



20 ANNUAL 17 REPORT

THE YEAR
IN REVIEW



COURT OF JUSTICE
OF THE EUROPEAN UNION

The case-law of the Court of Justice of the European Union covers ever more diverse areas in relation to the daily life of citizens.

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

It is the judicial authority of the European Union and its task is to ensure compliance with European law by overseeing the uniform interpretation and application of the Treaties. The institution contributes to the preservation of 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 is made up of two courts: the 'Court of Justice' and the 'General Court'.

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“ The case-law of the Court of Justice of the European Union covers ever more diverse areas in relation to the daily life of citizens. ”



INTRODUCTION BY THE PRESIDENT

For the EU institutions and the Member States alike, 2017 was an opportunity to celebrate the 60th anniversary of the signing of the Treaties of Rome. To that end, the Court of Justice of the European Union brought together the presidents of the constitutional and supreme courts of the Member States in Luxembourg for discussions focusing on the European justice network.

It is in that context that, in April 2017, the 'Judicial Network of the European Union' (JNEU) was set up under the auspices of the Court of Justice of the European Union in order to reinforce the cooperation between it and the national courts in the service of high-quality European justice. This multilingual platform thus seeks to promote mutual knowledge of the case-law of the European Union and that of the Member States and to deepen the dialogue between the Court of Justice and national courts. This dialogue, which has existed since the founding Treaties through the preliminary reference procedure — a true 'keystone' of the European Union's judicial system — now has a more informal extension through the JNEU.

As regards the institution's judicial activity, the Court of Justice of the European Union has delivered numerous judgments which directly relate to the concerns of citizens. Examples include the judgments on the wearing of the Islamic headscarf at work, on the rights of

air passengers, on the Uber Pop service, on immigration policy, or on the proof of the defectiveness of a vaccine. All of those judgments, amongst many others, show that the case-law of the Court of Justice of the European Union is no longer limited solely to economic issues but covers ever more diverse areas in relation to the daily life of citizens.

In terms of statistics, a record number of 1656 cases were brought before the Court of Justice and the General Court. 739 cases were brought before the Court of Justice alone, including 533 requests for a preliminary ruling. Leaving aside approximately 40 similar cases concerning the rights of air passengers in the event of cancellation or long delay of a flight, the statistics show a balance between the cases brought (739) and the cases closed (699) in 2017. As for the General Court, it has increased its productivity by almost 20% by comparison with 2016 (895 cases closed) while continuing to reduce substantially the average duration of proceedings

(approximately 16 months, 40% less than in 2013).

In October 2017, the 'Princess of Asturias' Foundation bestowed the Award for Concord on the European Union for its 'unique model of supranational integration'. This award, regarded as the equivalent of the Nobel Peace Prize in the Spanish-speaking world, recognises the contributions made by the EU and its institutions to the preservation of peace and to the dissemination of values such as freedom, human rights and solidarity worldwide. In a global context still marked by terrorism, the migration crisis and retreats into cultural isolationism, the Foundation reminds all those who work for Europe of the need for wholehearted commitment to these fundamental values in order to prevent a recurrence of the tragedies of the Second World War and to bring peace and prosperity to the peoples of Europe.

Koen **LENAERTS**
President of the Court of
Justice of the European Union



7
2017
AT A GLANCE

A

THE YEAR IN PICTURES

January

11 January

Conference commemorating the 10th anniversary of the accession of Bulgaria and Romania to the European Union

Bulgaria and Romania officially acceded to the European Union on 1 January 2007 as part of the fifth enlargement of the European Union. The Court commemorates that tenth anniversary by a conference in which guest speakers as well as members of the courts and of the staff participate.



31 January

Judgment in *Lounani*

An application for asylum can be rejected if the asylum seeker has participated in the activities of a terrorist network, even if the asylum seeker has not personally committed terrorist acts, or instigated such acts, or participated in their commission (C-573/14). ([see page 17](#))



February

ERASER

1 February

Opening of the exhibition 'Between Shade and Darkness: le sort des Juifs du Luxembourg de 1940 à 1945'

To mark the International Day of Commemoration designated by the United Nations in memory of the victims of the Holocaust, the Court holds an exhibition designed by the National Museum of the Resistance in Esch-sur-Alzette (Luxembourg), focused on the fate of the Jewish communities of Luxembourg under the Nazi occupation and the deportation of Jews in Luxembourg to ghettos and concentration- and extermination camps.



9 February

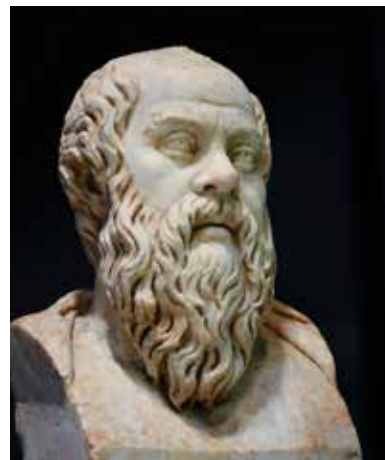
Proceedings before the Court brought in the *IR* case

May a Catholic organisation **dismiss** an employee, who holds a managerial position, because of his remarriage after his divorce (C-68/17)?

9 February

Official handover of 'L'Erma di Socrate'

The Court receives a sculpture from the Farnese collection, on loan from the National Archaeological Museum of Naples. This 3rd century A.D. replica of the original bronze statue dating from the end of the 4th century B.C. displays a quote from Socrates taken from Plato's 'Crito': 'I have always been the sort of person who is persuaded by nothing other than the argument which seems best to me upon reflection'. This sentence symbolises the philosopher's absolute freedom of thought, independent of any conditioning other than respect for the law, which he demonstrated by his willingness to die rather than contravene the laws of the city, despite their injustice.



March

14 March

Judgments in *G4S Secure Solutions and Bougnaoui and ADDH*

A company may prohibit its employees in direct contact with customers from wearing any visible **political, philosophical or religious sign**, provided that that prohibition is based on a consistent and systematic internal policy set out in the workplace regulations. (C-157/15 and C-188/15). ([see page 22](#))

15 March and 14 September

New Members of the Court of Auditors and of the Commission

On 15 March, a Member of the Court of Auditors, **Mr Juhan Parts** (Estonia), gives the solemn undertaking provided for in the Treaties.

On 14 September, another Member of the Court of Auditors, **Ms Ildikó Gáll-Pelcz** (Hungary), and the European Commissioner in charge of the 'Digital Economy and Society' portfolio, **Ms Mariya Gabriel** (Bulgaria), are also sworn in.

The Members of the Court of Auditors and of the Commission undertake, at a formal sitting held before the Court of Justice of the European Union, to respect the obligations arising from their office.



27 March

Meeting of Judges and 60th anniversary of the Treaties of Rome

The Court invites the presidents of the national constitutional and supreme courts. The aim is to promote a genuine European justice network and to highlight the substantial contribution of the national courts – which are the first courts called upon to apply EU law – over 60 years of European cooperation. ([see page 37](#))



April

15 to 22 April

Official visit to the United States

A delegation from the Court of Justice travels to the United States as part of the 'Luxembourg Forum 2017' in order to continue the dialogue initiated almost 20 years ago with its American counterparts. ([see page 38](#))



May

4 May

Judgment in *Pešková and Peška*

A collision between an aircraft and a bird is an extraordinary circumstance which may exempt the air carrier from its obligation to pay compensation in the event that **the flight is delayed significantly** (C-315/15). (see page 19)

21 to 24 May

Official visit to Finland

A delegation from the Court of Justice travels to Finland to meet the members of the Supreme Court, of the Helsinki District Court, of the European Chemicals Agency, of the Supreme Administrative Court and the President of the Republic of Finland, Sauli Niinistö.



