify the field of AI and to promote the ethical and responsible use of AI-based tools.

Solemn undertaking by three new Members of the Court of Auditors

Appointed by the Council of the European Union, Mr Petri Sarvamaa, Mr Hans Lindblad and Mr Carlo Alberto Manfredi Selvaggi, the new Members of the European Court of Auditors, give their solemn undertaking before the Court.

Visit by the Court of Justice to the European Court of Human Rights

The President of the Court of Justice, Mr Koen Lenaerts, accompanied by a delegation from the Court, travels to the European Court of Human Rights for the courts' annual meeting. The discussions cover three main topics: 'Climate change: a challenge for the two European courts', 'Mass surveillance and the protection of personal data' and 'Protecting the rights of disabled people'.

6th meeting of the RJUE correspondents in Brussels

The sixth meeting of the correspondents of the Judicial Network of the European Union is held in Brussels, for the first time outside Luxembourg, under the auspices of the Belgian Council of State. The meeting focuses on the future of cooperation within the RJUE and the application of the principle of consistent interpretation by national courts.

December

Disability Awareness Day at the Court

The Institution, which is fully committed to accessibility and inclusion through multiple initiatives, organises Disability Awareness Day, which this year has as its theme ‘Inclusion through sport: diversity is our strength’.

B. The year in figures

The Institution in 2024

81 judges from
27 Member States

Court of Justice
27 judges
11 Advocates General

General Court
54 judges

2 267
officials and other staff

61% women
39% men

The representation of women in positions of responsibility within the administration means that the Court exceeds the average for the European institutions.

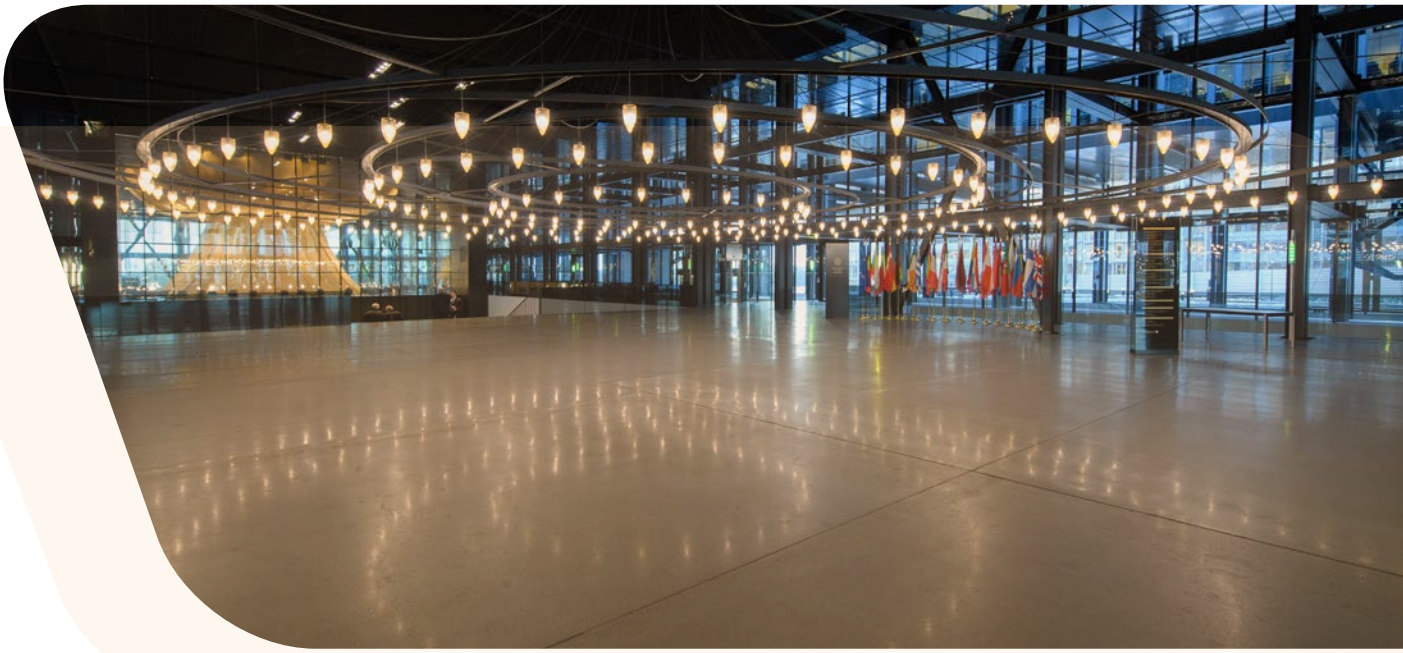
Budget : EUR **504** million

Women hold:
54% of administration posts
49% of middle and senior management posts

e-Curia

Percentage of procedural documents lodged via e-Curia:

91% Court of Justice
96% General Cout
11 692 e-Curia accounts



The judicial year (Court of Justice and General Court)

1 706 cases brought

1 785 cases resolved

2 911 cases pending

Average duration of proceedings: 18.1 months

e-Curia is an IT application enabling the representatives of the parties in cases brought before the Court of Justice and the General Court, and national courts in the context of requests for a preliminary ruling to the Court of Justice, to send and receive procedural documents to and from the Registries purely by electronic means.

e-Curia: An application for the exchange of legal documents with the Court

Watch the video on YouTube

The Linguistic Services

As a multilingual judicial institution, the Court must be able to deal with a case irrespective of the official language of the European Union in which it has been brought. It then ensures that its case-law is disseminated in all those languages.

24 languages of the case

552 language combinations

608 lawyer-linguists to translate written documents

1 366 000 pages to be translated

1 371 000 pages translated

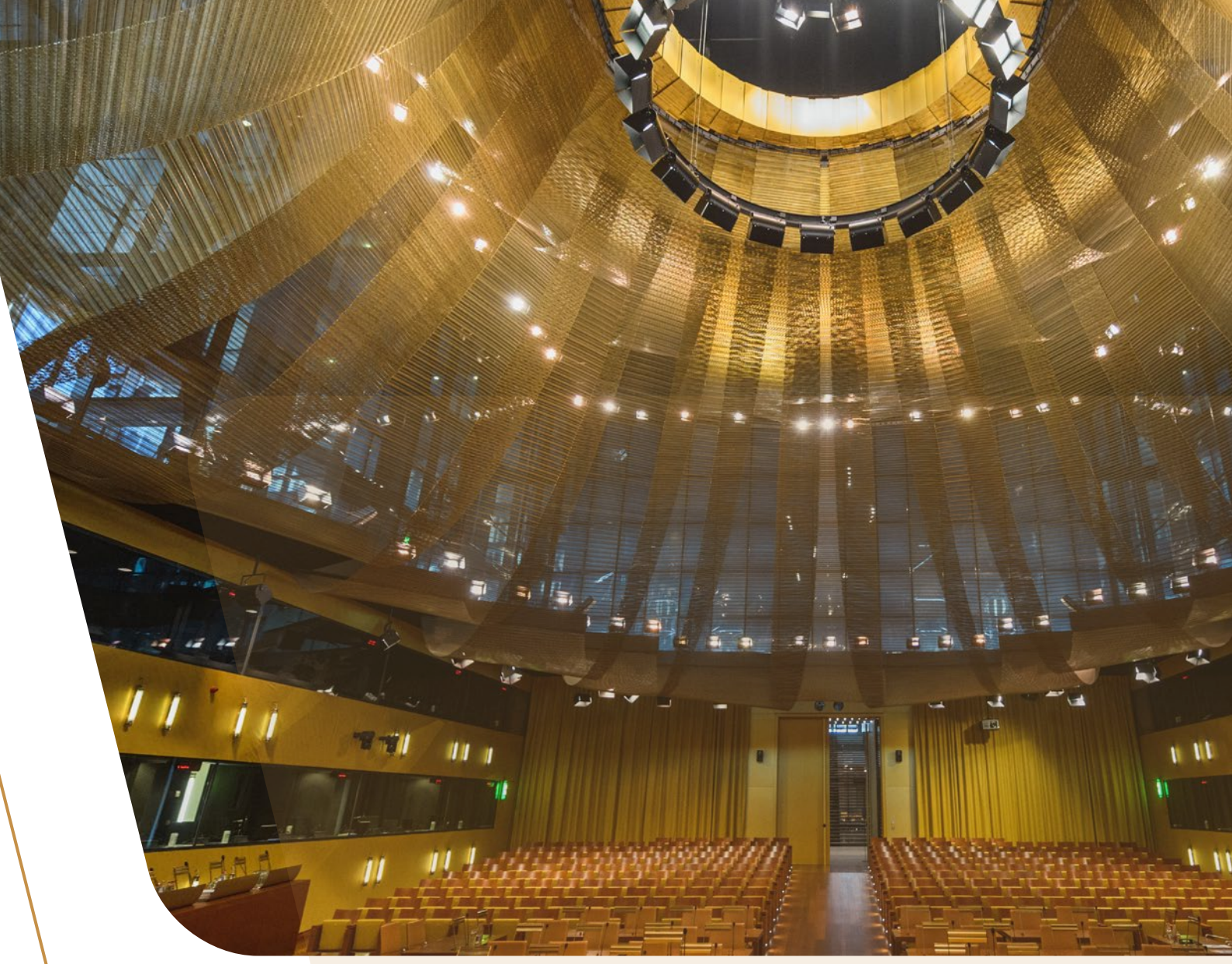
503 hearings and meetings with simultaneous interpretation

70 interpreters for hearings and meetings

Multilingualism at the Court of Justice of the European Union – Ensuring equal access to justice

Watch the video on YouTube

At the Court, translations are produced in accordance with mandatory language arrangements, which provide for the possibility to use any of the 24 official languages of the European Union. The documents to be translated are all highly technical legal texts. That is why the Court's language service employs only lawyer-linguists who have completed their education in law and who have a thorough knowledge of at least two official languages other than their mother tongue.



2

Judicial activities

A. The Court of Justice in 2024

The Court of Justice deals mainly with requests for a preliminary ruling. When a national court is uncertain as to the interpretation or validity of an EU rule, it stays the proceedings before it and refers the matter to the Court of Justice. When the matter has been clarified by the Court of Justice's decision, the national court is then in a position to settle the dispute before it. In cases calling for a response within a very short time (for example, in relation to asylum, border control, child abduction, and so forth), an urgent preliminary ruling procedure may be used.

The Court also deals with direct actions, which seek either the annulment of an EU act ('action for annulment') or a declaration that a Member State is failing to comply with EU law ('action for failure to fulfil obligations'). If the Member State does not comply with the judgment finding that it has failed to fulfil its obligations, a second action, known as an action for 'twofold failure to fulfil obligations', may result in the Court of Justice imposing a financial penalty on it.

Furthermore, appeals may be brought against decisions handed down by the General Court. The Court of Justice may set aside such decisions of the General Court.

Lastly, requests for an opinion may be made to the Court of Justice to determine the compatibility with the Treaties of an agreement which the European Union envisages concluding with a non-member State or an international organisation (submitted by a Member State or by a European institution).

Koen Lenaerts

President
of the Court of Justice
of the European Union

Activities and developments at the Court of Justice

The past year was marked by the adoption and the implementation of the legislative reform of the judicial architecture of the European Union by European Parliament and Council Regulation 2024/2019, which seeks, at the request of the Court of Justice, to balance the litigation workload between the two courts of the European Union by taking advantage of the doubling of the number of judges at the General Court resolved upon in European Parliament and Council Regulation 2015/2422 in 2015. The Court of Justice should thus be in a position to continue to perform, within reasonable time limits, its task of interpreting EU law even though it is experiencing a significant increase in the litigation brought before it and a rise in the number of complex and sensitive cases concerning, in particular, constitutional questions or matters related to fundamental rights. For instance, in 2024, over 900 new cases were brought before the Court of Justice,

920
cases brought

573 preliminary ruling procedures, including 6 urgent preliminary ruling procedures)

Member States from which the most requests originate

Italiy	**98**
Germany	**66**
Poland	**47**
Austria	**39**
Bulgaria	**38**

53 direct actions, including: 39 actions for failure to fulfil obligations and 3 actions for 'twofold failure to fulfil obligations'

277 appeals against decisions of the General Court

15 applications for legal aid

1 request for an opinion

a figure close to the 2019 record, which confirms the upwards trend observed in recent years and underlines the need for this reform.

More specifically, the reform essentially saw a partial transfer of jurisdiction to give preliminary rulings from the Court of Justice to the General Court. That transfer, which has been effective since 1 October 2024, covers six specific areas, namely the common system of value added tax, excise duties, the Customs Code, the tariff classification of goods under the Combined Nomenclature, compensation and assistance of passengers in the event of denied boarding or of delay or cancellation of transport services and the system for greenhouse gas emission allowance trading.

However, the Court of Justice retains jurisdiction to hear and determine requests for a preliminary ruling which, although they fall within one or more of those specific areas, also concern other matters or raise separate questions concerned with the interpretation of primary law (including the Charter of Fundamental Rights of the European Union), public international law or general principles of EU law.

The reform is expected to result in a significant reduction in the workload of the Court of Justice in connection with preliminary rulings, which appears to be confirmed by the initial estimates covering the final three months of the past year.

The goal of a further strand of the reform is to preserve the effectiveness of the procedure for appeal against decisions of the General Court. In order to allow the Court of Justice to focus on appeals raising significant questions of law, the mechanism used to determine whether appeals are allowed to proceed has been expanded, since 1 September 2024, to include decisions of the General Court relating to the decisions of six new independent boards of appeal of European bodies, offices and agencies, which have been added to the four boards of appeal initially earmarked when that mechanism was introduced. In addition, the mechanism has also been extended to cover disputes relating to the performance of contracts containing an arbitration clause.

A party who is unable to meet the costs of proceedings may apply for legal aid.

Finally, the aim of the reform is to strengthen the transparency of the preliminary ruling procedure and, in so doing, to provide a better understanding of the decisions handed down by the Court of Justice or the General Court. From now on, written observations lodged in preliminary rulings will be published on the Institution's website, within a reasonable time after the case has closed, unless the author of those observations objects to their publication.

Alongside the amendment of the Statute of the Court of Justice of the European Union, implementation of the reform has resulted in amendments to the Rules of Procedure of the Court of Justice and the Rules of Procedure of the General Court in order, inter alia, to clarify the arrangements for the initial handling of requests for a preliminary ruling submitted under the 'one-stop shop' principle and the procedure applicable to requests transmitted to the General Court by the Court of Justice. Furthermore, the Rules of Procedure of the General Court also contain other new provisions which seek to learn lessons from the health crisis and technological developments, in particular as regards the option of the parties or their representatives addressing the General Court by videoconference, subject to compliance with specific legal and technical requirements, the protection of personal data when dealing with cases, the arrangements for lodging and serving procedural documents via the e-Curia application and the broadcasting of certain hearings on the internet.

The Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling procedures and the Practice Directions to parties have likewise been amended accordingly.

Turning to the composition of the Institution, in June 2024, we mourned the death of Mr Ilešič (Slovenia), who had served as a judge at the Court of Justice since 2004.

The past year also saw Judge Safjan (Poland) take a leave of absence in January 2024, before a partial and very significant replacement of Judges at the Court of Justice in October, with the departure from office of eight Members: Vice-President Bay Larsen (Denmark), Judge Bonichot (France), Judge Prechal (Netherlands), Judge Xuereb (Malta), Judge Rossi (Italy), Judge Wahl (Sweden) and Advocates General Pikamäe (Estonia) and Collins (Ireland), and the entry into office of nine new Members: Judge Smulders (Netherlands), Advocate General Spielmann (Luxembourg), Judges Condinanzi (Italy) and Schalin (Sweden), Advocate General Biondi (Italy), Judges Gervasoni (France) and Fenger (Denmark), Judge Frendo (Malta) and Advocate General Norkus (Lithuania).

The statistics for the past year reveal that a very high number of cases were brought before the Court (920, almost 100 more than in each of the last three years) and closed by it (863 cases, 80 more than in the previous year); the latter figure is due in large part to the constraints associated with the partial replacement of the Judges at the Court. There were thus 1 206 pending cases as of 31 December 2024. The average duration of proceedings, all manner of cases combined, stood at 17.7 months in 2024.