24 to 28 May

Official visit to Italy

A delegation from the Court of Justice travels to Italy on an official visit during which it meets with members of the Constitutional Court, of the Superior Council of Magistracy, of the Council of State, of the Council of the Presidency of Administrative Justice, of the Supreme Court of Cassation and the President of the Italian Republic, Sergio Mattarella.



June

8 June

Entry into office of a new judge at the General Court

In the context of the second stage of the reform of the judicial structure of the institution, **Colm Mac Eochaidh** (Ireland) is sworn in and brings the number of Judges of the General Court to 45.



11 to 13 June

Visit of a delegation to the Supreme Courts of Scotland (Edinburgh)

In the context of the deepening of cooperation with the constitutional and supreme courts of the Member States, a delegation from the General Court travels to Scotland and visits the Court of Session and the High Court of Justiciary (Edinburgh).



August

21 August

Proceedings brought before the Court in *Google*

The French Council of State asks the Court to clarify the territorial scope of the obligation to **de-reference** personal data (C-507/17).



October

4 October

Entry into office of a new judge at the General Court

Continuation of the second phase of the reform: swearing in of **Geert De Baere** (Belgium). The number of judges at the General Court is thus brought to 46.



16 October

Official visit to the European Court of Human Rights

As part of their long-standing cooperation, the Court of Justice of the European Union and the European Court of Human Rights meet every year, in Luxembourg or Strasbourg, to exchange views on the development of case-law in the field of fundamental rights. This year, a delegation from the Court of Justice, composed of the President, the Vice-President and nineteen Members, travels to Strasbourg to participate in working sessions with Members of the European Court of Human Rights.



26 October

Proceedings brought before the Court in *Blaise and Others*

This case concerns the authorisation to place **Glyphosate** on the market and raises the question of the reliability and impartiality of the Commission's evaluation procedure (C-616/17).

November // December //

27 November

Proceedings brought before the Court in *M. A. and Others*

The High Court (Ireland) asks the Court of Justice to clarify the consequences of **Brexit** on the determination of the Member State responsible for examining an asylum application (C-661/17).

1 December

Conference commemorating the 100th anniversary of the independence of Finland

The declaration of independence of Finland was adopted by the Finnish Parliament on 6 December 1917. To mark this 100th anniversary, the Members of the Court of Justice and of the General Court invite several VIPs and Finnish staff members to attend a conference in the Main Courtroom.

7 December

Opening of the exhibition 'La Cour dans les aquarelles de Noëlle Herrenschildt'

To mark the publication of the Proceedings of the Meeting 'The European justice network: a guarantee of high-quality justice', the Court's 'Salle des Pas Perdus' hosts an exhibition of the French watercolourist-reporter Noëlle Herrenschildt, who painted a series of watercolours during the Meeting of Judges of 27 March, marking the 60th anniversary of the Treaties of Rome. ([see page 37](#))



14 December

Proceedings brought before the General Court in *Luxembourg v Commission*

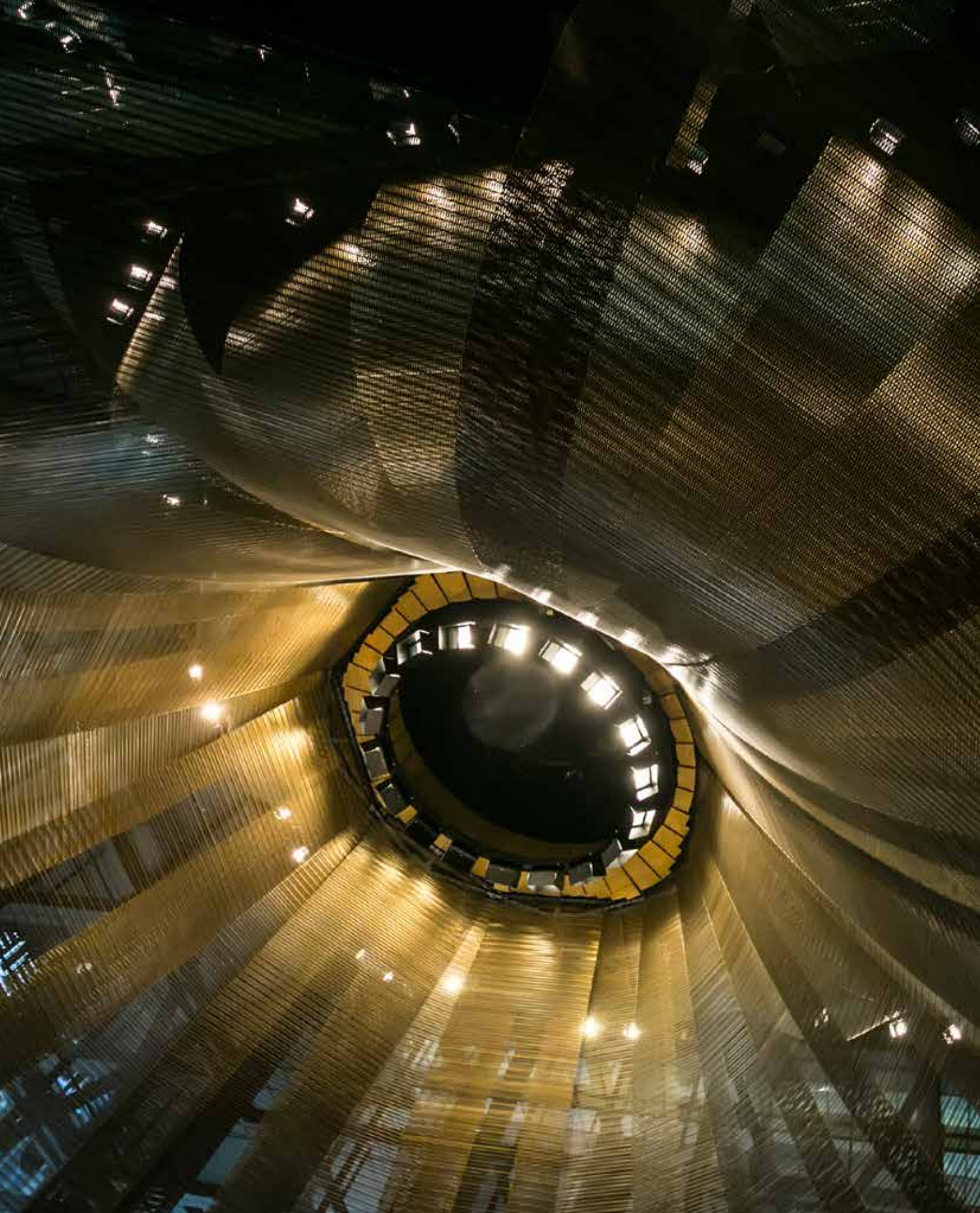
Luxembourg asks the General Court to rule on the tax ruling which it adopted in favour of **Amazon** (T-816/17).



20 December

Judgment in *Asociación Profesional Elite Taxi*

The service provided by **Uber** connecting individuals with non-professional drivers is covered by services in the field of transport and a Member State may make that service subject to a licence (C-434/15). ([see page 24](#))



B THE YEAR IN FIGURES

2017 budget of the institution

399

million euros

Statistically, 2017 has been a year of unflagging judicial activity. The overall number of cases brought in 2017 (1 656 cases) is slightly higher than in 2016, while the number of cases completed in 2017 has remained at a high level (1 594 cases).

This workload has also been reflected in the activity of the administrative departments which lend their support to the courts on a daily basis.

75

judges

from the 28 Member States

11

advocates general

2 174

officials and other staff

40%

Men
850

60%

Women
1 324

The judicial year (both courts taken together)

1 656

cases brought

1 594

cases completed

154 336

procedural documents entered in
the registers of the Registries

Average duration of proceedings:



16.3

months

Court of Justice 16.4 months
General Court 16.3 months

Percentage of procedural documents lodged via e-Curia:

Court of Justice **73%**
General Court **83%**

Number of e-Curia
accounts **4 354**

Number of Member States
using e-Curia **28**



2 801

judicial notices
published in the
*Official Journal of
the European Union*

The language departments

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

potential languages of the case, i.e. 552 possible language combinations

609

'lawyer-linguists' to translate written documents

23

language units



1 135 000

pages produced by the translation department

Reduction of translation requirements in 2017

(internal economy measures)

410 000

pages

Number of pages to be translated

1 115 000



696

hearings and meetings with simultaneous translation



74

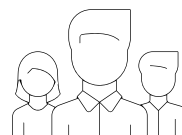
Interpreters for hearings and meetings

Dialogue and exchanges



2 228

national judges received at the Court in the context of seminars, training courses, visits and traineeships



Approximately

20 000

visitors received at the Court

- legal professionals
 - journalists
 - students
 - citizens
-



72

formal events



2 Judicial activity

A

A LOOK BACK AT THE MOST IMPORTANT JUDGMENTS OF THE YEAR

Rights and obligations of migrants

Since 2015, Europe has experienced a major migration crisis which has given rise to numerous issues. The Court of Justice has on several occasions considered cases concerning asylum applications and the associated procedure.



Ruling on a question referred by a Belgian court, the Court of Justice held that the Member States are not required to grant a **humanitarian visa** to persons who wish subsequently to lodge an **asylum application** in that Member State. EU law provides for the possibility of granting a short-term visa (up to 90 days) for humanitarian reasons. Accordingly, the visa applications submitted to the Belgian embassy in Beirut (Lebanon) by a Syrian family with a view to travelling to Belgium to apply for asylum and thus remain there for a period longer than 90 days, falls outside the scope of EU law. However, Member States remain free to grant such visas on the basis of their national law.

→ [judgment of 7 March 2017, X and X, C-638/16 PPU](#)

In another case from Belgium, the Court of Justice clarified that an application for asylum can be rejected if the asylum seeker has participated in **the activities of a terrorist network**. It is not necessary that the asylum seeker personally committed terrorist acts, or instigated such acts, or participated in their commission. In this case, the asylum seeker was sentenced, in Belgium, to a term of imprisonment for participation in the activities of the Belgian cell of the 'Moroccan Islamic Combatant Group'. He had participated in the organisation of a network for sending volunteers to Iraq and the fraudulent transfer of passports.

→ [judgment of 31 January 2017, Lounani, C-573/14](#)



EU law also establishes rules for the allocation among the Member States of the responsibility for examining asylum applications (the 'Dublin III' Regulation).

During the migration crisis of 2015-2016, many migrants entered the EU through Croatia which then organised their transport to other Member States. The Court of Justice has confirmed that, even in the event of a mass influx of migrants, the Member State of first entry in the EU remains responsible for **examining asylum applications** lodged subsequently in the other Member States. Even if that Member State has organised the transport of migrants on its territory to another Member State, the crossing of its external border constitutes the first irregular crossing of an external border of a Member State.

→ [judgments of 26 July 2017, A.S., C-490/16, and Jafari, C-646/16](#)

The Dublin III Regulation establishes periods which are intended to speed up the asylum procedure, and thus also benefit the asylum seeker. Accordingly, a Member State with which an application for asylum has been lodged and which considers that another Member State is responsible for examining it has a period of three months to request the other Member State to take charge of him. The Court of Justice has thus held that an asylum seeker may rely in legal proceedings on the fact that the Member State in which he applied for asylum has become responsible for examining his application because of the **expiry of the period** in question. The same applies to the six-month period available to a Member State for **transferring the asylum seeker to another Member State**, which has agreed to take him back. If a Member State does not transfer the asylum seeker within that period, it becomes responsible for processing the asylum application.

→ [judgment of 26 July 2017, Mengesteab, C-670/16](#)

→ [judgment of 25 October 2017, Shiri, C-201/16](#)

Lastly, the Court of Justice examined the validity of the decision on **migrant quotas**, adopted by majority vote by the Member States in the Council of the European Union in September 2015. That decision is intended to help Italy and Greece deal with the massive influx of migrants by relocating 120 000 of them to the other Member States. Slovakia and Hungary, which had voted against that decision, sought to have it annulled. The Court of Justice held that the Council was indeed competent to take such a provisional measure in order to respond effectively and swiftly to that emergency situation. The agreed provisional mandatory relocation mechanism contributes effectively and proportionately to enabling Greece and Italy to deal with the impact of the 2015 migration crisis. The actions brought by Slovakia and Hungary were therefore rejected.

→ [judgment of 6 September 2017 in Slovakia and Hungary v Council of the European Union, Joined Cases C-643/15 and C-647/15](#)



Protection of consumers

The European Union ensures the protection of consumers' interests. It seeks to further consumer safety, ensure the application of consumer protection rules and improve awareness of consumer rights. In 2017, the Court of Justice had the opportunity to clarify, on various occasions and in various areas, the scope of consumer rights in the European Union.



In a case concerning **the cost of telephone calls to after-sales services**, the Court of Justice held that the cost of a call to a helpline operated by a trader may not exceed the cost of a call to a standard telephone line, fixed or mobile.

→ [judgment of 2 March 2017, Zentrale zur Bekämpfung unlauteren Wettbewerbs Frankfurt am Main, C-568/15](#)

In 2017, the Court of Justice ruled on several disputes concerning the rights of air passengers. The relevant EU legislation, as interpreted by the Court of Justice, provides that in the event that a flight is cancelled or delayed by three hours or more, the air carrier must compensate the passengers. By contrast, if the cancellation or delay of the flight has been caused by extraordinary circumstances which could not have been avoided, the air carrier may be exempted from its obligation to compensate passengers.

The Court of Justice has confirmed that a **collision between an aircraft and a bird** and the resulting necessary security checks may constitute an extraordinary circumstance capable of exempting the air carrier from its obligation to pay compensation. Any other answer might encourage airlines



to prioritise punctuality over security, which would be contrary to the objectives pursued by EU law.

→ [judgment of 4 May 2017, Pešková and Peška, C-315/15](#)

Passengers are also protected in the event that **a flight is cancelled less than two weeks before the day of departure**. The air carrier is required to pay compensation if it is unable to prove that a passenger was informed of the cancellation of his flight more than two weeks before the scheduled departure. The same applies where the cancellation of the flight had been communicated to the travel agency more than two weeks before the scheduled departure and the travel agency did not inform the passengers within the period of two weeks. The Court of Justice nevertheless pointed out the possibility for the air carrier to seek compensation from the travel agency responsible for the non-compliance, in accordance with the applicable national law.

→ [judgment of 11 May 2017, Krijgsman, C-302/16](#)

In the event of a flight delay of three hours or more, passengers are entitled to compensation calculated according to the distance travelled. The Court of Justice has clarified that **the distance to be taken into account** in calculating the amount of compensation payable is the radial distance between the departure and arrival airports, regardless of any connections.

→ [judgment of 7 September 2017, Bossen and Others, C-559/16](#)

The Court of Justice has also been called upon to decide on various issues relating to the protection of consumer health.

Ruling on a case in which a breast implant manufacturer had used industrial silicone which did not comply with quality standards, the Court of Justice held that a body appointed to audit the **manufacturer's quality system** in the context of EC certification cannot be held liable on the ground that it should have carried out unannounced inspections, examined devices and/or examined the manufacturer's business records. However, in the face of evidence indicating that a medical device may not comply with the requirements laid down in the directive, that body must take all the steps necessary to ensure protection for the health of persons.