863 cases resolved

580 preliminary ruling procedures, including: **5** urgent preliminary ruling procedures

53 direct actions, including: **26** failures to fulfil obligations found against **16** Member States

1 judgment finding a 'twofold failure to fulfil obligations'

213 appeals against decisions of the General Court, including: **48** appeals in which the decision adopted by the General Court was set aside

Average duration of proceedings:
17.7 months

Average duration of urgent preliminary ruling proceedings: **3.3 months**

1 206
cases pending as of 31 December 2024

Principal matters dealt with:

Area of Freedom, Security and Justice	**141**
State aid and competition	**137**
Economic and monetary policy	**103**
Approximation of laws	**85**
Consumer protection	**63**
Environment	**62**
Taxation	**61**
Common foreign and security policy	**57**
Social policy	**48**
Intellectual property	**45**

See detailed statistics for the Court of Justice.

Members of the Court of Justice

The Court of Justice is composed of 27 Judges and 11 Advocates General.

The Judges and Advocates General are appointed by common accord of the governments of the Member States after consultation with a panel responsible for providing an opinion on prospective candidates' suitability to perform the duties concerned. Judges are appointed for a term of office of six years, which is renewable.

They are chosen from among individuals whose independence is beyond doubt and who possess the qualifications required for appointment, in their respective countries, to the highest judicial offices, or who are of recognised competence.

The Judges perform their duties in a totally impartial and independent manner.

The Judges of the Court of Justice appoint, from amongst themselves, the President and Vice-President. The Judges and Advocates General appoint the Registrar for a term of office of six years.

The Advocates General are responsible for delivering, with complete impartiality and independence, an 'opinion' in the cases assigned to them. This opinion is not binding, but allows for an additional view to be provided on the subject matter of the dispute.

The partial replacement of Judges at the Court of Justice in October 2024 saw the entry into office of nine new Members: Judge Smulders (Netherlands), Advocate General Spielmann (Luxembourg), Judges Condinanzi (Italy) and Schalin (Sweden), Advocate General Biondi (Italy), Judges Gervasoni (France) and Fenger (Denmark), Judge Frendo (Malta) and Advocate General Norkus (Lithuania).

In memoriam

The Slovenian Judge Marko Ilešič died in June 2024, at which time he was a serving Member of the Court. He was the first Slovenian Member appointed to the Court on Slovenia's accession to the European Union in 2004. Respected and admired, both professionally and personally, for his legal expertise, intellect and extensive language skills, as well as for his great humanity, Mr Ilešič made a major contribution to the development and promotion of EU law and enhanced the reputation of Slovenian culture.


8
9
10
12
14

K. Lenaerts
President

T. von Danwitz
Vice-President

F. Biltgen
President
of the First Chamber

K. Jürimäe
President
of the Second Chamber

C. Lycourgos
President
of the Third Chamber

I. Jarukaitis
President
of the Fourth Chamber

M. L. Arastey Sahún
President
of the Fifth Chamber

M. Szpunar
First Advocate
General

S. Rodin
President
of the Eighth Chamber

A. Kumin
President
of the Sixth Chamber

N. Jääskinen
President
of the Ninth Chamber

D. Gratsias
President
of the Tenth Chamber

M. Gavalec
President
of the Seventh Chamber

J. Kokott
Advocate General

A. Arabadjiev
Judge

M. Campos Sánchez- Bordona
Advocate General

E. Regan
Judge

N. J. Cardoso da Silva Piçarra
Judge

J. Richard de la Tour
Advocate General

A. Rantos
Advocate General

I. Ziemele
Judge

J. Passer
Judge

N. Emiliou
Avocat général

Z. Csehi
Judge

O. Spineanu-Matei
Judge

T. Ćapeta
Advocate General

L. Medina
Advocate General

B. Smulders
Judge

D. Spielmann
Advocate General

M. Condinanzi
Judge

F. Schalin
Judge

A. Biondi
Advocate General

S. Gervasoni
Judge

N. Fenger
Judge

R. Frendo
Judge

R. Norkus
Advocate General

A. Calot Escobar
Registrar

Order of Precedence as from 9 October 2024

B. The General Court in 2024

Proceedings may primarily be brought before the General Court, at first instance, in direct actions brought by natural or legal persons (individuals, companies, associations, and so forth), where they are directly and individually concerned, and by Member States against acts of the institutions, bodies, offices or agencies of the European Union, and in direct actions seeking compensation for damage caused by the institutions or their staff.

The decisions of the General Court may be the subject of an appeal, limited to points of law, before the Court of Justice. In cases which have already been considered twice (by an independent board of appeal and then by the General Court), the Court of Justice will allow an appeal to proceed only if it raises an issue that is significant with respect to the unity, consistency or development of EU law.

Since 1 October 2024, the General Court has also had jurisdiction to hear and determine requests for a preliminary ruling, transferred by the Court of Justice, which fall exclusively into one or more of the following six specific areas: the common system of value added tax; excise duties; the Customs Code; the tariff classification of goods under the Combined Nomenclature; compensation and assistance of passengers in the case of denied boarding or of delay or cancellation of transport services; the system for greenhouse gas emission allowance trading.

A large part of the litigation before it is economic in nature: intellectual property (EU trade marks and designs), competition, State aid, and banking and financial supervision.

The General Court also has jurisdiction to adjudicate in civil service disputes between the European Union and its staff.

Marc van der Woude

President
of the General Court
of the European Union

Activities and developments at the General Court

2024 was a particularly significant year for the General Court as it saw the entry into force of Regulation 2024/2019, which reformed the judicial architecture of the European Union. The partial transfer of jurisdiction to give preliminary rulings from the Court of Justice to the General Court thus took effect on 1 October 2024.

Pursuant to the Statute of the Court of Justice of the European Union, the General Court now has jurisdiction to hear and determine requests for a preliminary ruling which fall exclusively within one or more of the following six specific areas: the common system of VAT, excise duties, the Customs Code, the tariff classification of goods, compensation and assistance to passengers in the event of denied boarding or of delay or cancellation of transport services, and the system for greenhouse gas emission allowance trading (new Article 50b).

786
cases brought

667
direct actions, including:

Intellectual and industrial property	**268**
EU civil service	**76**
State aid and competition	**33**

7 actions brought by Member States

30 applications for legal aid

19 references for a preliminary ruling

A party who is unable to meet the costs of the proceedings may apply for legal aid.

19 requests for a preliminary ruling lodged between 1 October and 31 December 2024 were the subject of a transfer decision.

Internally, the General Court had to reorganise its structure by appointing ten judges sitting in the chamber designated to deal with requests for a preliminary ruling, as well as the President of that chamber, Mr Papasavvas, Vice-President of the General Court. To ensure optimum handling of requests for a preliminary ruling, the General Court also appointed three judges to perform the duties of Advocates General. In addition, its Rules of Procedure now provide for the possibility of rulings being given, in particular in certain preliminary ruling cases, in an intermediate chamber composed of nine judges.

Similarly, from 1 September 2024, provision was made to extend the mechanism to determine whether appeals against decisions of the General Court concerning a decision of an independent board of appeal of one of the bodies, offices or agencies of the European Union are allowed to proceed (new Article 58a of the Statute of the Court, also inserted by Regulation 2024/2019). This strand of the reform also places greater responsibility on the General Court to ensure the consistency and the uniformity of the law in the fields of law concerned.

The reform coincided with the departure, on 7 October 2024, of five Members of the General Court, who were appointed Judges at the Court of Justice. Judge Gervasoni, Presidents of the Chamber Spielmann and Schalin, Judge Frendo and Judge Norkus thus left the General Court. The General Court thanks them for their long and important contribution to its case-law. On that same date, Judges Cassagnabère and Meyer took the oath as new Members of the General Court.

That major reorganisation and the departures of Members did not, however, slow down the pace of judicial activities at the General Court, which was able to close 922 cases over the course of 2024. Since only 786 cases were brought during that same year, the number of cases pending was thus reduced. The average duration of proceedings of 18.5 months demonstrates that cases are being managed effectively, bearing in mind that the General Court is able to react even more speedily where the particular circumstances of the case so require. For instance, it was able

to give its first judgment in the field of digital markets in 8.2 months (judgment in *Bytedance* v *Commission*, T-1077/23).

In 2024, 20.2% of the cases closed were closed by chambers sitting in extended composition. In addition, the General Court is continuing its approach of ruling in cases of particular importance to, in particular, the rule of law sitting as a Grand Chamber, composed of 15 judges (see Chapter entitled 'A look back at major judgments of the year'). It was sitting as a Grand Chamber that the General Court gave judgment in the cases of *Ordre néerlandais des avocats du barreau de Bruxelles and Others* v *Council*, *Medel and Others* v *Council*, *Fridman and Others* v *Council* and *Timchenko and Timchenko* v *Council*.

In the light of its new jurisdiction in preliminary rulings, as well as its new responsibilities following the extension of the mechanism to determine whether appeals are allowed to proceed, the General Court has equipped itself with all the tools necessary to deal effectively and proactively with the cases brought before it, whilst preparing for the upcoming three-year period beginning in October 2025.

Savvas Papasavvas

Vice-President
of the General Court

Innovations in case-law

2024 marked the return to centre stage of the Grand Chamber, the highest-ranking formation of the General Court, from which, to date, rulings have been sought only rarely and intermittently. Composed of fifteen judges, the Grand Chamber hears and determines the most important cases as well as those which present a legal difficulty or are characterised by special circumstances (Article 28(1) of the Rules of Procedure of the General Court). Six decisions bringing together a number of cases have thus been given by the Grand Chamber in the course of the past year against the backdrop of, on the one hand, Russian aggressions against Ukraine and, on the other hand, the implementation of the Recovery and Resilience Facility as part of the NextGenerationEU recovery plan.

First, in its judgments of 11 September 2024, *Fridman and Others* v *Council* and *Timchenko and Timchenko* v *Council* (T-635/22 and T-644/22), the General Court confirmed the Council's power, first, to impose obligations on persons subject to restrictive measures to report funds and to cooperate with the competent national authorities and, second, to treat the failure to comply with those obligations as a circumvention of fund-freezing measures.

Next, in its judgments of 2 October 2024, *Ordre néerlandais des avocats du barreau de Bruxelles and Others* v *Council*, *Ordre des avocats à la cour de Paris and Couturier* v *Council* and *ACE* v *Council* (T-797/22, T-798/22 and T-828/22), the General Court confirmed the legality of the prohibition on providing, directly or indirectly, legal advisory services to the Russian Government and to legal persons, entities and bodies established in Russia (Council Regulation No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine). The cases dealt with the question of whether there is a fundamental right of access to a lawyer, specifically in situations which have no link with judicial proceedings. The General Court dismissed the actions, but took care, inter alia, to clarify the scope of both the right to an effective remedy (Article 47 of the Charter of Fundamental Rights of the European Union) and the right to professional secrecy (Article 7).

Finally, by an order of 4 June 2024, *Medel and Others* v *Council* (T-530/22 to T-533/22), the General Court dismissed the applications for annulment of the implementing decision by which the Council approved the assessment of Poland's recovery and resilience plan and specified the milestones and targets which that Member State must achieve in order for the financial contribution made available to it in the contested decision to be granted. The Grand Chamber took the view that the applicants, four associations representing judges at international level whose members were, as a general rule, national professional associations, including Polish associations, could not rely on their standing to bring proceedings.

This fresh impetus given to the Grand Chamber is set to continue in 2025, as other cases are currently pending before it. This will probably be accompanied by references to the intermediate chamber, established by Regulation 2024/2019 to supplement the arsenal of high-ranking chambers at the General Court's disposal.

922
cases resolved

832
direct actions, including:

Intellectual and industrial property	**276**
State aid and competition	**98**
EU civil service	**76**

1 reference for a preliminary ruling

Average duration of proceedings:
18.5 months

Proportion of decisions subject to an appeal before the Court of Justice: 35%

1 705
pending cases
(as of 31 December 2024)

Principal matters dealt with:

Institutional law	**552**
Intellectual and industrial property	**322**
Economic and monetary policy	**167**
State aid and competition	**153**
EU civil service	**112**
Restrictive measures	**91**
Access to documents	**41**
Agriculture	**30**
Public contracts	**29**
Public health	**24**

See detailed statistics for the General Court.

Members of the General Court

The General Court is composed of two Judges from each Member State.

The Judges are chosen from among individuals whose independence is beyond doubt and who possess the qualifications required for appointment to the highest judicial offices. They are appointed by common accord of the governments of the Member States after consultation with a panel responsible for giving an opinion on candidates' suitability. They are appointed for a term of office of six years, which is renewable. They appoint, from amongst themselves, the President and Vice-President for a period of three years, and appoint the Registrar for a term of office of six years.

The Judges perform their duties in a totally impartial and independent manner.

Against the backdrop of the partial transfer, from 1 October 2024, of jurisdiction to give preliminary rulings from the Court of Justice to the General Court, the General Court elected Mr Martín y Pérez de Nanclares and Ms Brkan as Judges called upon to perform the duties of Advocates General in connection with the handling of requests for a preliminary ruling, and Mr Gâlea as an alternate should they be prevented from attending.

In October 2024, two new Members, Judges Cassagnabère (France) and Meyer (Luxembourg), entered into office at the General Court, replacing Judges Gervasoni and Spielmann, who were both appointed to the Court of Justice.

M. van der Woude
President

S. Papasavvas
Vice-President

A. Marcoulli
President of the Second Chamber

R. da Silva Passos
President of the Fourth Chamber

J. Svenningsen
President of the Fifth Chamber

M. J. Costeira
President of the Sixth Chamber

K. Kowalik-Bańczyk
President of the Seventh Chamber

A. Kornezov
President of the Eighth Chamber

L. Truchot
President of the Ninth Chamber

O. Porchia
President of the Tenth Chamber

R. Mastroianni
President of the First Chamber

P. Škvařilová-Pelzl
President of the Third Chamber

M. Jaeger
Judge

H. Kanninen
Judge

J. Schwarcz
Judge

M. Kancheva
Judge

E. Buttigieg
Judge

V. Tomljenović
Judge

L. Madise
Judge

N. Półtorak
Judge

I. Reine
Judge

P. Nihoul
Judge

U. Öberg
Judge

C. Mac Eochaidh
Judge

G. De Baere
Judge

T. Pynnä
Judge

J. C. Laitenberger
Judge

J. Martín y Pérez de Nanclares
Judge

G. Hesse
Judge

M. Sampol Pucurull
Judge

M. Stancu
Judge

I. Nõmm
Judge

G. Steinfatt
Judge

T. Perišin
Judge

D. Petrlík
Judge

M. Brkan
Judge

P. Zilgalvis
Judge

K.Kecsmár
Judge

I. Gâlea
Judge

I. Dimitrakopoulos
Judge

D. Kukovec
Judge

S. Kingston
Judge

T. Tóth
Judge

B. Ricziová
Judge

E. Tichy-Fisslberger
Judge

W. Valasidis
Judge

S. Verschuur
Judge

S. L. Kalėda
Judge

L. Spangsberg Grønfeldt
Judge

H. Cassagnabère
Judge

R. Meyer
Judge

V. Di Bucci
Registrar

Order of Precedence as from 9 October 2024

C. Case-law in 2024

Focus 2020 Mobility Package: fair competition and improvement of working conditions for a safer, more sustainable and fairer road sector

Judgment in *Lithuania and Others* v *Parliament and Council* of 4 October 2024 (C-541/20 to C-555/20)

2020 Mobility Package

In 2020, a series of reforms was adopted by the European Union in the road transport sector with two main goals:

1. Improving drivers' working conditions:

   – by prohibiting the weekly rest period from being taken in vehicles;

   – by guaranteeing regular returns to their place of residence or the operational centre (every three or four weeks) so that they can spend their rest period there;

   – by bringing forward the date of entry into force of the obligation to install second-generation intelligent tachographs.