→ [judgment of 16 February 2017, Schmitt, C-219/15](#)

In addition, the Court of Justice confirmed a judgment of the General Court which found that the Commission had rightly prohibited the use, by Dextro Energy, of advertising slogans, which highlighted **only the beneficial effects of glucose for health** without mentioning the dangers inherent in increased sugar consumption. These allegations can therefore be considered ambiguous and misleading for the consumer.

→ [judgment of 8 June 2017, Dextro Energy v Commission, C-296/16 P](#)



Lastly, the Court of Justice ruled on a case concerning a French citizen who had been **vaccinated against hepatitis B** and who contracted, following the vaccine, multiple sclerosis, which gradually led to paralysis and, subsequently, his death. The Court held that where there is a lack of scientific consensus, the proof of the defectiveness of the vaccine and of a causal link between the defect and the damage suffered may be made out by serious, specific and consistent evidence. The temporal proximity between the administering of a vaccine and the occurrence of a disease, the lack of any personal or family history of the disease on the part of the person vaccinated and the existence of a significant number of reported cases of the disease occurring following such vaccines being administered may constitute serious, specific and consistent evidence.

→ [judgment of 21 June 2017, W. and Others, C-621/15](#)





Protection of workers' rights

EU law ensures better living and working conditions for European citizens and protects the rights of workers. In particular, two directives ensure the application, in all the Member States, of the principle of equal treatment and prohibit, in the field of employment, any discrimination based on racial or ethnic origin, religion or belief, disability, age or sexual orientation. Those directives, adopted in 2000, prohibit both direct discrimination (different treatment of identical situations) and indirect discrimination (identical treatment of different situations involving a particular disadvantage for a certain category of persons).

Ruling on a question concerning **the wearing of the Islamic headscarf in the workplace**, the Court of Justice held that the prohibition of employees from wearing visible signs of their political, philosophical or religious beliefs does not constitute direct discrimination. Nor does that prohibition constitute indirect discrimination if it is established that the employer, on the basis of an internal policy pursued in a consistent and systematic manner and set out in workplace regulations, wishes to project an image of neutrality towards its customers. However, in the absence of such an internal rule, the Court of Justice clarified that the willingness of an employer to satisfy the wishes of a customer no longer to have the employer's services provided by a worker wearing an Islamic headscarf cannot be considered an occupational requirement that could rule out discrimination.

→ [judgments of 14 March 2017, G4S Secure Solutions and Bougnaoui and ADDH, C-157/15 and C-188/15](#)

In Greece, candidates for the competition for entry to the police school must comply with conditions of eligibility, including a minimum height requirement of 1.70 metres. The Court of Justice held that this minimum height requirement imposed on all candidates actually affects far more women than men and therefore **constitutes indirect discrimination based on sex**. Despite the legitimate objective of ensuring the operational capacity and proper functioning of the police service, the means put in place to achieve it are disproportionate. Such discrimination is therefore unjustified and contrary to EU law.

→ [judgment of 18 October 2017, Kalliri, C-409/16](#)

In Germany, the airline company Lufthansa ceased to employ a pilot when he reached the age of 65 years on the ground that, under EU law, he was no longer entitled to fly commercial aircraft. The Court of Justice considered that the rule at issue indeed establishes a **difference in treatment based on age**, but also pursues the legitimate objective of ensuring air traffic safety. In addition, the means put in place (prohibition on pilots over the age of 65 piloting commercial aircraft) are proportionate since the prohibition only concerns commercial air transport. Therefore, pilots aged 65 or over may act as a pilot on ferry flights, carrying no passengers, cargo or mail, or participate in pilot training activities.

→ [judgment of 5 July 2017, Fries, C-190/16](#)

Lastly, the Court of Justice held that, even if the contracts of employment between the airline company Ryanair and its staff designate the Irish courts as having exclusive jurisdiction in the event of a dispute, under the EU law on **jurisdiction**, the employees may bring proceedings before the courts of the place where they perform the essential part of their duties vis-à-vis Ryanair. In order to determine that place, all the relevant circumstances, such as the place from which the employee carries out his tasks, the place where he returns after his tasks, receives instructions concerning his tasks and organises his work, including his 'home base', must be taken into account.

→ [judgment of 14 September 2017, Nogueira and Others, Joined Cases C-168/16 and C-169/16](#)





The preservation of free competition and the internal market

While the European Union has been endowed with a range of new powers over the years, its task of ensuring the functioning of the internal market and compliance with the rules of free competition is still of particular importance. In 2017, the Court of Justice and the General Court examined the compatibility of numerous commercial and tax practices with EU law.



In a Spanish case, the Court of Justice ruled that the service provided by **Uber**, which consists of connecting, through an online platform, non-professional drivers providing transport services with users, constitutes a **transport service** which is currently outside the scope of EU law and thus may be regulated by the Member States. Uber can therefore continue its operations only after it obtains the authorisations required by the national authorities for the provision of passenger transport services.

→ [judgment of 20 December 2017, Asociación Profesional Elite Taxi, C-434/15](#)

Intel appealed before the Court of Justice against a judgment of the General Court confirming the Commission decision which had imposed a fine of € 1.06 billion **for abuse of Intel's dominant position on the x86 CPU market**. The Court of Justice set aside the judgment under appeal on the ground that the General Court merely found that the rebates granted by Intel to the major computer manufacturers restrict competition by their very nature instead of looking at whether those rebates are actually capable of foreclosing competitors from the market. The General Court must carry out that examination and deliver a new judgment.

→ [judgment of 6 September 2017, Intel v Commission, C-413/14 P](#)

As regards the marketing of **luxury goods**, the Court of Justice found that a supplier of such goods may prohibit its authorised distributors from selling those goods on a third-party Internet platform such as Amazon. In order to preserve the luxury image of its goods, the supplier must be able to determine the conditions in which its goods are marketed online.

→ [judgment of 6 December 2017, Coty Germany, C-230/16](#)

In Spain, a religious congregation sought to benefit from **tax exemptions enjoyed by the Catholic Church** in that country in respect of work carried out on a school building under its management. That building is used to provide both compulsory education, regulated and funded by the State, and non-compulsory education, provided for remuneration. The Court of Justice ruled that those exemptions may constitute prohibited State aid and cannot be applied to economic activities carried out on the premises in question, such as, inter alia, educational services provided for remuneration.

→ [judgment of 27 June 2017, Congregación de Escuelas oficiales Pías Provincia Betania, C-74/16](#)

The General Court confirmed the validity of the anti-dumping and anti-subsidy measures for **imports of solar panels from China**. These measures were adopted by the Council, because the solar panels in question were being sold in Europe at well below their normal market value and, moreover, Chinese companies exporting those products to Europe were receiving illegal subsidies from the Chinese State, causing injury to EU solar panel producers.

→ [judgments of 28 February 2017, JingAo Solar and Others v Council, T-157/14 and others](#)

In another case, the General Court annulled in part the decision by which the Commission imposed a fine of around € 15 million on the Icap group, which specialises in financial brokerage, for its participation in **cartels relating to interest rate derivatives denominated in Japanese yen** (the total amount of fines imposed on the banks which participated in those agreements amounted to approximately € 670 million). According to the General Court, the Commission erred when determining the nature and duration of Icap's participation in the cartels and did not sufficiently explain the methodology applied in order to calculate the fine.

→ [judgment of 10 November 2017, Icap and Others v Commission, T-180/15](#)

The General Court also annulled, on the ground of a procedural irregularity, the decision by which the Commission refused to authorise the merger between the United States company United Parcel Service (UPS) and the Netherlands company TNT Express (TNT) in the **express small package delivery** services sector. According to the General Court, the Commission infringed UPS' rights of defence by relying on an econometric analysis which had not been discussed in its final form during the administrative procedure.

→ [judgment of 7 March 2017, UPS v Commission, T 194/13](#)



In the field of State aid, the General Court confirmed that France must recover EUR 220 million in aid granted to the Société Nationale Corse-Méditerranée (SNCM) in respect of certain **maritime transport services** it provided between Marseille and Corsica. The General Court thus affirmed the Commission's analysis that the aid in question was incompatible with the internal market.

→ [judgments of 1 March 2017, France v Commission and SNCM v Commission, T 366/13 and T 454/13](#)

Lastly, the General Court held that the Landeskreditbank Baden-Württemberg, which is the investment and development bank of the Land (State) of Baden-Württemberg (Germany), comes under the **supervision of the European Central Bank (ECB)** and not that of the German authorities. Since the value of the bank's assets exceeds EUR 30 billion, it must be classified as a 'significant entity' and is therefore subject to the oversight of the ECB.

→ [judgment of 16 May 2017, Landeskreditbank Baden-Württemberg v ECB, T 122/15](#)





The protection of intellectual property rights

Intellectual property includes all exclusive rights to intellectual creations. It encompasses two types of rights: industrial property (patents, trademarks, designs, etc.) and copyright, which protects artistic and literary works. The European Union ensures the enforcement of intellectual property rights in order to encourage creation and investment in new works and fields (music, films, television programmes, etc.), thus contributing to competitiveness, employment and innovation.

The Court of Justice held that the sale of a **multimedia player** which enables films that are available illegally on the internet to be viewed easily and for free on a television screen is unlawful. The temporary reproduction, on that multimedia player, of a copyright protected work obtained by 'streaming' without the consent of the copyright holder is also unlawful.

→ [judgment of 26 April 2017, Stichting Brein, C-527/15](#)

Similarly, an **online platform** which allows users to share and upload, in segments ('torrents'), works present on their own computers, is contrary to EU law insofar as it provides access to protected works published without the consent of the copyright holders.

→ [judgment of 14 June 2017, Stichting Brein, C-610/15](#)

In addition, a **system of remote video recording** of television programmes and making available of copies of these programmes saved in the cloud must be authorised by the copyright holders, since it constitutes a retransmission of the programmes concerned.

→ [judgment of 29 November 2017, VCAST, C-265/16](#)



Lastly, the General Court held that Coca-Cola could oppose the registration, as an EU trademark, of the sign 'Master' which uses the same font as its own for the marketing of **beverages and food products**. Although at present the 'Master' sign is only used in Syria and the Middle East in a form similar to that of Coca-Cola, the General Court considered that Coca-Cola could validly prove the risk of commercial free-riding by showing that it was likely that 'Master' would be used in the future in the same way in the European Union.

→ [judgment of 7 December 2017, The Coca-Cola Company v EUIPO, T 61/16](#)

Lastly, the General Court, in four cases, ordered the European Union to pay several companies almost EUR 1.5 million in damages (excluding compensatory interest and late payment interest) as a result of the excessive length of the proceedings before the General Court. The General Court recognised that the **excessive length of the proceedings** caused the companies both material harm (the payment of bank guarantee costs) and non-material harm (the state of uncertainty in which the two companies found themselves). In a fifth case, the General Court refused to award damages, considering that the length of the proceedings was objectively justified.

- [judgments of 10 January 2017, Gascogne Sack Deutschland and Gascogne v European Union, T 577/14](#)
- [of 1 February 2017, Aalberts Industries v European Union, T 725/14](#)
 - [of 1 February 2017, Kendrion v European Union, T 479/14](#)
- [of 17 February 2017, ASPLA and Armando Álvarez v European Union, T 40/15](#)
- [of 7 June 2017, Guardian Europe v European Union, T 673/15](#)





International agreements

The EU-Singapore Free Trade Agreement is one of the first 'new generation' bilateral free trade agreements. This trade agreement contains, in addition to the traditional provisions on the reduction of customs duties and of non-tariff barriers in the field of trade in goods and services, provisions on various matters related to trade, such as intellectual property protection, investment, public procurement, competition and sustainable development.

In addition, since the Commission refused to register a European citizens' initiative intended to prevent the Transatlantic Trade and Investment Partnership with the United States (TTIP) and the free-trade agreement with Canada (CETA), the authors of the initiative brought an action before the General Court seeking the annulment of that refusal. European citizens' initiatives allow EU citizens, under certain conditions, to invite the Commission to submit a proposal for a legal act to the EU legislature.

The Commission submitted a request to the Court of Justice for an opinion to determine whether the European Union could conclude the envisaged agreement by itself or whether the participation of the Member States was required. The Court of Justice declared that the new free trade agreements based on the model of the agreement negotiated between the European Union and Singapore cannot be **concluded by the European Union** alone, since two parts of these agreements (the provisions relating to non-direct foreign investment and those relating to dispute settlement between investors and States) do not fall within **the exclusive competence of the European Union** and therefore require the participation of the Member States.

→ [Opinion 2/15 of 16 May 2017, Free Trade Agreement with Singapore](#)

The General Court annulled the Commission's decision refusing to register the proposed **European citizens' initiative** intended to prevent the TTIP and the CETA. It held that that proposal did not constitute an inadmissible interference in the legislative procedure, but the legitimate initiation of a democratic debate in a timely manner.

→ [judgment of 10 May 2017, Efler and Others v Commission, T 754/14](#)



Foreign policy and restrictive measures

'Restrictive measures' are a foreign policy instrument by which the European Union seeks to bring about a change of policy or behaviour on the part of a non-member country. They may take the form of an arms embargo, the freezing of assets, a prohibition on entering and travelling through the territory of the European Union, a ban on imports and exports, and so forth. They may target governments, companies, natural persons and groups and organisations (such as terrorist groups).

The Court of Justice and the General Court have dealt with numerous cases concerning restrictive measures in relation to, inter alia, Afghanistan, Belarus, Côte d'Ivoire, Egypt, Iran, Libya, Russia, Syria, Tunisia, Ukraine and Zimbabwe.

In the context of the restrictive measures adopted in response to the crisis in Ukraine, the Court of Justice and the General Court have confirmed the continued freezing of funds of several natural and legal persons. In particular, the Court of Justice confirmed the freezing of funds of the former President **Viktor Yanukovich** and of his son Oleksander for the period from 6 March 2015 to 6 March 2016.

→ [judgments of 19 October 2017, Yanukovich v Council, C-598/16 P and C-599/16 P](#)

The General Court upheld the freezing of funds of the Russian company **Almaz-Antey** on the ground that it supports actions that threaten the sovereignty and independence of Ukraine by manufacturing weapons and military equipment and supplying them to Russia, which in turn supplies the separatists in Eastern Ukraine.

→ [judgment of 25 January 2017, Almaz-Antey Air and Space Defence v Council, T-255/15](#)

Also in the context of the Ukraine crisis, the Court of Justice held that the restrictive measures adopted by the Council against certain **Russian companies**, including **Rosneft**, were valid because the Council stated sufficient reasons for those measures and because, having regard to the fact that the measures adopted became progressively more severe, the interference with the freedom to conduct a business and the right to property of the undertakings concerned could not be regarded as disproportionate.