2. Establishing fair competition:

   – by requiring vehicles to return to an operational centre situated in the Member State of establishment of the transport undertaking every eight weeks;

   – by introducing a four-day waiting period after a cabotage cycle carried out in a host Member State (during which non-resident hauliers are not allowed to carry out cabotage operations with the same vehicle in that Member State);

   – by classifying drivers as 'posted workers' in certain specific cases, so that they benefit from the terms and conditions of employment and remuneration in force in the host Member State.

A cabotage operation is transport carried out within a Member State by a haulier not established in that Member State. Such transport is allowed as long as it is not carried out in a way that creates a permanent activity in that Member State.

A second-generation intelligent tachograph is an electronic device which records drivers' driving times, breaks and rest periods. It helps to ensure road safety, guarantee compliance with drivers' working conditions and prevent fraud.

The Mobility Package consists of three legislative acts concerning the legal rules governing road transport. This ambitious reform prompted fierce debate, resulting in a series of legal actions. Thus, seven Member States – Lithuania, Bulgaria, Romania, Cyprus, Hungary, Malta and Poland – brought before the Court of Justice fifteen actions for annulment of certain provisions of the Mobility Package.

The Court's judgment broadly confirmed the validity of the Mobility Package.

Whilst acknowledging that improving drivers' working conditions may result in an increase in the costs borne by transport undertakings, the Court observed that those rules, which apply without distinction throughout the European Union, do not discriminate against transport undertakings established in Member States situated 'on the periphery of the Union'. If those rules have a greater impact on certain undertakings, that is because they made an economic choice to provide their services to recipients situated in Member States distant from their own place of establishment.

As for the classification as 'posted workers' (which allows drivers to benefit from the minimum terms and conditions of employment and remuneration in the host Member State, rather than those potentially less favourable terms and conditions in the State of establishment of the transport undertaking), this is a measure intended to **guarantee fair working conditions and to combat unfair competitive practices.** This development, although it is beneficial to employees, prompted debate amongst Member States, some of which, in particular low-wage States, feared an increase in costs for their undertakings and the administrative complexity of the new rules. The Court backed this measure, which was adopted by the EU legislature with the aim of striking a fair balance between the various interests involved.

As regards the obligation to comply with a four-day waiting period after a cabotage cycle carried out in a host Member State, the Court pointed out that the purpose of that period is to protect local undertakings and prevent unfair competition, by stopping repeated cabotage operations from ultimately constituting de facto permanent activity in the host Member State. Some Member States contested that obligation, claiming that it restricts undertakings' flexibility by forcing them to adjust their itineraries to avoid periods of downtime that result in lost revenue. The Court rejected those arguments, observing that the measure simply prohibits cabotage operations in the same Member State during the waiting period, which does not prevent other international transport or cabotage operations from being carried out in other Member States.

The Court did, however, annul the obligation requiring vehicles to return to the transport undertaking's operational centre every eight weeks. It held that the Parliament and the Council had not established that they had sufficient information to assess the proportionality of that measure and its social, environmental and economic impacts.

Focus Organic production and labelling of organic products

Judgment in *Herbaria Kräuterparadies II* (C-240/23)

The German company Herbaria manufactures the beverage 'Blutquick', which is marketed as a food supplement. That beverage contains organically produced ingredients, as well as added non-plant vitamins and ferrous gluconate. Its packaging bears the European Union organic production logo and a reference to 'controlled organic agriculture'.

In January 2012, the German authorities had prohibited Herbaria from referring to protected organic production because EU law allows vitamins and minerals to be added to processed produce bearing the term 'organic' only if their use is legally required.

The Court of Justice, in response to a reference for a preliminary ruling made in an initial case (Case C-137/13), had held that the use of such substances is deemed to be legally required only if a rule of EU law or a compatible national rule directly requires that those substances be added to a foodstuff in order for that foodstuff to be placed on the market. Since the vitamins and ferrous gluconate added to 'Blutquick' did not satisfy that requirement, Herbaria's action was dismissed by the German court which had referred the matter to the Court of Justice.

The case was subsequently referred to the German Federal Administrative Court, before which Herbaria no longer contested the prohibition on displaying the European Union organic production logo but rather alleged that there was unequal treatment between its product and a similar product imported from the United States.

The United States are recognised under European law as a **third country** whose **production and control rules** are **equivalent** to those of the European Union. According to Herbaria, this means that products from the United States that comply with US production rules can be marketed in the European Union as organic products. The company claims that that situation gives rise to unequal treatment, as the rival American products can bear the European Union organic production logo without complying with the organic production rules applicable in relation to it.

The German Federal Administrative Court put questions to the Court of Justice in this regard.

In its judgment, the Court took the view that **only products compliant with all the requirements laid down in the Regulation on organic production and labelling of organic products can use the European Union organic logo.** That logo cannot therefore be used for products manufactured in a third country according to rules merely equivalent to those provided for in EU law. That prohibition extends to the use of terms referring to such production.

The Court observes that allowing the use of that logo and such terms both for products – whether manufactured in the European Union or in third countries – compliant with the European organic production standards and for products manufactured in third countries according to standards merely equivalent to European organic production standards would risk harming fair competition within the internal market. This could also mislead

consumers, even though the very purpose of the logo is to inform consumers, in a clear and unambiguous manner, that the product is fully compliant with the requirements laid down in that regulation.

However, the Court did hold that the organic production logo of a third country may be used for products manufactured in that country, even where it contains terms referring to organic production.

The European Union organic logo

The European Union organic logo gives a coherent visual identity to organic products produced in the European Union. This makes it easier for consumers to identify organic products and helps farmers to market them in all the Member States.

The organic logo can only be used on products that have been certified as organic by an authorised body, thereby ensuring compliance with the strict conditions on how they must be produced, processed, transported and stored. The organic logo can also only be used on products which contain at least 95% organic ingredients, and only if the remaining 5% fulfil strict conditions. The same ingredient cannot be present in organic and non-organic form.

Regulation 2018/848

Regulation 2018/48 on organic production and labelling of organic products aims to ensure fair competition, the proper functioning of the internal market in that sector and consumer confidence in products labelled as organic.

It establishes general and detailed production rules. In relation to labelling, it requires that products comply with the rules on the provision of information to consumers, specifically to avoid any confusion or deception. It also lays down specific provisions relating to the labelling of organic and in-conversion products to protect both the interests of operators – who want their products to be correctly identified and to enjoy fair market conditions – and those of consumers.

Other judgments of the Court of Justice concerning organic products

Judgment in *Kamin und Grill Shop* of12 October 2017 (C-289/16)

Under Regulation No 834/2007 on organic production and labelling of organic products, an operator marketing organic products is required to submit his, her or its undertaking to a control system. Operators who sell products directly to the final consumer or user may be exempted from that obligation subject to certain conditions. The Court of Justice held that the sale must occur in the presence of both the operator or his, her or its sales personnel and the final consumer. Therefore, operators marketing such products online cannot qualify for that exemption.

Judgment in *Œuvre d'assistance aux bêtes d'abattoirs* of 26 February 2019 (C-497/17)

Regulation No 834/2007 does not allow the European Union organic logo to be placed on products derived from animals which have been slaughtered in accordance with religious rites without first being stunned, a process performed subject to the conditions laid down in Regulation No 1099/2009 on the protection of animals at the time of killing.

Judgment in *Natumi* of 29 April 2021 (C-815/19)

Regulation No 889/2008 laying down detailed rules for the implementation of Regulation No 834/2007 precludes the use of a powder obtained from the cleaned, dried and ground sediment of the alga Lithothamnium calcareum, as a non-organic ingredient of agricultural origin, in the processing of organic foodstuffs (inter alia rice- and soya-based organic drinks) for the purpose of their enrichment with calcium.

Focus Public access to the purchase agreements for COVID-19 vaccines

Judgments in *Auken and Others* v *Commission* and *Courtois and Others* v *Commission* (T-689/21 and T-761/21)

In June 2020, the European Union launched its strategy to acquire COVID-19 vaccines. In that context, the Commission signed an agreement with the 27 Member States, authorising the Commission to conclude in their name advance purchase agreements with manufacturers.

Since it was in the interest of public health for vaccines to be deployed early, the period for the development of the vaccines by the pharmaceutical undertakings was shortened. To compensate for the risks incurred by those undertakings, the Commission and the Member States incorporated the principle of risk sharing between the manufacturer and the Member States into their vaccination strategy, thereby reducing the manufacturer's liability should adverse reactions arise from the use of its product.

The versions of the contracts that were made public were redacted, removing information about the financial risks, donations and resales, as well as the declarations that there were no conflicts of interest.

In 2021, citizens and MEPs contested the European Commission's partial refusal to provide full access to certain documents connected with the 2020 vaccine purchase agreements. The access requests concerned indemnification clauses for the pharmaceutical undertakings. Under those clauses, laboratories were required to compensate victims in cases of wilful misconduct or serious negligence during manufacturing, whereas, in other cases, such liability rested with the Member States.

The citizens and MEPs also sought access to the declarations that there were no conflicts of interest on the part of the members of the team which negotiated the purchase of the vaccines. They wanted to shed light on how the negotiations had been conducted, particularly in relation to a mega-contract concluded in May 2021 for the purchase of 1.8 billion additional doses of vaccine worth EUR 35 billion.

The Commission had granted only partial access to those documents and had published redacted versions of them, relying on the confidentiality of business practices and the protection of privacy.

Further to two actions brought before it challenging the Commission's decisions, the General Court annulled those decisions in part.

With regard to the request for wider access to the **indemnification clauses,** the General Court observed that the reason for their inclusion in the contracts – namely, to offset the risks incurred by the pharmaceutical undertakings in connection with the shortening of the period for the development of the vaccines – had been endorsed by the Member States and was in the public domain. It held that the Commission had

not demonstrated how wider access to those clauses, to certain definitions contained in the contracts (such as definitions of 'wilful misconduct' and 'best reasonable efforts') and to the provisions on donations and resales of the vaccines would actually undermine the commercial interests of the pharmaceutical undertakings concerned.

As for the request relating to the disclosure – in the declarations that there were no conflicts of interest – of the **identity of the members of the negotiating team,** the General Court confirmed that that request had a public interest purpose. Only by disclosing their identities is it possible to ascertain whether the members of the negotiating team had no conflicts of interest. In addition, such transparency in the contract negotiation process strengthens EU citizens' trust in the Commission's vaccination strategy and helps to combat the dissemination of false information. The General Court thus held that the Commission had not correctly weighed up the interests at issue, that is, the absence of any conflict of interest and the risk that the right of privacy might be infringed.

Public access to documents: a key element of transparency

The purpose of Regulation No 1049/2001 of the European Parliament and of the Council is to grant the public the widest possible access to European Parliament, Council and Commission documents. It seeks to strengthen the transparency, legitimacy and accountability of the Institutions.

However, that right is not absolute. Provision is made for exceptions in order to protect certain public or private interests, such as public security, the confidentiality of internal deliberations and legal advice, financial, economic or commercial interests, or even the protection of personal data.

The Institutions have to reconcile transparency with the protection of those interests, by assessing on a case-by-case basis whether disclosure risks undermining them. Disclosure may ultimately be required if an overriding public interest is demonstrated.

If access is refused, the applicant may submit a request for review to the Institution concerned and then – in the event of a further refusal – refer the matter to the European Ombudsman or bring an action before the General Court.

Some principles enshrined by the General Court and the Court of Justice

In the judgment in *De Capitani* v *Parliament* (T-540/15), the General Court took the view that the EU institutions can refuse access to certain documents that are part of the legislative process only in duly justified cases.

The institution or body refusing access must demonstrate how such access would 'specifically, effectively and reasonably foreseeably' compromise the interest protected by one of the exceptions provided for in Regulation No 1049/2001.
As the Court of Justice held in the judgment in *ClientEarth* v *Commission* (C-57/16 P), a hypothetical or vague risk of an interest being undermined is not sufficient to justify a refusal of access.

The question of access to the written submission lodged by a Member State or an institution in the context of proceedings before the Court of Justice has been addressed in a number of significant judgments. In the case of *Commission* v *Breyer* (C-213/15 P), the Court of Justice took the view that the written submissions of a Member State held by the Commission fall within the scope of Regulation No 1049/2001. While the confidentiality of those submissions must be preserved for the duration of the court proceedings, the Commission cannot, without relying on another ground, refuse to grant access to them once the proceedings have concluded.

The Court of Justice had previously established that general presumption of non-disclosure during court proceedings in the judgment in *Sweden and Others* v *API and Commission* (C-514/07 P, C-528/07 P and C-532/07 P) in relation to the written submissions lodged by an EU institution. However, once the proceedings have concluded, each request must be assessed on a case-by-case basis to determine whether the exceptions under the Regulation apply.

Focus Restrictive measures adopted in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

Judgments in *Mazepin* v *Council* of 20 March 2024 (T-743/22); *Fridman and Others* v *Council* and *Timchenko and Timchenko* v *Council* of 11 September 2024 (T-635/22 and T-644/22); and in *NSD* v *Council* of 11 September 2024 (T-494/22)

Restrictive measures, or 'sanctions', are a key tool of the European Union's foreign and security policy. They can take the form of asset freezes, bans on entry into the territory of the European Union or economic sanctions. Their objective is to defend the fundamental values, essential interests and security of the European Union, by exerting pressure on the persons or entities targeted, including the governments of third countries, to effect a change in their policies or their conduct.

The actions undermining the territorial integrity, sovereignty and independence of Ukraine adopted by Russia since 2014 and, in particular, its war of aggression launched against Ukraine in 2022 have led to the European Union intensifying the sanctions against natural and legal persons providing support to the Russian Government. Having prompted challenges to their legitimacy and their scope, related Council decisions have been the subject of dozens of cases brought before the General Court.

They illustrate the efforts made to reconcile the rigour of the sanctions imposed, which is necessary for them to be effective, with the protection of individual rights. The General Court has confirmed that the European Union has broad powers to take action against the provision of economic and material support to the Russian Government, whilst requiring solid evidence and sound justification for the measures adopted.

Judgment in *NSD* v *Council* (T-494/22)

The General Court **confirmed** the sanctions imposed on the Russian company National Settlement Depository (NSD). Regarded by the Council as essential within the financial system in Russia, that company provided material and financial support to both the Russian Government and the Russian Central Bank.

The General Court observed that, as a financial institution of systemic importance, NSD enabled the Russian Government to mobilise significant resources, which were used for actions intended to destabilise Ukraine. The General Court also rejected NSD's arguments that the restrictive measures led to funds belonging to customers not covered by the sanctions being frozen, pointing out that such customers can bring actions before the national courts to challenge an infringement of their right to property as a side-effect of the measures applied against NSD.

Judgment in *Mazepin* v *Council* (T-743/22)

The General Court **annulled** the retention of Mr Nikita Mazepin, a former Formula 1 driver, on the list of persons subject to sanctions. His name was included on that list by the Council because of the association with his father, Mr Dmitry Mazepin, an influential businessman whose activities generate significant revenue for the Russian Government and who was alleged to be the main sponsor of his son's time as a driver for the Haas Team.

The General Court found that the association between Mr Dmitry Mazepin and his son was not sufficiently established, observing inter alia that the latter was no longer a driver for the team in question when the contested decision was adopted. Furthermore, the General Court pointed out that the family relationship alone is not sufficient, as such, to establish common interests capable of justifying the sanctions being maintained in respect of Mr Nikita Mazepin.

Judgments in *Fridman and Others* v *Council* and *Timchenko and Timchenko* v *Council* (T-635/22 and T-644/22)

The General Court **confirmed** the obligation on the persons and entities subject to sanctions to report their funds and to cooperate with the competent authorities to prevent fund-freezing measures from being circumvented by means of legal and financial arrangements. Those obligations, established by the Council, were deemed necessary to ensure that sanctions are effective and uniform in all the Member States.
The General Court also rejected the challenges claiming that the Council had exercised criminal powers which are reserved for the Member States, finding that those measures are not criminal in nature and that their adoption is consistent with the framework provided for in EU law in all respects.

European Union sanctions against Russia

Since March 2014, the European Union has progressively imposed restrictive measures on Russia in response, in particular, to the illegal annexation of Crimea (2014) and the military aggression against Ukraine (2022).