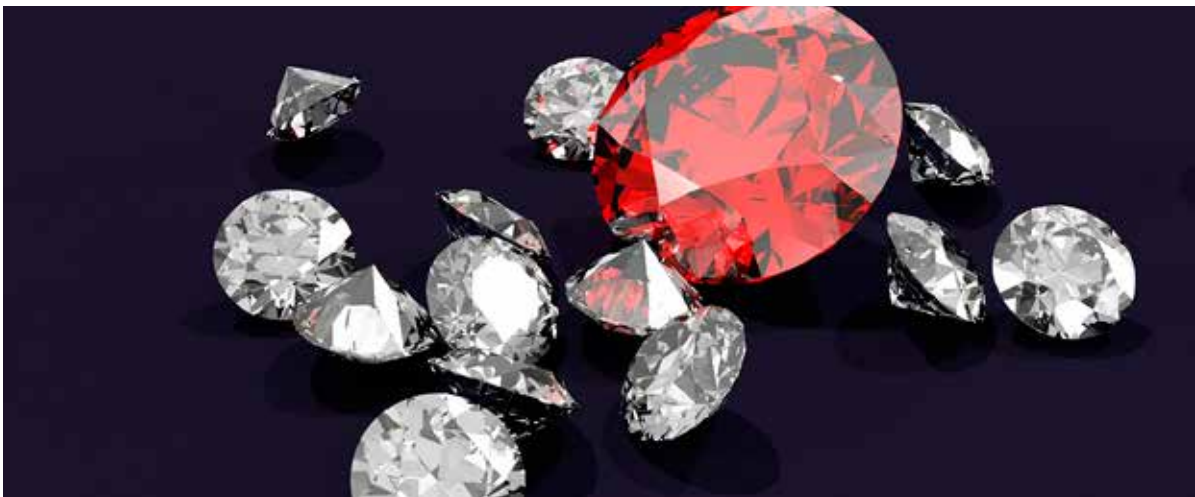
→ [judgment of 28 March 2017, Rosneft, C-72/15](#)

In addition, the Court of Justice held that the General Court should not have annulled **Hamas'** retention on the European list of **terrorist organisations**. When reviewing the situation of Hamas, the Council was entitled to rely on sources other than the national decisions adopted by the competent authorities. The case was referred back to the General Court, which must examine the facts and arguments on which it did not rule in its 2014 judgment.

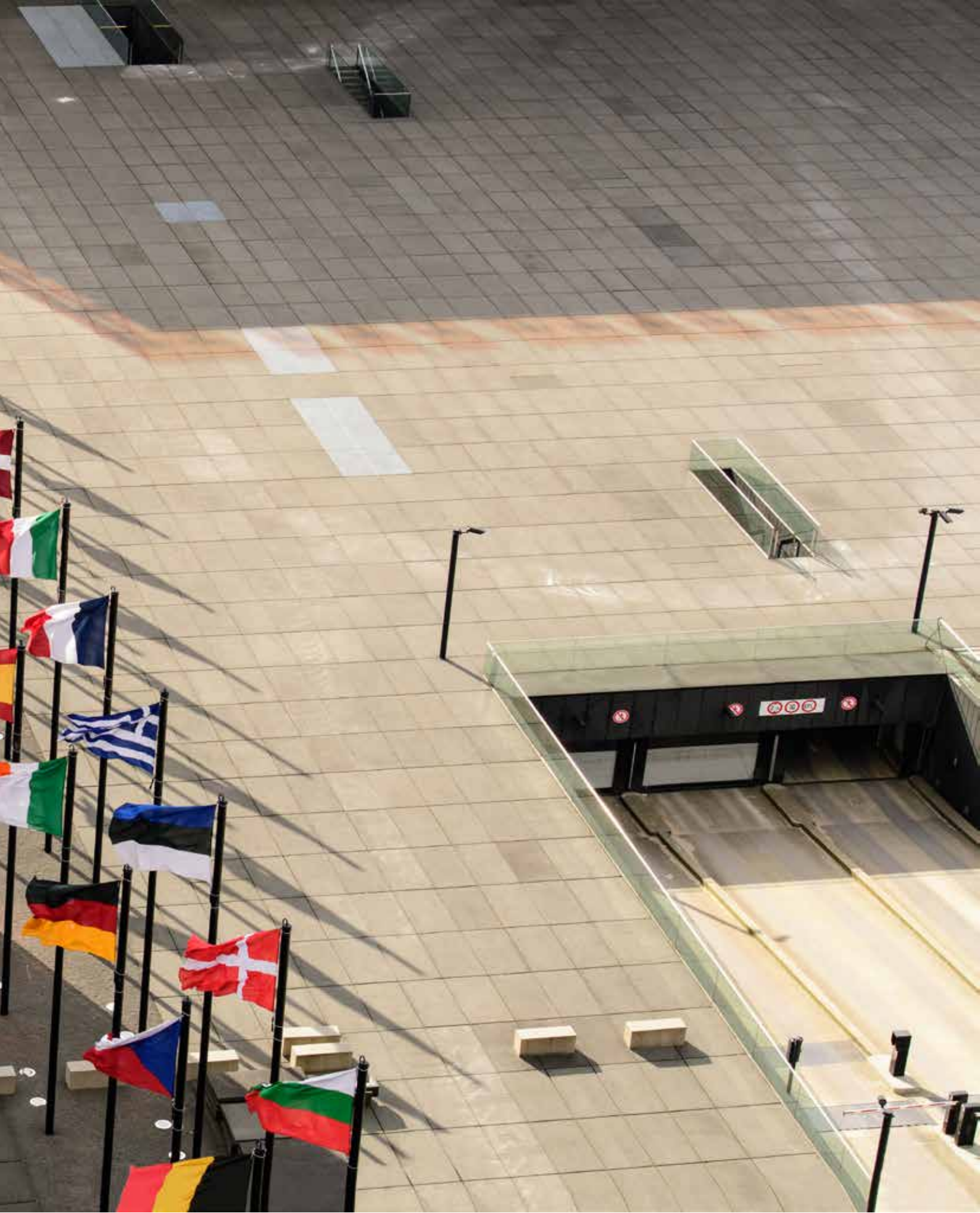
→ [judgment of 26 July 2017, Council v Hamas, C-79/15 P](#)

Lastly, the General Court upheld the freezing of funds imposed on the companies **Badica and Kardiam** in the Central African 'conflict diamonds' case. The Council had established that diamonds were indeed exported and were unlawfully exploited in breach of the export ban imposed under international law. The General Court also pointed out that by continuing to purchase diamonds from collectors, Badica and Kardiam necessarily provided support to opposing armed groups in the Central African Republic.

→ [judgment of 20 July 2017, Badica and Kardiam v Council, T-619/15](#)







B

KEY FIGURES CONCERNING JUDICIAL ACTIVITY

COURT OF JUSTICE

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 act adopted by the European Union. The national court stays the proceedings before it and refers the matter to the Court of Justice, which gives a ruling on the interpretation or the validity of the provisions in question. 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 ('PPU') may be used;
- appeals, against decisions made by the General Court, a remedy enabling the Court of Justice to set aside the decision of the General Court;
- direct actions, which mainly seek:
 - ♦ annulment of an EU act ('action for annulment') or
 - ♦ a declaration that a Member State has failed to fulfil its obligations under 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 imposing a financial penalty on it;
- requests for an opinion on the compatibility with the Treaties of an agreement which the European Union envisages concluding with a non-member State or an international organisation. The request may be submitted by a Member State or by a European institution (Parliament, Council or Commission).



739 Cases brought

Preliminary ruling proceedings

533 including **4** PPU Cases

Member States from which the most requests originate:

Germany	149	Italy	57	Netherlands	38
Austria	31	France	25		

Direct actions

46

Including

41 actions for failure to fulfil obligations and

3 actions for 'twofold failure' to fulfil obligations

Appeals against decisions of the General Court

147

Opinion

1

Applications for legal aid

12



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



699 Cases completed

Preliminary ruling proceedings

447 including **6** PPU Cases

Direct actions

37

including **20** failures to fulfil obligations found against **11** Member States

including **1** judgment on a 'twofold failure' to fulfil obligations

Appeals against decisions of the General Court

198

including **34** in which the decision adopted by the General Court was set aside

Opinions

3

Average duration of proceedings



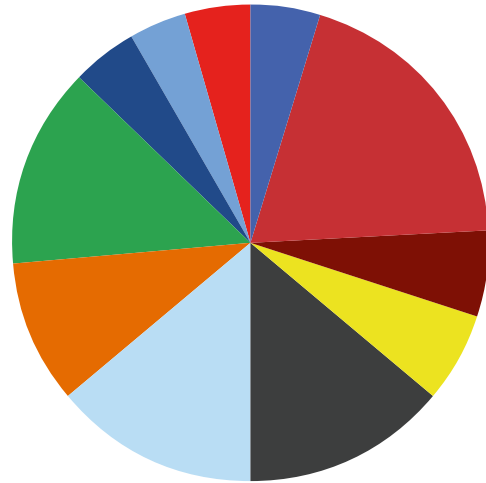
16.4 months

Average duration of urgent preliminary ruling procedures



2.9 months

Principal matters dealt with



- 22** Agriculture
- 61** Area of freedom, security and justice
- 86** Competition and State aid
- 20** Consumer protection
- 19** Customs Union
- 27** Environment
- 43** Freedoms of movement and establishment, and internal market
- 60** Intellectual and industrial property
- 26** Social law
- 62** Taxation
- 17** Transport



GENERAL COURT

Proceedings may be brought before the General Court, at first instance, in direct actions brought by **natural or legal persons (companies, associations, and so forth)** 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. 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.

The decisions of the General Court may be the subject of an appeal, limited to points of law, before the Court of Justice.



917 Cases brought

Direct actions

807

including

298 concerning intellectual property

86 relating to the civil service

423 other direct actions (including 31 actions brought by the Member States)

Applications for legal aid

56



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



895 cases completed

Direct actions

721

376 concerning intellectual and industrial property

including **66** relating to the civil service

279 other direct actions

Appeals against decisions of the Civil Service Tribunal

40

including **11** in which the decision of the Civil Service Tribunal was set aside

The Civil Service Tribunal (CST), established in 2004, ceased to operate on 31 August 2016 as part of the reform of the judicial structure of the European Union. Cases pending on that date were transferred to the General Court which, from 1 September 2016, is the court with jurisdiction to rule on civil service actions.

Average duration of proceedings



16.3 months

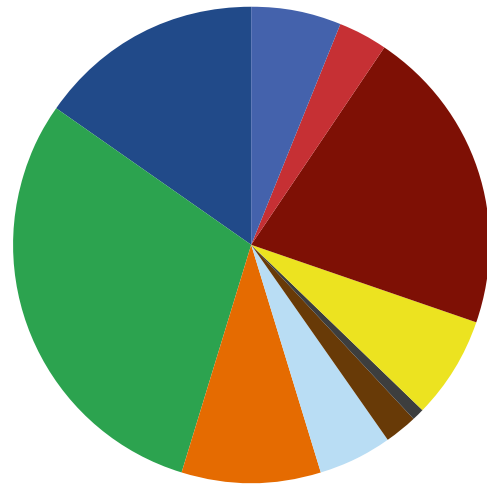
Decisions of the General Court against which an appeal was brought before the Court of Justice

22%

1 508

Pending cases as of 31 December 2017

Principal matters dealt with



- 76** Access to documents
- 43** Agriculture
- 84** Competition
- 116** Economic and monetary policy
- 12** Environment
- 370** Intellectual property
- 27** Public procurement
- 62** Restrictive measures
- 187** Staff Regulations
- 256** State aid



3 A year of
openness
and
exchanges

A

IMPORTANT EVENTS

The dialogue which the Court of Justice of the European Union maintains with national courts and European citizens is not confined to judicial proceedings, but is sustained each year by many exchanges.

In that regard, 2017 saw a large number of meetings and discussions, which help to disseminate and promote understanding of the law and case-law of the European Union.

27
March

Meeting
of Judges
and 60th
anniversary
of the
Treaties
of Rome



Judges from various courts of the Member States meet every year at the Meeting of Judges organised by the Court to exchange views on various EU law topics. This event is designed to strengthen the judicial dialogue which the Court maintains with national courts, in particular in the context of requests for a preliminary ruling, but also to promote the dissemination and uniform application of EU law, since the national courts are the first to apply it to the disputes before them.

This year, the Meeting of Judges was organised in the context of the 60th anniversary of the signing of the Treaties of Rome. In order to mark this event, the Court invited all the presidents of national

constitutional and supreme courts (whether civil, criminal, administrative or constitutional), almost 70 of whom attended. The aim is to showcase the justice network which is leading to the emergence of a genuine European judicial area, while underlining the historic dimension of this cooperation between the Court and national courts, to which the national supreme courts have made a substantial contribution.

In that context, the Court adopts and publishes on its website a Declaration formally highlighting that cooperation.



The participants in the 2017 Meeting of Judges.

Declaration of the Court of Justice of the European Union on the occasion of the Meeting of Judges held to celebrate the 60th anniversary of the signature of the Treaties of Rome

The European Union is a union governed by the rule of law. Not only has it undergone significant enlargement since the signing of the Rome Treaties, but it has evolved materially since that time.

The 60th anniversary of the signing of the Treaties is an appropriate occasion to highlight the importance of the constantly unfolding dialogue between the Court of Justice of the European Union and the national courts, a dialogue that pays due respect to their particular legal cultures and legal systems and the languages in which they operate.

In that spirit, the Court of Justice of the European Union takes great pleasure in welcoming to Luxembourg the Presidents of the Constitutional and Supreme Courts of the Member States in order to strengthen the network of judicial cooperation, a clear sign of the emergence of a true European legal area.

The Court of Justice would like to draw attention to the essential role played by the network of EU justice, composed of the national courts and the Court of Justice, in developing and upholding the fundamental rights and the values of democracy and the rule of law on which the European Union is based.

The Court of Justice of the European Union, in close cooperation with the national courts, will continue to fulfil the duty entrusted to it by the Treaties of ensuring respect for the law by all and for all, thereby safeguarding the values common to the citizens of the European Union and the Member States.

31
March

Final of the
'European Law
Moot Court
Competition'

The *European Law Moot Court Competition*, which for almost 30 years has been organised by the *European Law Moot Court Society* is a 'mock trial' competition designed to promote knowledge of EU law among law students. It is considered to be one of the most prestigious competitions in the world and the final is held each year at the Court, where teams of students from all the Member States of the European Union, and also from

the United States, compete in pleadings which take place before a jury composed of Members of the Court of Justice and the General Court. The winner of the 2017 edition was the team of **City University of London** while the prizes for 'best Advocate General' and 'best Commission Agent' were awarded respectively to Julie Benedetti, from **HEC Paris** (France) and Mikoláš Ružek, from the **University of Helsinki** (Finland).



15
to
22
April

The
Luxembourg
Forum 2017



Since 1998, the European Court of Justice and the **U.S. Supreme Court** have met regularly, both in Luxembourg and the US, to continue their dialogue initiated almost 20 years ago. These exchanges were formalised in 2012 through the creation of the 'Luxembourg Forum'. The 2017 Forum took place in the United States, under the auspices of the Supreme

Court, the *University of Michigan and the American University*. A delegation from the Court of Justice, composed of the President and of eleven members, visited Ann Arbor (Michigan) and Washington D.C. in order to participate in a series of visits, workshops and round tables with its US counterparts. The next Forum will take place in Luxembourg in 2020.

14

May

Open Day
at the
institution

On Europe Day, celebrated on 9 May in all the Member States to commemorate the speech given by the French minister Robert Schuman on 9 May 1950, the Court of Justice of the European Union holds an Open Day. More than 150 volunteering officials of the Court participate actively in the event, welcoming, informing and guiding visitors through an explanatory tour in a warm and friendly atmosphere. The Open Day enables citizens to discover the institution, its role and its operation, as well as its architecture and the works of art on loan from the Member States which it houses and which are an expression of European artistic and cultural traditions. This year the Court attracted more than **3 600 visitors**.