Those measures are designed to weaken **Russia**'s economic base, depriving it of critical technologies and markets and significantly curtailing its ability to wage war. The EU has also adopted sanctions against **Belarus**, **Iran** and **North Korea** in response to their support for Russia in the war against Ukraine.

Over 2 300 individuals and entities (banks, political parties, companies, paramilitary groups) are subject to sanctions. Those sanctions include:

- bans on entering the European Union;
- asset freezes;
- making funds unavailable.

The Council estimates the value of the private assets frozen in the European Union to be EUR 24.9 billion. The assets of the Russian Central Bank that have been blocked in the European Union amount to EUR 210 billion.

Restrictive measures, which are imposed pursuant to Council decisions, are subject to **ongoing monitoring.** They are extended, or amended where appropriate, if the Council considers that its objectives have not been achieved.

A look back at major judgments of the year

Fundamental rights

The European Union guarantees the protection of fundamental rights, in particular by means of the Charter of Fundamental Rights, which lists the individual, civic, political, economic and social rights of European citizens. Respect for human rights is one of the European Union's founding values and an essential obligation when implementing EU policies and programmes.

The European Union Charter of Fundamental Rights – binding rules with real-world impact

Watch the video on YouTube

In 2022, in response to the intensification of Russian aggression against Ukraine, the Council of the European Union adopted sanctions intended to exert pressure on Russia. Those measures include the prohibition on providing legal advisory services to the Russian Government or to legal persons, entities or bodies established in Russia. Belgian and French lawyers applied to the General Court seeking the annulment of that prohibition. In their view, the prohibition violates the fundamental rights guaranteeing the right to consult a lawyer in order to obtain legal advice. The General Court pointed to the fundamental right to effective judicial protection, which includes the right to obtain advice and be represented by a lawyer in the context of existing or probable litigation. However, it observed that the contested prohibition does not concern legal advisory services in connection with judicial proceedings nor those provided to natural persons. The General Court therefore dismissed the actions.

Judgments in *Ordre néerlandais des avocats du barreau de Bruxelles and Others* v *Council*, *Ordre des avocats à la Cour de Paris and Couturier* v *Council* and *ACE* v *Council* of 2 October 2024 (T-797/22, T-798/22 and T-828/22)

In 2006, the newspaper *Le Monde* published an article linking the football club Real Madrid to doping rumours. Having been found guilty of defamation in Spain, the newspaper contested the enforcement of that judgment in France, in the name of the freedom of the press. The French Court of Cassation referred the matter to the Court of Justice, which held that the mutual recognition of judgments can be restricted if such recognition is in manifest breach of fundamental rights. In the Court's view, disproportionate sanctions against the media, such as excessive damages, risk deterring the press from covering matters of public interest, which is incompatible with the democratic values of the European Union.

Judgment in *Real Madrid Club de Fútbol* of 4 October 2024 (C-633/22)

Personal data

The European Union has set out detailed rules for the protection of personal data. In order to be lawful, the processing and storage of such data must satisfy the conditions laid down in legislation, be limited to what is strictly necessary and not disproportionately undermine the right to privacy.

The Court of Justice in the Digital World

Watch the video on YouTube

A German citizen challenged before a German court the refusal by the City of Wiesbaden to issue him with a new identity card that did not include his fingerprints. The German court asked the Court of Justice to determine the validity of the EU Regulation providing for the obligation to include two fingerprints in identity cards. The Court held that that obligation, which is justified by efforts to combat the production of false cards and identity theft, is compatible with the fundamental rights to respect for private life and to the protection of personal data. It did, however, declare the regulation invalid because it had been adopted on an incorrect legal basis, whilst maintaining its effects until 31 December 2026 to allow for the adoption of new legislation. The regulation relied, wrongly, on Article 21(2) TFEU (free movement of citizens) rather than on Article 77(3) TFEU (area of freedom, security of justice), which requires unanimity in the Council.

Judgment in *Landeshauptstadt Wiesbaden* of 21 March 2024 (C-61/22)

An entry was made in the Bulgarian police records in respect of an individual in the context of a criminal investigation for failing to tell the truth as a witness. After receiving and serving a one-year suspended sentence, the person in question applied for the entry to be removed from the records. Under Bulgarian law, the data relating to him are to be held in those records for an unlimited period until his death. The Bulgarian Supreme Administrative Court asked the Court of Justice about the compatibility of that legislation with EU law. In response, the Court held that the general and indiscriminate storage of the biometric and genetic data of persons with criminal convictions until their death is contrary to EU law. National legislation must provide for the obligation, on the part of the data controller, to review on a regular basis whether the storage of those data is still necessary and to allow the data subject to apply for their erasure if that is no longer the case.

Judgment in *Direktor na Glavna direktsia 'Natsionalna politsia' pri MVR – Sofia* of 30 January 2024 (C-118/22)

In two separate judgments, the Court of Justice provided crucial clarifications regarding authorities' powers of investigation.

In a case relating to a French decree intended to protect works covered by copyright or related rights against offences committed on the internet, the Court explained that Member States may impose on internet access providers an obligation to retain IP addresses, in a general and indiscriminate manner, to enable the competent public authority to identify the person suspected of having committed a criminal offence. However, their retention must not allow precise conclusions to be drawn about the private life of the person concerned. To that end, the retention arrangements must ensure a genuinely watertight separation between the various categories of data stored. In atypical situations, where the specific features of a national procedure may – through the linking of the data and information collected – allow precise conclusions to be drawn about the private life of the persons concerned, access must be subject to prior review by a court or an independent administrative body.

 Judgment in *La Quadrature du Net II* of 30 April 2024 (C-470/21)

In an Austrian case, the police had attempted to unlock the mobile telephone of the recipient of a parcel containing cannabis. When asked about the validity of such investigations in the light of a directive on the protection of personal data used by the police and judicial authorities, the Court of Justice clarified that access to the data stored on a mobile telephone is not necessarily limited to the fight against serious crime. If that were not the case, this would create a risk of impunity for criminal offences in general and therefore a risk for the creation of an area of freedom, security and justice in the European Union. Such access, which constitutes a serious interference in the rights of data subjects to the protection of their personal data, does, however, presuppose prior authorisation by a court or an independent authority and must be proportionate. In addition, the national legislature must also define the factors to be taken into account for such access, such as the nature of the offences concerned, and the owner of the telephone must be informed once such information is no longer likely to jeopardise the investigations.

 Judgment in *Bezirkshauptmannschaft Landeck* of 4 October 2024 (C-548/21)

Equal treatment and labour law

There are more than 200 million workers in the European Union. A large number of citizens therefore benefit directly from the provisions of European labour law, which sets minimum standards for working and employment conditions and thus supplements the policies of the Member States.

The Court of Justice: guaranteeing equal treatment and protecting minority rights

Watch the video on YouTube

After stepping down from his post in order to take early retirement, a public employee of the Municipality of Copertino (Italy) sought payment of financial compensation for the days of leave which he had not taken. However, Italian law denies public-sector employees entitlement to such compensation. When asked about the interpretation of the Working Time Directive, the Court of Justice confirmed that workers are entitled to financial compensation if they have not taken all their leave before the end of their contract, even in the case of voluntary resignation. Economic considerations, such as the management of public expenditure, cannot justify that entitlement being denied. There is, however, one conceivable exception if the worker deliberately did not take leave days and if the employer gave him or her adequate notice that he or she risked losing the leave and encouraged him or her to take it.

Judgment in *Comune di Copertino* of 18 January 2024 (C-218/22)

A former professional footballer in France, who believed that certain FIFA rules had hindered his employment by a Belgian club, challenged those rules before the Belgian courts. Those rules, which are contained in the FIFA Regulations on the Status and the Transfer of Players, require the player and his new club to pay compensation if the player terminates his contract without 'just cause' before the term of that contract. The rules may also lead to sporting sanctions, such as the new club being banned from recruiting new players, and prevent an international transfer certificate from being issued as long as a dispute about the contract's termination is pending. Further to a reference from the Court of Appeal of Mons, the Court of Justice held such rules to be incompatible with the freedom of movement of workers and EU competition law.

Judgment in *FIFA* of 4 October 2024 (C-650/22)

European citizenship

Anyone who is a national of an EU Member State is automatically a citizen of the European Union. Citizenship of the European Union is in addition to and does not replace national citizenship. Citizens of the European Union enjoy specific rights guaranteed by the EU Treaties.

The European Commission brought proceedings before the Court of Justice against the Czech Republic and Poland on the ground that those Member States restrict the right to become a member of a political party to their citizens only. In the Commission's view, such a situation places EU citizens residing in those two States, without being nationals of them, in a less favourable position as regards the ability to stand as a candidate in municipal and European elections. The Court agreed with the Commission and found that the Czech Republic and Poland had failed to fulfil their obligations under the Treaties. Citizens residing in a Member State of which they are not nationals must be afforded equal access to the same means available to nationals of that State for the purpose of exercising their electoral rights effectively. This includes the right to join a political party. The Court took the view that that difference in treatment cannot be justified on grounds relating to respect for the national identity of Poland or the Czech Republic.

Judgments in *Commission* v *Czech Republic* (C-808/21) and *Commission* v *Poland* of 19 November 2024 (C-814/21)

The Court of Justice held that a Member State cannot refuse to recognise a change of first name and gender lawfully acquired in another Member State. Refusal to do so hinders the exercise of the right to free movement and residence within the European Union. Since personal identity, including a person's name and gender, is fundamental, such a refusal creates administrative and private inconvenience that is contrary to EU law.

Judgment in *Mirin* of 4 October 2024 (C-4/23)

Consumers

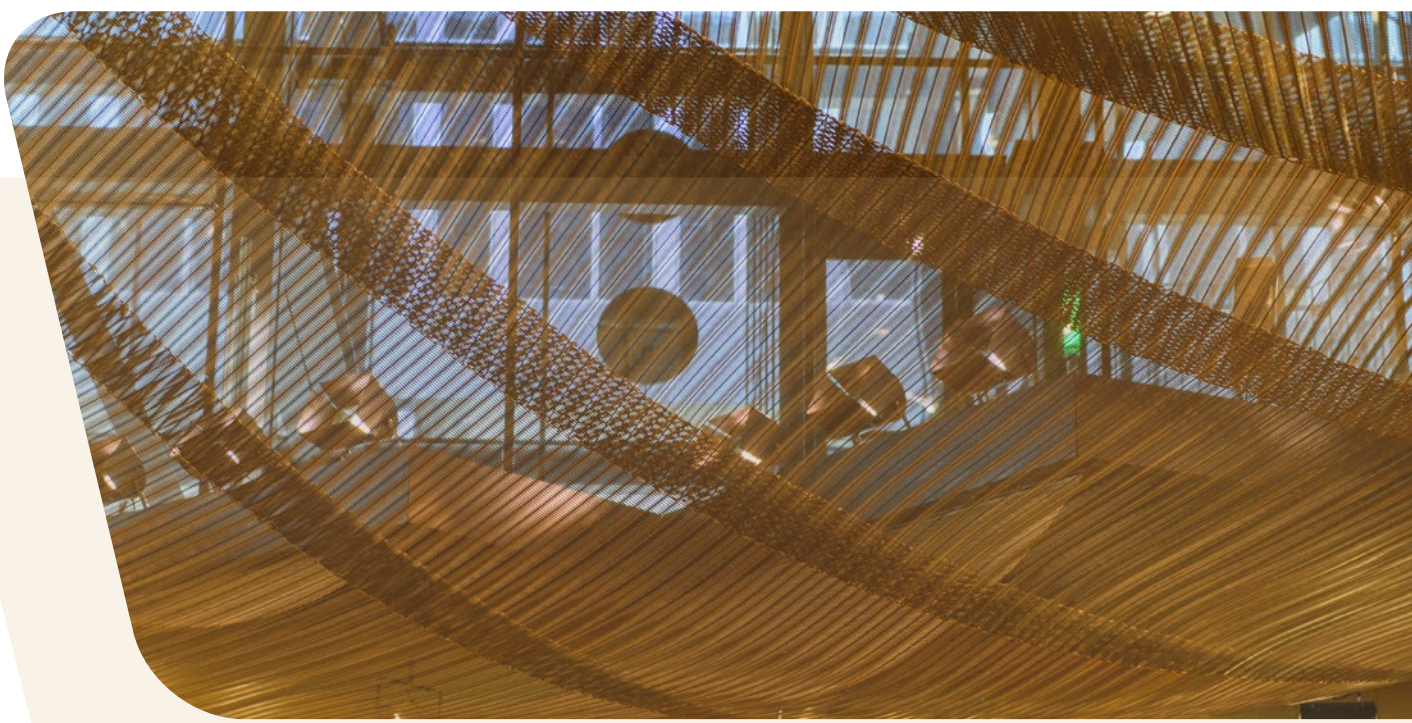
EU consumer policy seeks to protect the health, safety, security and economic and legal interests of consumers, wherever they live, travel to or make their purchases within the European Union.

The Court of Justice: Guaranteeing the Rights of EU Consumers

Watch the video on YouTube

A German consumer association challenged before a German court advertising relating to price reductions by the supermarket chain Aldi Süd. According to the association, Aldi Süd is not entitled to calculate a price reduction on the basis of the price immediately prior to the offer, but rather, in accordance with EU law, it must do so on the basis of the lowest price charged in the last 30 days. In response to questions from a German court, the Court of Justice confirmed that a price reduction announced in an advertisement must be calculated on the basis of the lowest price in the last 30 days. Traders are thus prevented from misleading the consumer, by increasing the price charged before announcing a price reduction and therefore displaying false price reductions.

Judgment in *Aldi Süd* of 26 September 2024 (C-330/23)



Environment

The European Union is committed to preserving and improving the quality of the environment and to protecting human health. Its policies are based on the precautionary and preventive principles and on the 'polluter pays' principle.

The Court of Justice and the Environment

Watch the video on YouTube

Since 2019, a European Directive has prohibited goods made from oxo-degradable plastic, which fragment as a result of oxidation, from being placed on the market. UK companies manufacturing a pro-oxidant additive which, in their view, enables plastic to biodegrade more quickly than oxo-degradable plastic brought proceedings before the General Court. They sought compensation for the damage suffered in so far as the prohibition on the placing on the market of oxo-degradable plastic also applies to plastic which they classify as 'oxo-biodegradable'. The General Court dismissed the action, finding that the European legislature had not made a manifest error. According to scientific studies, the level of biodegradation of plastic containing a pro-oxidant additive is low to non-existent. In addition, that type of plastic is not suitable for any form of composting. Lastly, recycling such plastic is problematic because the technologies available do not allow plastic containing a pro-oxidant additive to be identified and sorted from conventional plastic.

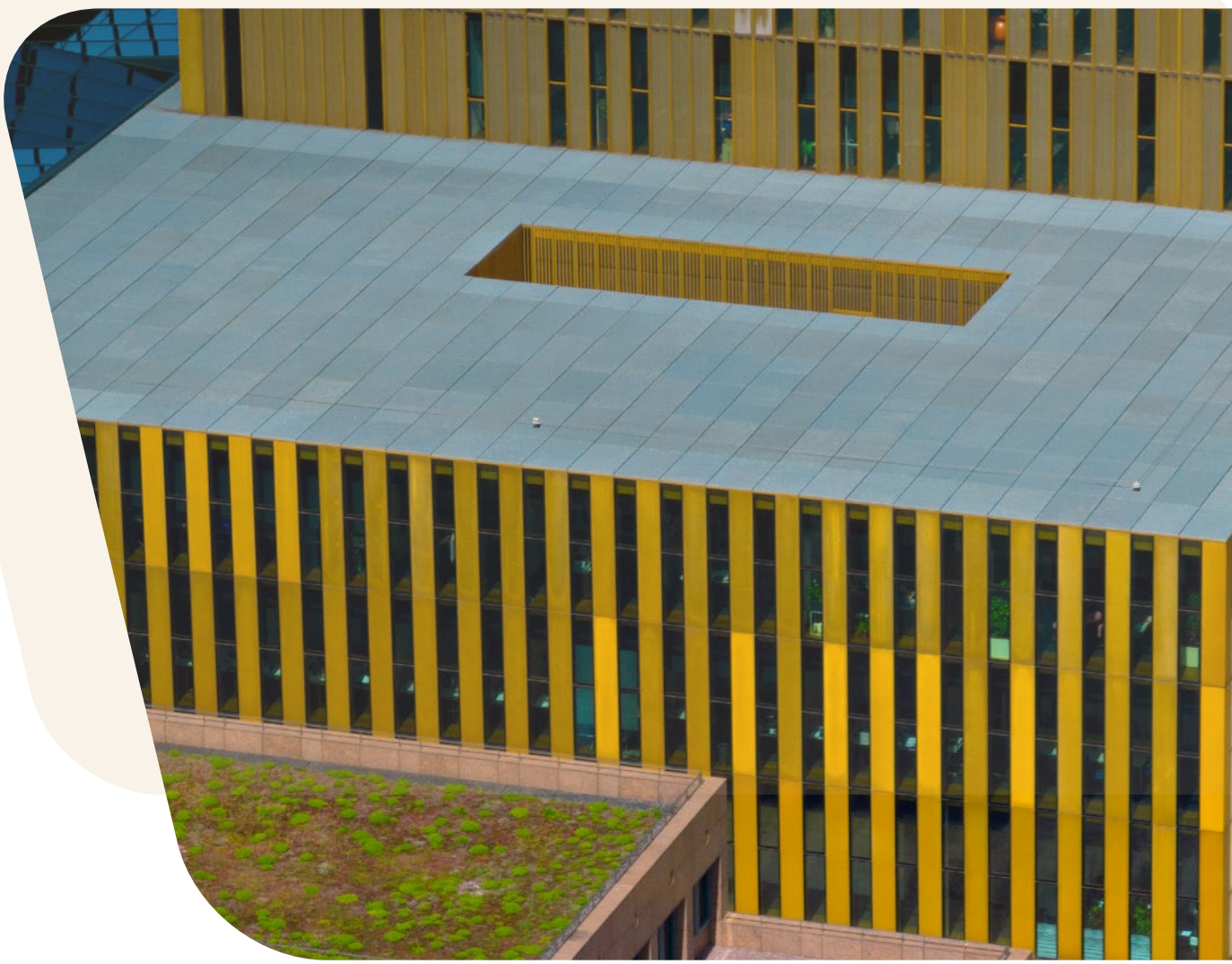
Judgment in *Symphony Environmental Technologies and Symphony Environmental* v *Parliament and Others* of 31 January 2024 (T-745/20)

Wolves, a species that is strictly protected under the Berne Convention, were the subject of two judgments by the Court of Justice, in which the Court considered the 'Habitats' Directive. In Austria, ecologist organisations challenged before a court in Tyrol the temporary authorisation to kill a wolf which had killed around 20 sheep. The Court confirmed that the prohibition on hunting wolves in that Member State is valid, because the population of the species is not at a favourable conservation status in Austria. Furthermore, in Spain, an association for the conservation of the Iberian wolf contested a law adopted by the Autonomous Community of Castille and Leon which designates the wolf as a huntable species north of the Douro River (where it may be subject to management measures, whereas it enjoys strict protection south of that river). In response to questions referred by a Spanish court, the Court of Justice held that the wolf cannot be designated as a huntable species at regional level when its conservation status at national level is unfavourable.

Judgments in *WWF Österreich and Others* of 11 July 2024 (C-601/22) and *ASCEL* of 29 July 2024 (C-436/22)

The Ilva steelworks, which is located in Taranto in Apulia (southern Italy), is one of the largest steelworks in Europe. In 2019, the European Court of Human Rights found that the steelworks had a negative impact on the environment and the health of local residents. Measures to reduce that impact have been provided for since 2012, but the deadlines for their implementation have been repeatedly extended. Many residents of the area surrounding the steelworks have taken action before the Italian courts. Further to a reference from a Milan court, the Court of Justice found that major requirements relating to the grant and retention of the operating permit, requirements laid down by the Directive on industrial emissions, do not appear to have been satisfied. The operation of the steelworks must therefore be suspended if it is established that it poses serious and significant threats to the environment and human health.

Judgment in *Ilva and Others* of 25 June 2024 (C-626/22)



Information society

The European Union plays a key role in the development of the information society, so as to foster an environment conducive to innovation and competition whilst protecting the rights of consumers and providing legal certainty. It guarantees that digital markets are fair and open, and it removes the barriers to cross-border online services within the internal market so that they can move freely.

The Court of Justice in the Digital World

Watch the video on YouTube

An Italian law imposed administrative obligations on online service providers established outside Italy, such as Airbnb, Expedia, Google and Amazon, with the stated aim of ensuring the effective enforcement of EU law. Providers of those services must, inter alia, be entered in a special register, provide economic reports and pay financial contributions. Further to a reference from an Italian court, the Court of Justice found such measures to be incompatible with EU law. It observed that online service providers are mainly subject to the legislation of the Member State in which they are established (in this case, Ireland or Luxembourg). Member States, such as Italy, in which they do business are bound by the principle of mutual recognition and, as a rule, cannot impose additional obligations which may restrict the freedom to provide those services.

Judgments in *Airbnb Ireland and Amazon Services Europe* (Joined Cases C-662/22 and C-667/22), *Expedia* (C-663/22), *Google Ireland and Eg Vacation Rentals Ireland* (Joined Cases C-664/22 and C-666/22) and *Amazon Services Europe* (C-665/22) of 30 May 2024

Bytedance Ltd is a company which, via its subsidiaries, provides the online social networking platform TikTok. The Commission designated Bytedance as a gatekeeper of a core platform service, pursuant to the EU Regulation on digital markets (Digital Market Act), which requires it to comply with a targeted set of legal obligations intended to enable other undertakings to compete with the gatekeeper and to prevent certain unfair practices. In response to the action brought before it by Bytedance against that decision, the General Court observed that the EU legislature had adopted the EU Regulation on digital markets to improve the functioning of the internal market. Finding that the criteria laid down in that regulation, inter alia the global market value and the number of users, are satisfied in the present case, the General Court concluded that the Commission could rightly regard Bytedance as a gatekeeper and therefore dismissed the action.

Judgment in *Bytedance* v *Commission* of 17 July 2024 (T-1077/23)

Competition, State aid and tax rulings

The European Union applies rules to protect free competition. Practices which have as their object or effect the prevention, restriction or distortion of competition within the internal market are prohibited and may be sanctioned by fines. State aid is also prohibited where it is incompatible with the internal market, the Commission being vested with an important monitoring role in this respect by the Treaties.

The General Court – Ensuring European Union Institutions Respect European Union Law

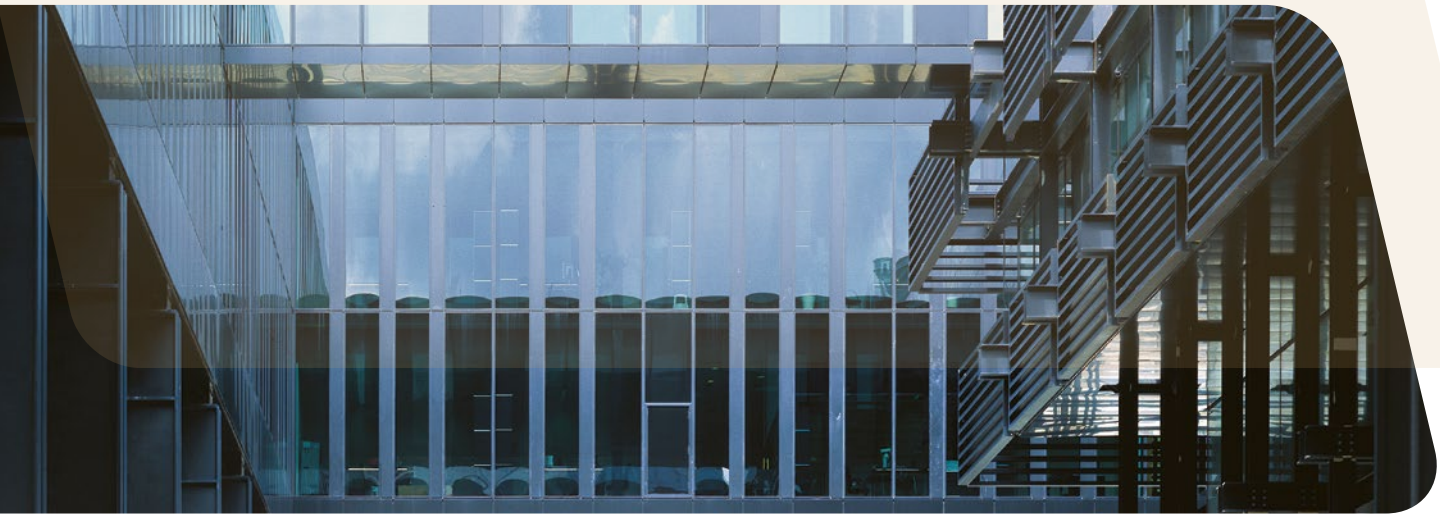
Watch the video on YouTube

The Fehmarn Belt Fixed Link project plans for a tunnel under the Baltic Sea between Rødby, on the Danish island of Lolland, and Puttgarden in Germany. The Danish public entity Femern A/S is entrusted with the financing, construction and operation of the Fixed Link. The Commission decided that the financial measures granted to Femern A/S by Denmark do constitute State aid, but that they are compatible with the internal market. Denmark and two ferry operators, Scandlines Danmark and Scandlines Deutschland, sought the annulment of that decision before the General Court. The General Court dismissed the actions, finding that the selective advantage granted to Femern A/S does strengthen its position on the transport services market as compared with the other undertakings on the market and affect trade between Member States. However, the Fixed Link project is of common European interest because it makes a significant contribution to the European Union's transport policy objectives.

Judgments in *Scandlines Danmark and Scandlines Deutschland* v *Commission*; *Denmark* v *Commission*; and *Scandlines Danmark and Scandlines Deutschland* v *Commission* of 28 February 2024 (T-7/19, T-364/20 and T-390/20)

Qualcomm, a US undertaking that manufactures chipsets for mobile phones and tablets, was accused by Icera of engaging in predatory pricing. Nvidia, after acquiring Icera, provided further information about such allegations. In 2019, the European Commission imposed a fine of EUR 242 million on Qualcomm for abuse of a dominant position, accusing it of selling chipsets at a loss to Huawei and ZTE with the intention of eliminating Icera, its competitor. The General Court rejected most of Qualcomm's arguments, except that concerning the calculation of the fine. The General Court held that the Commission had departed, without justification, from its 2006 guidelines and reduced the fine to EUR 238.7 million.

Judgment in *Qualcomm* v *Commission* of 18 September 2024 (T-671/19)



In 2017, the European Commission had imposed a fine of approximately EUR 2.4 billion on Google for abuse of its dominant position on several online search markets. The Commission found that, in 13 countries of the European Economic Area (EEA), Google had given preference to its own comparison shopping services in its search results over those of competing comparison shopping services. The Google results were placed at the top and promoted in attractive 'boxes', whereas competitors' search results were relegated to simple generic links, which were often demoted by algorithms. The General Court essentially upheld that decision, and the Court of Justice dismissed the appeal by Google and Alphabet, thereby approving the fine.

Judgment in *Google and Alphabet* v *Commission (Google Shopping)* of 10 September 2024 (C-48/22 P)

Google launched its advertising platform AdSense in 2003. That platform allows the operators of websites to receive revenue by displaying ads linked to users' queries. In order to use that service, certain website publishers had to sign agreements with Google containing clauses restricting or prohibiting the display of competing ads. In 2019, after complaints from a number of undertakings, including Microsoft and Expedia, the European Commission imposed a fine of EUR 1.49 billion on Google for abuse of a dominant position. Further to an action brought against that decision, the General Court held that the Commission had committed errors in its assessment of the duration of the clauses as well as of the market covered by them, and that it had thus not established the abuse of a dominant position correctly. The General Court therefore annulled the decision in its entirety.

Judgment in *Google and Alphabet* v *Commission (Google AdSense for Search)* of 18 September 2024 (T-334/19)

In 2021, the Commission found that the banks Deutsche Bank, Bank of America, Crédit Agricole and Credit Suisse (now UBS Group) had participated in a cartel in the sector for supra-sovereign bonds, sovereign bonds and public agency bonds denominated in US dollars ('SSA Bonds') by exchanging sensitive information and coordinating their trading practices. The Commission imposed fines on Bank of America (EUR 12.6 million), Credit Suisse (EUR 11.9 million) and Crédit Agricole (EUR 3.9 million), whereas Deutsche Bank escaped a fine on account of its cooperation. Ruling on proceedings brought by Crédit Agricole and Credit Suisse, the General Court upheld the Commission's finding of an infringement and maintained the amount of the fines imposed in 2021.

Judgment in *Crédit agricole and Crédit agricole Corporate and Investment Bank* v *Commission* and *UBS Group and Credit Suisse Securities (Europe)* v *Commission* of 6 November 2024 (T-386/21 and T-406/21)

In 2018, Vodafone, a UK telecommunications company, informed the European Commission that it intended to acquire the telecommunications activities of Liberty Global in Germany, the Czech Republic, Hungary and Romania. The European Commission gave its conditional approval in 2019. Fearing that Vodafone would hold a dominant position on certain markets, three German undertakings brought actions before the General Court seeking annulment of the Commission's decision. The General Court dismissed those actions, considering that the Commission had properly concluded that the merging parties are not competitors on the markets concerned, namely the retail supply of TV signal transmission services in Germany.

Judgments in *NetCologne* v *Commission, Deutsche Telekom* v *Commission* and *Tele Columbus* v *Commission* of 13 November 2024 (T-58/20, T-64/20 and T-69/20)

Direct taxes fall, in principle, within the competence of the Member States. Nevertheless, such taxes must comply with basic EU rules, such as the prohibition on State aid. Thus, the legality of tax rulings issued in Member States under which undertakings benefit from special tax treatment is scrutinised by the European Union. In 2016, the European Commission took the view that certain companies belonging to the Apple Group had, between 1991 and 2014, received tax advantages that constituted State aid granted by Ireland. That aid related to the tax treatment of profits generated by Apple's activities outside the United States. In 2020, the General Court annulled the Commission's decision, holding that the Commission had not sufficiently established that those undertakings enjoyed a selective advantage. On appeal, the Court of Justice set aside the judgment of the General Court and gave final judgment in the matter, confirming the Commission's decision. Ireland granted Apple aid incompatible with the internal market, having afforded that undertaking tax treatment departing from the Irish rules on the calculation of tax payable by non-resident companies. That Member State is thus required to recover that aid.

Judgment in *Commission* v *Ireland and Others* of 10 September 2024 (C-465/20 P)

Intellectual property

The rules adopted by the European Union to protect intellectual property (copyright) and industrial property (trade mark law, protection of designs) improve the competitiveness of undertakings by fostering an environment conducive to creativity and innovation.

Intellectual Property at the General Court

Watch the video on YouTube

In September 2021, the company Escobar Inc. (Puerto Rico, United States) applied to the European Union Intellectual Property Office (EUIPO) to register the word sign Pablo Escobar as an EU trade mark. The Colombian national Pablo Escobar, who died in 1993, is presumed to have been a drug lord and a narco-terrorist who founded the Medellín cartel (Colombia). EUIPO refused to register the trade mark, finding it to be contrary to public policy and to accepted principles of morality. Further to an action brought before it by the company Escobar challenging that refusal, the General Court upheld EUIPO's decision, observing that the name Pablo Escobar is associated with drug trafficking and narco-terrorism, and therefore the trade mark would be perceived as running counter to fundamental moral standards and the indivisible and universal values on which the European Union is founded.

Judgment in *Escobar* v *EUIPO (Pablo Escobar)* of 17 April 2024 (T-255/23)

The EU trade mark Big Mac was registered in 1996 for the US chain McDonald's. In 2017, taking the view that that trade mark had not been put to genuine use in respect of certain goods and services, the Irish fast-food chain Supermac's applied to EUIPO for the revocation of the mark. EUIPO upheld Supermac's application only partially. Dissatisfied with that outcome, Supermac's brought an action before the General Court. The General Court further limited the protection conferred on McDonald's by the Big Mac trade mark. The US chain thus lost that trade mark in respect of foods prepared from poultry products and chicken sandwiches, restaurant and 'drive-through' services and the preparation of carry-out foods. The General Court considered that McDonald's failed to prove genuine use of the trade mark Big Mac in the European Union for a continuous period of five years in respect of those goods and services.

Judgment in *Supermac's* v *EUIPO – McDonald's International Property (BIG MAC)* of 5 June 2024 (T-58/23)

On 24 February 2022, the first day of the full-scale Russian invasion of Ukraine, Roman Gribov, a Ukrainian border guard on Snake Island in the Black Sea, uttered a war cry directed against the Russian vessels: ‘Русский военный корабль, иди на **й’ (in English: ‘Russian warship, go f**k yourself’). The Administration of the State Border Guard Service of Ukraine applied to EUIPO to register a trade mark composed of that war cry and its English translation as an EU trade mark. EUIPO refused that application. Further to an action brought by the Ukrainian Administration, the General Court upheld that refusal. It considered that that phrase, which has become a symbol of Ukraine’s fight against Russian aggression, would not be perceived as an indication of commercial origin.

Judgment in *Administration of the State Border Guard Service of Ukraine* v *EUIPO (RUSSIAN WARSHIP, GO F**K YOURSELF)* of 13 November 2024 (T-82/24)

In 2016, the German company Puma registered with EUIPO a Community design for sports shoes. The Netherlands company Handelsmaatschappij J. Van Hilst applied to EUIPO for a declaration of invalidity of that design, claiming that, 12 months before the application for registration was filed, the singer Rihanna, newly appointed as an artistic director at Puma, had published images on Instagram in which she was wearing shoes showing a design with similar features. EUIPO took the view that the design had thus been made public before the application for registration, which justified it being declared invalid. The General Court dismissed the action brought by Puma against EUIPO’s decision and confirmed that the images taken from the Instagram account at issue are sufficient to demonstrate the disclosure of the prior design, because they make it possible to identify all the essential features of that design.

Judgment in *Puma* v *EUIPO – Handelsmaatschappij J. Van Hilst (Shoe)* of 6 March 2024 (T-647/22)

Commercial policy

Commercial policy is an exclusive EU competence, in accordance with which it concludes, inter alia, international trade agreements. By speaking with one voice on the global stage, the European Union is in a strong position when it comes to international trade. EU action taken in this field must, however, observe the European Union's constitutional framework.

In 2019, EU-Morocco agreements on fisheries and agricultural products were extended to the territory of Western Sahara without the explicit consent of the territory's people. Front Polisario, which is recognised by the UN as a privileged representative of the people of Western Sahara, challenged the decisions of the Council of the European Union approving those agreements before the General Court, which annulled them. Ruling on an appeal against the judgments of the General Court, the Court of Justice took the view that the agreements infringed international law, because the people of Western Sahara, who have a right to self-determination, had not been properly consulted. Nor could its consent be presumed, because the agreements did not provide any specific benefit to the people of Western Sahara, in the form of proportionate financial compensation given the exploitation of the natural resources of, and the waters adjacent to, Western Sahara.

Judgments in *Commission and Council* v *Front Polisario* of 4 October 2024 (Joined Cases C-778/21 P and C-798/21 P; Joined Cases C-779/21 P and C-799/21 P)

A French union of farmers challenged before the French authorities the labelling of melons and tomatoes grown in Western Sahara. Those goods were exported to the European Union stating Morocco as the country of origin, which the Confédération paysanne complained to be misleading and contrary to international law. The union called for specific labelling indicating their real origin. The Court of Justice clarified that Western Sahara is a territory separate from Morocco within the meaning of EU law. Accordingly, goods from that territory must state their real origin, that is to say, Western Sahara, to ensure that transparent information is provided and consumers are not misled. However, the Court also held that Member States, such as France, may not unilaterally adopt measures banning the import of incorrectly labelled goods. The European Union has exclusive competence to take such action within the context of its common commercial policy.

Judgment in *Confédération paysanne (Melons and tomatoes from Western Sahara)* of 4 October 2024 (C-399/22)

Migration and asylum

The European Union has adopted a body of rules in order to establish an effective, humanitarian and safe European migration policy. The Common European Asylum System lays down minimum standards applicable to the treatment of all asylum seekers and to the processing of their applications throughout the European Union.

Under the 'Qualifications' Directive, persons registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) are excluded from refugee status in the European Union. However, such persons must, in principle, be granted refugee status if that agency's protection or assistance ceases. In the context of a dispute concerning stateless persons of Palestinian origin, a Bulgarian court referred questions to the Court of Justice to clarify the criteria by which such assistance may be deemed to have ceased. The Court observed that, having regard to the situation prevailing in the Gaza Strip, UNRWA's inability to provide dignified living conditions or minimum security in the area in question constitutes such a cessation.

Judgment in *Zamestnik-predsedatel na Darzhavna agentsia za bezhantsite (Refugee status – Stateless persons of Palestinian origin)* of 13 June 2024 (C-563/22)

The Court of Justice ordered Hungary to pay a lump sum of EUR 200 million and a penalty payment of EUR 1 million per day for failure to comply with a judgment given by it in relation to asylum in December 2020. Hungary failed to comply with its obligations as regards access to the international protection procedure, the detention of applicants in transit zones and the removal of illegally staying nationals. By deliberately refraining from applying the common EU policy, Hungary seriously undermined the principle of solidarity between Member States and the unity of EU law. This unprecedented and extremely serious failure transfers an unjustified responsibility to the other Member States for the reception and management of asylum seekers.

Judgment in *Commission* v *Hungary (Reception of applicants for international protection II)* of 13 June 2024 (C-123/22)

Judicial cooperation

The area of freedom, security and justice includes measures to promote judicial cooperation between the Member States. This cooperation is based on the mutual recognition of judgments and judicial decisions and seeks to harmonise national laws in order to combat transnational crime by guaranteeing that the rights of victims, suspects and detainees are protected within the European Union.

An Italian court ordered a man, who had killed his ex-partner, to pay compensation to the members of the victim's family. However, as the offender was insolvent, the Italian State paid compensation only to the victim's children and spouse. The victim's parents, sister and children subsequently brought proceedings before an Italian court seeking 'fair and appropriate' compensation. The Court of Justice, in response to questions about the interpretation of the Directive relating to compensation to crime victims, held that a national scheme that automatically excludes certain family members from all compensation solely because of the presence of other family members does not guarantee 'fair and appropriate compensation' for indirect victims. Such a scheme must take into account other considerations, such as the material consequences for those family members of the death of the deceased person or the fact that they were dependants of that person.

Judgment in *Burdene* of 7 November 2024 (C-126/23)

The French police managed to infiltrate the encrypted telecommunications service EncroChat, used worldwide on encrypted mobile phones for the purpose of illegal drug trafficking. The German Federal Criminal Police Office was able, via a Europol server, to consult the data thus intercepted, which related to EncroChat users in Germany. Acting on European Investigation Orders (EIOs) issued by the German public prosecutor's office, a French court authorised the transmission of those data and their use in criminal proceedings in Germany. The Regional Court of Berlin then queried the lawfulness of those decisions. The Court of Justice responded that a public prosecutor may, under certain conditions, adopt an EIO for the transmission of evidence already gathered by another Member State. The conditions applicable to the gathering of evidence in the issuing State do not need to have been satisfied in order for the EIO to be issued. It must, however, be possible for compliance with the fundamental rights of the persons concerned to be subject to judicial review subsequently.

Judgment in *M.N. (EncroChat)* of 30 April 2024 (C-670/22)

Common foreign and security policy

An essential tool of EU common foreign and security policy (CFSP), restrictive measures or 'sanctions' are used as part of an integrated and global policy which includes in particular political dialogue. The European Union uses the CFSP, inter alia, to protect its values, fundamental interests and security, to prevent conflict and to strengthen international security. The purpose of sanctions is to encourage a change of policy or conduct on the part of the persons or entities concerned in order to promote the objectives of the CFSP.

In 2008, the European Union created the Eulex Kosovo civil mission to carry out investigations into the crimes and the people who disappeared or were killed in Kosovo in 1999. The following year, it established a special panel with responsibility for examining complaints of human rights breaches committed by Eulex Kosovo in the implementation of its mandate. Following complaints filed by KS and KD, close family members of persons who disappeared or were killed in Kosovo, that panel concluded that there had been a breach of several fundamental rights. KS and KD subsequently brought proceedings before the General Court seeking compensation for the damage allegedly related to the investigations carried out during the mission. The General Court held that it manifestly lacked jurisdiction.

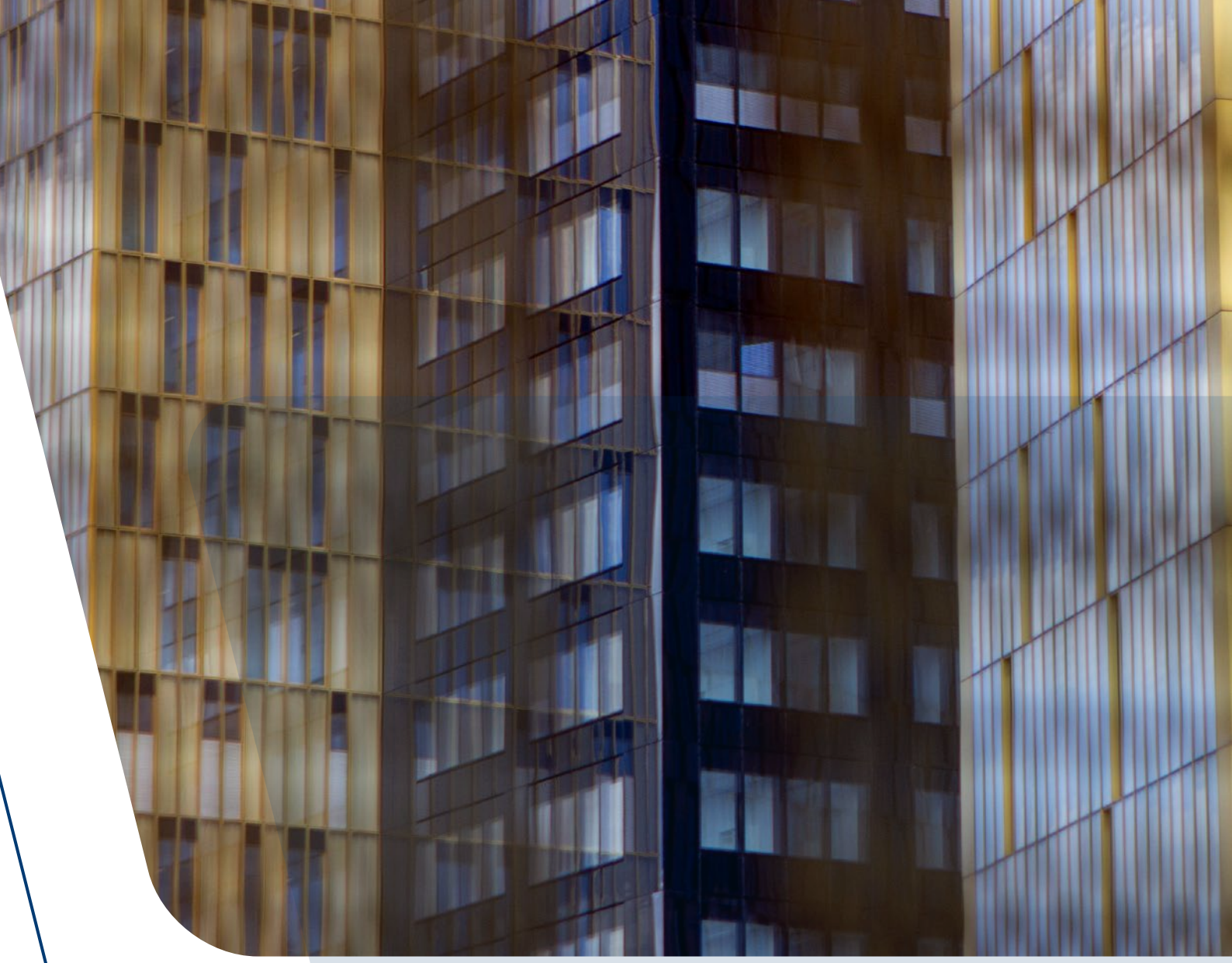
On appeal, the Court of Justice clarified the jurisdiction of the Courts of the European Union in the context of the common foreign and security policy (CFSP). It held that it had jurisdiction to interpret or assess the legality of acts and omissions coming under the CFSP that are not directly related to political or strategic choices (such as, for example, acts relating to the recruitment of the personnel of Eulex Kosovo). It observed that such a strict interpretation of the exception to its jurisdiction in the field of the CFSP is compatible with the right to effective judicial protection, referring in that regard to the case-law of the European Court of Human Rights. The Court therefore set aside in part the order of the General Court and found that the Courts of the European Union have jurisdiction to rule on certain acts or conduct referred to by the applicants in their action for damages.

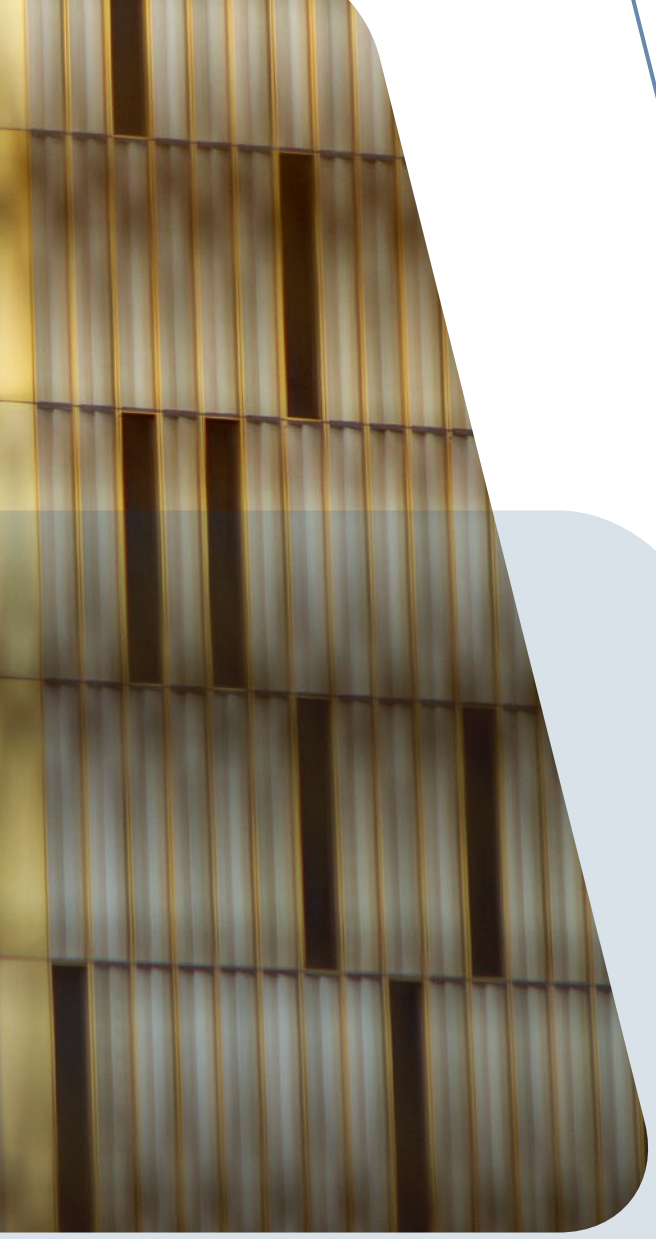
Judgment in *KS and KD* v *Council and Others* of 10 September 2024 (Joined Cases C-29/22 P and C-44/22 P)

Again in the field of the CFSP, the General Court confirmed the validity of the prohibition, adopted by the Council of the European Union, on providing legal advisory services to the Russian Government and to legal persons, entities and bodies established in Russia (see also, in relation to this same judgment, the section entitled 'Fundamental rights' and the chapter entitled 'Innovations in case-law').

Judgment in *Ordre néerlandais des avocats du barreau de Bruxelles and Others* v *Council* (T-797/22, T-798/22 and T-828/22)

The Research and Documentation Directorate offers legal professionals, as part of its Collection of Summaries, a 'Yearly selection of major judgments' and a 'Monthly Case-Law Digest' of the Court of Justice and the General Court.





3

An administration at the service of justice

A. Introduction by the Registrar

Alfredo Calot Escobar

Registrar of the Court of Justice

Two decades have passed since ten new Member States joined the European Union, marking a historic moment in our institution's journey. It was a day of celebration but also a time of unprecedented challenges. Looking back, I can say with pride that we not only overcame these challenges but also grew stronger along the way.

Today, we find ourselves amid equally significant transformations within our institution.

The legislative procedure to partially transfer preliminary rulings to the General Court has been finalised. Thanks to the tireless efforts of the two courts and various services, all the necessary steps have been taken to ensure its seamless implementation.

This same spirit of collaboration and adaptability has also driven our efforts in another key area, that of digital transformation. Throughout the year, we have continued to advance our digital capabilities, actively developing AI-driven projects, while aligning these initiatives with the requirements of the AI Act, which came into force this year. Recognising that human input remains essential for the effective deployment of AI tools, we launched a comprehensive, large-scale AI training program. Furthermore, our legal translation services have taken the lead in reimagining workflows in a more advanced digital landscape, setting a benchmark for other services to follow.

As we strive to modernise and innovate, ensuring the security and resilience of our digital infrastructure has become equally vital. This year, the Cybersecurity Regulation came into force, introducing significant obligations for our institution, within a stringent timeline.

Even as we embrace innovation, our institution's timeless ideals continue to steer our efforts. At the core of our success lies our greatest asset: a team of over 2,000 dedicated individuals from across the continent, working harmoniously every day to deliver justice. The true value of this collective effort lies in its diversity; by combining a wide range of perspectives, cultures, experiences, and talents, it strengthens our ability to fulfil our mission.

To retain and attract the best talent from all Member States, initiatives aimed at ensuring the attractiveness of our host country as a place to work have continued throughout the year. For the first time, we saw political recognition of the unique challenges faced by staff in Luxembourg compared to their colleagues in Brussels. In a far from straightforward procedure, the budgetary authorities granted our request for temporary housing allowance for colleagues in lower pay grades - a vital first step towards addressing this inequality.

Our commitment to diversity extends beyond our staff. In 2024, we took new initiatives, together with the European Judicial Training Network, to optimise the geographical balance of national justice professionals participating in the long-term trainings at the Court. These efforts have delivered tangible results, with candidates from three new Member States submitting their applications for the first time in the program's nearly twenty-year history.

This also demonstrates our longstanding commitment to strengthening the dialogue with national courts, a principle we have actively pursued throughout the year. Another significant step in advancing judicial dialogue has been taken by the Judicial Network of the European Union: the correspondents' meeting was, for the first time, hosted outside the walls of our institution and co-organised by the Belgian Conseil d'État. This brought a fresh perspective to the Network, reinforcing the fundamental idea that judicial dialogue, by its very essence, transcends institutional boundaries.

Alongside these external milestones, we have turned our focus inwards, reaffirming our commitment to the highest ethical standards that have always been an integral part of our identity. This year we consolidated these standards into a Code of Conduct applicable to all staff, aligning our principles with the high standards previously set for the Members.

Just as we met the challenges of enlargement twenty years ago with determination and a shared sense of purpose, I am confident that twenty years from now, we will look back on today's transformations with equal pride. The challenges we face today allow us to embrace the forward-thinking developments that will chart our institution's path into the future, while honouring the rich traditions that have shaped its past.

B. Key events of the year

Partial transfer of jurisdiction to give preliminary rulings

With the aim of enabling the EU judicature to deliver high-quality justice within reasonable timeframes and to strike the best balance between the workload of the Court of Justice and that of the General Court, important amendments to the Statute and to the Rules of Procedure entered into force on 1 September 2024. The amendments to the Statute, proposed by the Court of Justice, were adopted by the European Parliament and by the Council of the European Union; the amendments to the Rules of Procedure were adopted by the Court of Justice and by the General Court, after approval had been given by the Council. Those amendments implement the partial transfer of the jurisdiction to give preliminary rulings to the General Court and modernise the procedures before the two courts.

Amendments to the Statute and their implementation

The **amendments to the Statute of the Court of Justice of the European Union** allow for the partial transfer of the jurisdiction to give preliminary rulings to the General Court with effect from 1 October 2024. The possibility to do so has existed since the Treaty of Nice signed in 2001 and returned to the agenda in the context of the 2015 reform of the judicial architecture of the European Union, in particular the doubling of the number of Judges of the General Court, which was completed in 2022.

The General Court exercises its jurisdiction to hear and determine requests for a preliminary ruling in clearly identifiable **specific areas,** which raise few questions of principle, and in relation to which there is a significant foundation of established case-law of the Court of the Justice to guide the General Court in the exercise of this new jurisdiction. Furthermore, the requests for a preliminary ruling in question should give rise to a sufficiently high number of references, such that their transfer to the General Court will lighten the workload of the Court of Justice in real terms.

The specific areas concerned are the common system of VAT, excise duties, the Customs Code, the tariff classification of goods, compensation and assistance to passengers in the event of denied boarding or of delay or cancellation of transport services, and the system for greenhouse gas emission allowance trading.

The division of competences between the Court of Justice and the General Court

Watch the video on YouTube

The **amendments to the Rules of Procedure of the Court of Justice** lay down, first of all, the detailed rules for the initial processing of requests for a preliminary ruling in order to determine which court has jurisdiction to deal with them. Next, they introduce the provisions which are necessary to ensure that the requests that the General Court refers to the Court of Justice on the ground that they require a decision of principle likely to affect the unity or consistency of EU law are dealt with swiftly. Lastly, they lay down detailed rules for the online publication, within a reasonable time after the case is closed, of the written observations submitted in references for a preliminary ruling by the interested parties referred to in Article 23 of the Statute.

The **amendments to the Rules of Procedure of the General Court** lay down the procedures under which requests for a preliminary ruling transmitted to the General Court are dealt with by that court. In order to provide national courts and tribunals, as well as the interested parties referred to in Article 23 of the Statute, the same safeguards as are applied by the Court of Justice, the General Court has reproduced, in essence, the provisions of the Rules of Procedure of the Court of Justice that are applicable to requests for a preliminary ruling, including those relating to the publication of the pleadings and written observations lodged by the interested parties.

Other far-reaching amendments concern **the structure and organisation of the General Court.** They provide for the creation of an Intermediate Chamber of nine Judges, presided over by the Vice-President of the General Court. Requests for a preliminary ruling will be assigned to Chambers sitting with five Judges that have special responsibility for hearing and determining such cases, but may also be referred to another formation for the matter to be heard and determined, depending on the importance of the questions referred.

The Judges called upon to perform the duties of an Advocate General in preliminary ruling cases (as well as those called upon to replace such Judges if they are prevented from acting) are elected by the General Court and assist the competent court formation in all preliminary ruling cases, mirroring the participation of Advocates General in proceedings before the Court of Justice.

The General Court has, furthermore, clarified the rules on the protection of personal data and on the methods of lodging and service of procedural documents in the context of requests for a preliminary ruling.

The scale of the amendments provided a timely opportunity for a **recast of the Practice rules for the implementation** of the Rules of Procedure of the General Court.

Other amendments to the Rules of Procedure

Further amendments seek to improve, simplify and modernise how cases are dealt with by the Court of Justice and the General Court, in the light of the experience gained during the health crisis. The most significant for the Court of Justice is the possibility – which is already available to the General Court – for the representatives of the parties to the proceedings or of the interested parties referred to in Article 23 of the Statute to participate in a hearing by videoconference, in compliance with the legal and technical requirements laid down in the Practice Directions to Parties. Furthermore, the General Court reviewed a series of provisions applicable to direct actions, including those relating to the confidential treatment of procedural documents, the modification of the application in the course of proceedings and the formal rules to be observed in connection with the lodging of procedural documents.

As regards, lastly, the broadcasting of hearings before the Court of Justice, which contributes to making justice more transparent and more accessible, a new provision clarifies the rules applicable to the broadcasting of hearings, the delivery of judgments and the reading of Opinions of the Advocates General. The General Court has, in turn, introduced essentially the same provisions.

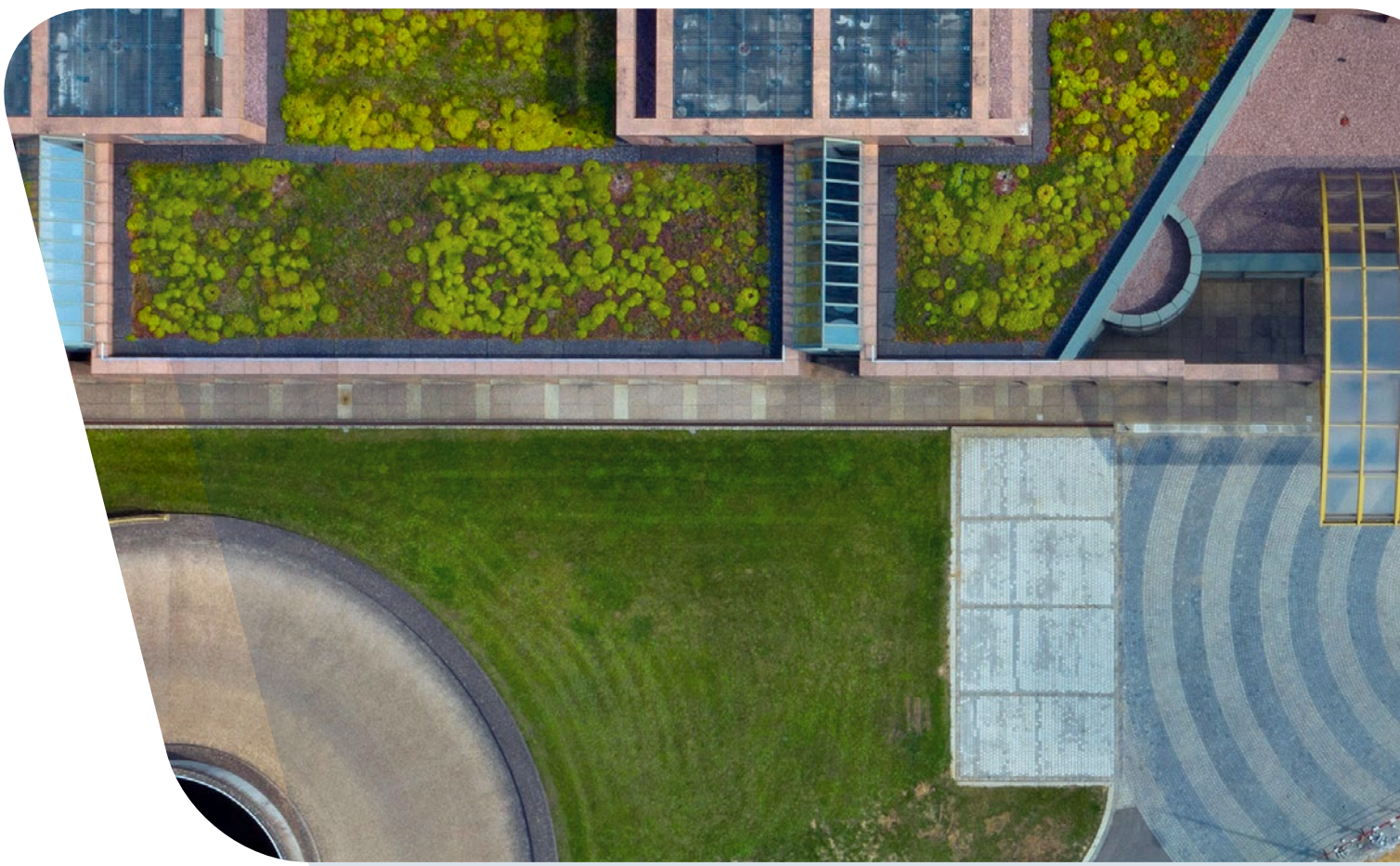
Giulia Predonzani, attaché to the Registrar of the General Court

‘For running enthusiasts, the reform of the Statute may be comparable to the marathon in which every runner wants to take part one day … and which they have been thinking about for over twenty years. Several stages have to be covered in order to reach the finish line. Completing the reform of the judicial architecture of the Court of Justice of the European Union has given the General Court the resources and the structure to enable it to deal with requests for a preliminary ruling with the necessary speed. But we couldn’t stop there.

To run this marathon, the General Court also had to be kitted out with a suitable regulatory and practical framework. First of all, to take into account the involvement in preliminary ruling proceedings of national courts and tribunals and the interested parties referred to in Article 23 of the Statute, the General Court not only revised its Rules of Procedure and the Practice rules for their implementation, but also its decision on the use of the e-Curia application and all the “soft law” documentation – aide-mémoires, forms, information guides

(redaction of data in judicial proceedings, model applications). Next, the General Court had to adopt decisions concerning the composition and the functioning of its Chambers and various formations, including the new Intermediate Chamber, and elect Advocates General to deal with requests for a preliminary ruling. Lastly, in order to establish new workflows, the General Court had to coordinate with its other "marathon" partners, in particular the Directorate-General for Multilingualism, the Directorate for Information Technology and the Research and Documentation Directorate. One key stage was the creation of a "one-stop shop": an application that centralises the analysis of requests for a preliminary ruling that may be transmitted to the General Court. The productive dialogue with the Registry of the Court of Justice, a genuine institutional partner, was a valuable constant throughout the "training".

Preparation, anticipation of needs, high-intensity and high-endurance work, all to an ambitious timetable. In October 2024, the staff at the General Court and its registry were ready and in the "starting blocks" to run this long-awaited marathon! In late 2024, 23 case files passed through the "one-stop shop" and 19 cases were ultimately transferred to the General Court. The race continues ... and it's going well!'



The 20th anniversary of the 2004 enlargement

On 1 May 2004, 10 new Member States joined the European Union: the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia. It was the largest enlargement of the EU to date, in terms both of the people involved and the number of countries.

Impact of the 2004 enlargement on the functioning of the courts

Of all the successive enlargements, the 2004 enlargement was the largest; it involved the integration, in one fell swoop, of 10 new judges appointed both to the Court of Justice and to the General Court.

The impact on the **rules governing language arrangements** at the Court of Justice of the European Union was significant. The number of official languages increased from 12 to 21, which led to an exponential increase in the number of language combinations, rising from 110 to 420.

A considerable volume of structural work was required to establish the new chambers and new language units, both in terms of real estate and recruitment, with the arrival of several hundred new colleagues in the space of one year.

The contribution by the Member States which acceded to the European Union in 2004 has proved to be substantial: in 20 years, almost 1 300 references for a preliminary ruling have been submitted by the courts of the 10 acceding Member States.

‘A new constitutional moment for Europe’

To celebrate this historic event, on 3 May 2024 the Court of Justice hosted a conference entitled ’20 years since the accession of 10 States to the European Union: A new constitutional moment for Europe’, which brought together judges and representatives from all EU Member States, to provide a forum for joint consideration of the Court’s contribution to the advancement of the European project and the contribution made by those 10 Member States to the common legal order.

The conference hosted on 3 May, the documents relating to which are published on the Court's website, explored a number of topics, including:

- the accession process for new Member States after the fall of the Berlin Wall, which necessitated a fundamental shift in the legislation, mindsets and cultures of the peoples concerned;
- common European values and the contribution of the 2004 enlargement to the evolution of the European Union as a 'Union of values'; and
- the convergence between the economies of the new Member States and the remainder of the EU.

The speakers' presentations and the discussions with participants served in particular as a reminder that the European Union is unique, in that it is built upon shared values – with democracy and the rule of law uppermost – which it and its Member States must continue to defend.

Statement of Ineta Ziemele, Judge at the Court of Justice, chair of the working group for the organisation of the event

'The main purpose of the conference marking the 20 years since the largest single enlargement of the European Union was to take stock of the impact and change that this enlargement has brought to the Union. It was considered the right moment to reflect and exchange experiences and lessons learned on how the Union has evolved and changed over the last 20 years following such a historical moment.

The EU Courts, in preparing the conference, proposed to see the 2004 enlargement as a constitutional moment – a paradigm shift – that united Eastern and Western Europe into a common constitutional project. The European Union spread its values and principles to parts of Europe with particularly complex histories, while the ten new Member States entered the EU with a strong determination and hope for freedom, justice and prosperity. Accession to the EU was a complex process, by no means evident, and the aspiring States put in an incredible amount of work and effort to meet the accession criteria (known as the Copenhagen criteria) first established by the Copenhagen European Council in 1993.

That day 20 years ago marked a fundamental change also for the Union in all its areas of competence. What exactly that change would be was not always easy to foresee, but it was evident that there was more potential for growth within its internal market, there was fascinating cultural, historical and linguistic diversity that opened up and accompanied future political and legal developments within the Union. The enlarged European Union became an even more important global actor.

Another unique feature of the conference was the fact that the EU Courts invited speakers from each State concerned who had been directly involved with the accession process or had been leading personalities with important roles in so far as membership of the State or the Union itself was concerned. The conference brought inter-disciplinarity into the reflections proposed by the EU Courts on this occasion.

A magnificent *tour d'horizon* on a particularly complex and often brutal history of these States by Professor Norman Davies concluded the conference. This was a necessary reminder that the values of the European Union cannot be taken for granted and that their sustainability and development require serious work from everyone in the Union. As we pondered the lessons, choir of the EU Courts sang songs in ten languages before concluding with Beethoven's 'Ode to Joy' which continues to express the very ideal of the European Union – the human race becoming brothers.'

A stronger ethical framework for staff at the Court of Justice of the European Union

Due to the very nature of its mission, the Court of Justice of the European Union has always placed the highest demands on itself when it comes to independence, impartiality and integrity. Satisfying those demands, all of which are values upon which the Institution's identity is based, is essential to guaranteeing not only confidence in European justice but also its own legitimacy. It is for this reason that the Court must ensure that it has an internal legal framework which reflects the highest ethical standards and, thereby, meets the expectations of excellence borne by a judicial institution.

The Court of Justice of the European Union has therefore always upheld rigorous ethical standards. The Members of the Institution (Judges, Advocates General and Registrars) and its entire staff are subject to such standards, even after they have left the Court.

Against a background of increasingly higher expectations of exemplary conduct on the part of the European civil service, the Court has chosen to continue modernising its internal arrangements in matters of ethics. This approach, launched back in 2021 with the amendment of the Code of Conduct for Members and former Members, is now being pursued with the adoption of a code of conduct for staff.

Accordingly, the rules already contained in the Staff Regulations of Officials of the European Union and in the Conditions of Employment of Other Servants (CEOS), as well as in a number of internal provisions, have been consolidated, supplemented and adjusted to judicial requirements to produce a single code of conduct for staff which, following its adoption by the Administrative Committee, entered into force on 1 March 2024.

Based on ethical rules drawn from a variety of existing sources, this code of conduct provides, in a single text, easy and clear access for all members of staff subject to those rules. With a view to providing transparency and legal certainty, the purpose of the code is to interpret those obligations, taking into account the specific aspects of the Court's judicial role, and to clarify how they will be implemented. It follows an ethical approach, based on the

values governing the Institution's actions, which are reflected in exemplary standards of conduct. The code also includes specific rules for members of the Court's senior management, in the light of their particular responsibilities, and for legal secretaries, given the position they hold vis-à-vis the Members of the Court of Justice and of the General Court and their direct involvement in judicial work. Those rules make clear that the duty of exemplary conduct is proportionate to the responsibilities assumed and set out in detail specific obligations in relation to avoiding conflicts of interest and pursuing external activities, even after ceasing to hold office.

C. Public relations

16 319 visitors, including

3 985 legal professionals

Virtual visitors: **7%**

2 493 visitors on the Open Day

Remote visits – an educational programme

The aim of this remote educational programme is to enable secondary school students aged between 15 and 18 to learn about the work of the European Union's judicial institutions from their classroom, without having to travel to Luxembourg. The programme is intended to raise awareness amongst the young students and their teachers about democratic values and current legal issues, and to explain to them the impact of the Court's case-law on the daily lives of European citizens. In 2024, almost **1 300 students** had the opportunity to visit the Court as part of this programme.

The Communications Directorate's press officers, who are lawyers by training, have the task of making judgments, orders and legal opinions, as well as ongoing cases, easier to understand for journalists and correspondents in all the Member States. They draft press releases in real time to inform journalists and legal practitioners about the decisions of the Court of Justice and the General Court. They send out regular newsletters covering important procedural and institutional events to those who have requested them from the Court's press office, as well as 'info-rapid' bulletins on cases for which there are no press releases. In addition, they deal with emails and calls from citizens.

2 509 press releases

610 newsletters

516 'info-rapid' bulletins

13 091 responses to requests for information from citizens (telephone calls and emails)

The Court maintains an active presence on social media via its two X accounts (one in French, the other in English), LinkedIn and Mastodon. The number of followers is constantly increasing, demonstrating the public's interest in and engagement with the activity of the Court. The Court also has a YouTube channel providing access in the 24 official languages to a variety of audio-visual content, including videos aimed at the general public to explain how the case-law of the Court affects the daily lives of citizens.

163 000 followers on **X** **+2%** from 2023

297 346 followers on **LinkedIn** **+26%** from2023

4 500 followers on **Mastodon**

90 000 followers and **600 000** views on **YouTube** **+137%** from 2023

In 2024, the Court published a new video:
The division of competences between the Court of Justice and the General Court

Watch the video on YouTube

Broadcasting of hearings

In order to facilitate access to its judicial activity, the Court offers a system for broadcasting hearings. The delivery of judgments and the reading of opinions of the Advocates General are broadcast live on the website, at the time indicated in the judicial calendar. Hearings of the Grand Chamber of the Court of Justice involving oral pleadings are also broadcast with a delay.

The recordings remain available for one month.

Before hearings are broadcast, an **explanatory briefing on the case** is provided in the languages of the hearing and broadcast on the Court's website and on social media. In 2024, a total of **29** briefings were broadcast.

4

An environmentally friendly institution

For many years, the Court has been committed to a strong environmental policy targeting the highest standards of sustainable development and respect for natural resources. That commitment has been evident since 2016 through its **EMAS** (Eco-Management and Audit Scheme) registration. That certification, which is regulated by the European Union, is granted to organisations that satisfy strict conditions relating to their environmental policies, their efforts in connection with the protection of the environment and their sustainable working methods.

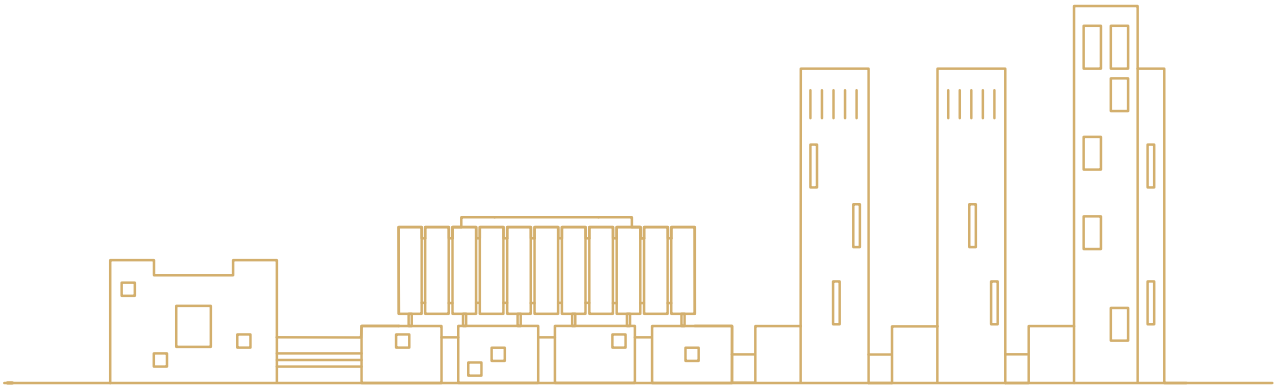
In 2023, the Court achieved very satisfactory results in relation to all its environmental indicators, and the year can now be regarded as the new baseline for environmental performance following the health crisis in 2020 to 2022.

The **environmental indicators** for water, waste, paper, heating and electricity match those for 2023. Changes are quantified by reference to 2015, the reference year for the EMAS scheme.

More specifically, in terms of **energy consumption,** as the energy-saving measures adopted in connection with the war in Ukraine were extended, the Court again recorded a significant reduction in its energy consumption for electricity and heating. In addition, the Court also met its ambitious targets for **paper consumption.** In 2023, the use of office paper (excluding outsourced publications) fell by 55.2% as compared with its pre-pandemic level in 2019, marking a persistent trend thanks to changes in behaviour and the continued digitisation of processes and documents.

Despite the resumption of all the Court's activities, including visits by external parties, CO_2 emission levels have been stabilised, thanks not only to a variety of projects but also to the awareness and active commitment of staff in relation to the EMAS policy.

Full Time Equivalent (FTE) is the unit of measurement of occupational activity, independent of the disparities in the number of hours worked each week by staff members resulting from their different working arrangements.



Improvement in waste sorting and reduction of single-use plastics

Participation in the Vel'oH self-service bicycle system and support for travel by bicycle and train for cross-border workers. Installation of charging points for electric vehicles

Reduction in paper consumption
↓63% kg/FTE

Reduction in water consumption
↓20% m³/FTE

Reduction in 'Offices and Catering' waste
↓43.2% kg/FTE

Improvement of the heating, ventilation, air-conditioning and lighting systems

Reduction in electricity consumption
↓28.7% kWh/FTE

Reduction in energy consumption for heating
↓33.5% kWh/FTE

3 466 m²
of solar panels producing
380 758 kWh
equivalent to the annual electricity needs of 69 families

Reduction in carbon emissions
↓30.2% kg CO_2/FTE

5

Looking ahead

The first challenge of 2025 will be the successful completion of the **implementation of the partial transfer of the jurisdiction to give preliminary rulings to the General Court,** applicable since 1 October 2024, and the final stage of the reform of the judicial system of the European Union. The Court of Justice will ensure that all its services provide effective and high-quality support to the General Court to enable it to deal with this litigation in the best possible circumstances.

In response to the expected increase in the number of cases over the short and medium term, the Court will also push ahead with its **programme of digitalising judicial and administrative processes** to make its administration more efficient and more effective. It will continue to make use of the possibilities offered by innovative technologies, whilst heeding the caution required by the judicial nature of its mission and with, as its guiding principle, the development of the expertise and skills of its partners.

The year will, however, also be shaped by new **projects aimed at citizens,** continuing the Institution's policy of transparency and access to information. To increase the transparency of its judicial and administrative activities, the Court will diversify and re-design its communication channels. For example, the Institution is set to overhaul its website to meet the needs of legal professionals and the media as well as those of the general public. Furthermore, so that it is easier for all citizens, including the young generations, to understand how it operates and the decisions it makes, the Court will launch an online audio-visual platform called 'Curia web TV', which will broadcast programmes explaining its activities.

In 2025, the European Union will celebrate **the 30th anniversary of the accession of Austria, Finland and Sweden.** The Court will commemorate this fourth enlargement of the European Union, which, almost 10 years after the accession of Spain and Portugal and following the approval by referendum in the three new States concerned, brought the population of the European Union to 370 million citizens and extended its geographical area significantly, both to the north and towards the centre of Europe. The context of the accession of those three countries, its significance and its implications for each of them will be highlighted, with the participation of prominent representatives from the States being celebrated.

Lastly, the Court will continue **the intensive dialogue,** in which it has been engaged for over 70 years, **with national courts and tribunals** to ensure that European law is applied consistently and uniformly.

That dialogue will be conducted, in particular within the framework of the Judicial Network of the European Union, with constitutional and supreme courts, as well as under the umbrella of the Meeting of National Judges organised every year at the Court.

The Court will also be the joint organiser of the 'EUnited in diversity' conference in Sofia in September 2025. Following on from the first conference held in Riga in 2021 and the 2023 conference in The Hague, this third conference will mark the continuation of this now established biennial meeting and its theme will be 'The role of constitutional justice in the common legal order of the European Union'.

6

Stay connected!

Access the case-law search portal of the Court of Justice and the General Court via the Curia website:

curia.europa.eu

Keep up with the latest case-law and institutional news by:

consulting **press releases**:
curia.europa.eu/jcms/PressRelease

subscribing to the Court's **RSS** feed:
curia.europa.eu/jcms/RSS

following the Court's **X** account:
CourUEPresse ou EuCourtPress

following the Court's **Mastodon account:**
curia.social-network.europa.eu/@Curia/

following the Court's account on **LinkedIn**:
linkedin.com/company/european-court-of-justice

downloading the **CVRIA app** for smartphones and tablets

consulting the **European Court Reports:**
curia.europa.eu/jcms/EuropeanCourtReports

To learn more about the activity of the Institution:

consult the webpage on the **Annual Report:**
curia.europa.eu/jcms/AnnualReport

watch the videos on **YouTube:**
youtube.com/@CourtofJusticeEU

Access the documents of the Institution:

historical archives:
curia.europa.eu/jcms/archive

administrative documents:
curia.europa.eu/jcms/documents

Visit the seat of the Court of Justice of the European Union

The Institution offers **visit programmes** tailored to the interests of each group (attending a hearing, guided tours of the building or of the works of art, study visit, remote visit):
curia.europa.eu/jcms/visits

For any information about the Institution:

Write to us using the **contact form:**
curia.europa.eu/jcms/contact

COURT OF JUSTICE OF THE EUROPEAN UNION

Court of Justice of the European Union
L-2925 Luxembourg
TEL. +352 4303-1
curia.europa.eu

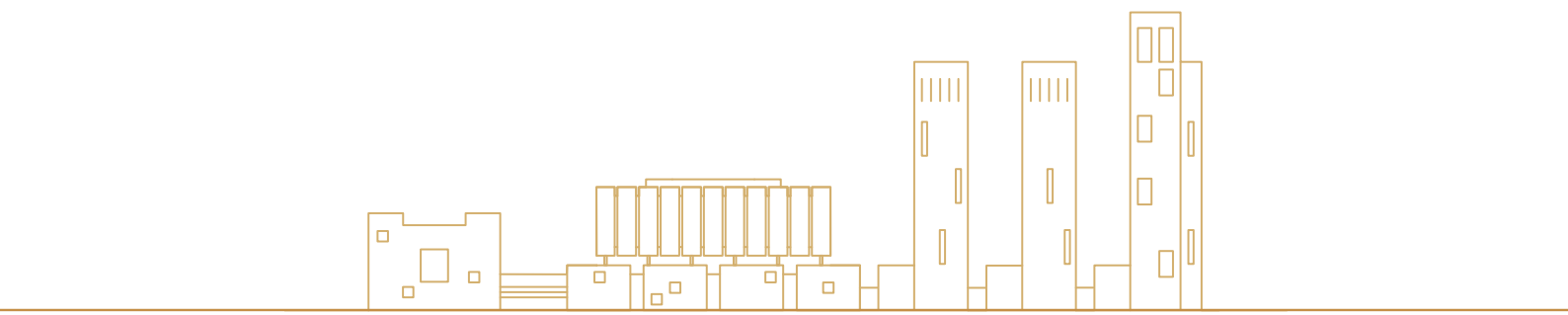
Text completed in February 2025 / Figures correct as at 31.12.2024

Layout: Court of Justice of the European Union / Communications Directorate / Publications and Electronic Media Unit, 2025

Luxembourg, Publications Office of the European Union, 2025

Luxembourg, Publications Office of the European Union, 2025

Print	ISBN 978-92-829-4769-2	ISSN 2467-1444	doi:10.2862/8494301	QD-01-24-003-EN-C
PDF	ISBN 978-92-829-4768-5	ISSN 2467-1673	doi:10.2862/7490365	QD-01-24-003-EN-N
HTML	ISBN 978-92-829-4767-8	ISSN 2467-1673	doi:10.2862/2787350	QD-01-24-003-EN-Q



COURT OF JUSTICE
OF THE EUROPEAN UNION

Communications Directorate
Publications and Electronic Media Unit