11

September

First meeting
of the Judicial
Network
of the
European
Union

Following the Meeting of Judges, the President of the Court invited the presidents of the constitutional and supreme courts to participate in the creation of the '**Judicial Network of the European Union (JNEU)**', which is intended to strengthen judicial cooperation in service of high-quality European justice. Thus, the first meeting of the JNEU took place at the Court in the presence of the network's correspondents from 60 constitutional and

supreme courts of the Member States. At that meeting, the participants worked on the methods of exchanging information within the network.

The network will foster mutual knowledge of the law and case-law of the Member States, and will also help to deepen the preliminary-ruling dialogue between the Court of Justice and the national courts.



Official visits to the Court of Justice of the European Union

In 2017, in the framework of the continuous institutional dialogue that exists between the Court, the other European institutions, international courts and the institutions and courts of the Member States of the European Union, the Court received delegations from the Committee on Legal Affairs of the European Parliament, H.E. Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, members of the supreme courts of EFTA countries (Iceland, Norway and Liechtenstein), delegations from the Federal Constitutional Court and the Federal Finance Court of the Federal Republic of Germany, the Chief prosecutor and a delegation of public prosecutors from the High Court of Cassation and Justice of Romania, and delegations from the Administrative Court of the Grand Duchy of Luxembourg, from the Courts of Appeal of Karlsruhe, Liège and Colmar (Kalico) and from the Superior Council of Magistracy of the

Republic of Italy. It also welcomed a delegation from the Subcommittee on European law of the Legal Affairs Committee of the German Parliament.

The Court also received various key figures from the Member States, including H.E. Louis-Alkiviadis Abatis, Ambassador of the Hellenic Republic to the Grand Duchy of Luxembourg, The Rt Hon. The Baroness Anelay of St Johns, Minister of State (Department for Exiting the European Union), Mr Geert Bourgeois, Minister-President of the Flemish Government, Mr Antti Häkkinen, Minister for Justice of Finland, Mr Jan Jambon, Deputy Prime Minister of the Federal Government of Belgium as well as Mr Philippe De Backer, Mr Théo Francken and Ms Zuhail Demir, Secretaries of State of the Federal Government of Belgium, and Ms Lucia Puttrich, Minister for Federal and European Affairs of the Land (State) of Hesse.



B

KEY FIGURES

A continuous dialogue with legal professionals

- Maintaining the judicial dialogue with national judges

More than

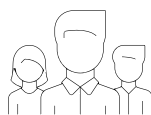
2 300

national judges met

- national judges received in the context of the annual Meeting of Judges or of a 6- or 10-month placement in the chambers of a Member
- seminars held at the Court of Justice
- contributions intended for national judges in the context of European judicial associations or networks
- participation at the formal reopenings of national supreme and higher courts, and meetings with the Presidents or Vice-Presidents of European supreme courts

- Promoting the application and understanding of EU law by legal professionals

673



groups of visitors

who receive presentations on the hearings they attend or on the operation of the courts

including

219



groups of legal professionals

that is to say

3 805

individuals

297



trainee lawyers received in the context of their studies

449

external users



students, researchers and teachers who have carried out research in the institution's library

An enhanced dialogue with European citizens



19 874

visitors

including **3 627** at the Open Day



146

press releases

a total of **1 762** language versions

Each press release is translated into several languages in order to facilitate the work of journalists in the Member States. Those press releases are available on the website curia.europa.eu.



350

tweets sent via the Court's Twitter accounts

with **42 000** 'followers'



120

requests for access to administrative documents and to the historical archives of the institution

Around

28 000

requests for information per year



A regular official and institutional dialogue



26

official visits



10

courtesy visits by key figures from the Member States or from international organisations



5

formal sittings



4

**An
administration
at the service
of justice**



Alfredo
CALOT ESCOBAR
Registrar

The Registrar of the Court of Justice, the Secretary-General of the institution, oversees the administrative departments under the authority of the President. He attests to the departments' commitment to supporting the institution's judicial activities.

AN EFFICIENT, MODERN AND MULTILINGUAL ADMINISTRATION

In 2017, the departments of the Court of Justice of the European Union implemented the reform of the institution which led to the abolition of the Civil Service Tribunal and the gradual transition to two judges per Member State at the General Court. In that context, the Court did not receive any additional resources and even suffered a staff reduction for a period of five years, as part of the recovery of posts imposed by the budgetary authority in 2013.

Against this background, the departments of the Court have made significant efforts to meet the challenges arising from the increase in activity and productivity of the courts.

Those efforts focused, in particular, on pursuing synergies, cooperation and coordination so as to promote the efficient use of resources — resources that the institution is obliged to report on in the context of the checks to which it is subject (in particular in the context of budgetary negotiations, the discharge procedure and the policy of openness pursued by the Court).

In 2017, those checks included the assessment, by the European Court of Auditors, of the EU Courts' performance as regards case-management. In the context of that assessment, and as regards the administrative activity of the institution, the Court of Auditors highlighted the translation department's satisfactory performance of its duties for the courts (respecting deadlines) and encouraged the further integration of applications and the modernisation of IT systems.

That is in line with the objectives of efficiency and quality that the Court is pursuing, while respecting multilingualism, the safeguarding of which is vital for the Court.

In pursuing these objectives, a new organisation of the administrative activity was adopted in September 2017 in order to group the departments into three areas of activity with a view to reinforcing and improving the quality of services provided. Thus, the Directorate-General of Administration groups together the units responsible for providing support in relation to the management of human resources, financial resources, buildings and equipment. The importance and uniqueness of the language



departments led to the creation of the Directorate-General of Multilingualism, which groups together the interpretation and legal translation departments. Lastly, the Information Directorate-General, which covers the various aspects which information represents for a European judicial institution, now comprises the information technologies department, the Communication department and the department responsible for managing documents and the Library collections.

In that context of rationalisation, the management of human resources is extremely important. In this area, particular attention has been paid to the access of women to management positions so that their representation on the managerial staff is ensured.

The Court's departments also seek to participate in the establishment of a number of networks to enable the maximum benefit to be derived from the sharing of services, expertise and skills that exist within Member States and within the institution. Thus, following the meeting of presidents of the constitutional courts and supreme courts of the Member States invited to celebrate the 60th anniversary of the Treaties of Rome in March 2017, they developed an exchange platform intended to promote European judicial cooperation. Likewise, the Court intends to rely upon the expertise of specialised legal libraries in order to develop the internal and external services of its own library. Lastly, the Press and Information Department has undertaken to participate in a network of correspondents specialised in judicial communication.

It is in this spirit of pursuing quality, based in particular on the involvement of competent bodies and experts from the Member States, that the Court intends to continue its contribution to the European project, in which it undoubtedly plays a key role.

Alfredo
CALOT ESCOBAR
Registrar

B

FIGURES AND PROJECTS



An institution working for gender equality

The proportion of women in positions of responsibility within the administrative organisation places the Court of Justice of the European Union above average among the European institutions. In 2017 the Court continued its consultations undertaken in 2015 with all women performing management functions, in order to identify the measures that might encourage women to apply for managerial posts and increase their long-term representation at all levels.

2 174

officials and other staff on 31 December 2017

Representation of women

649 administrator posts **53%**

27 management posts **36%**

20 posts middle management posts **36%**

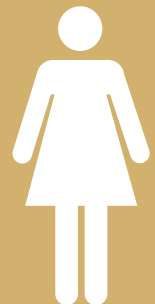
7 posts senior management posts **37%**



850

Men

40%



1 324

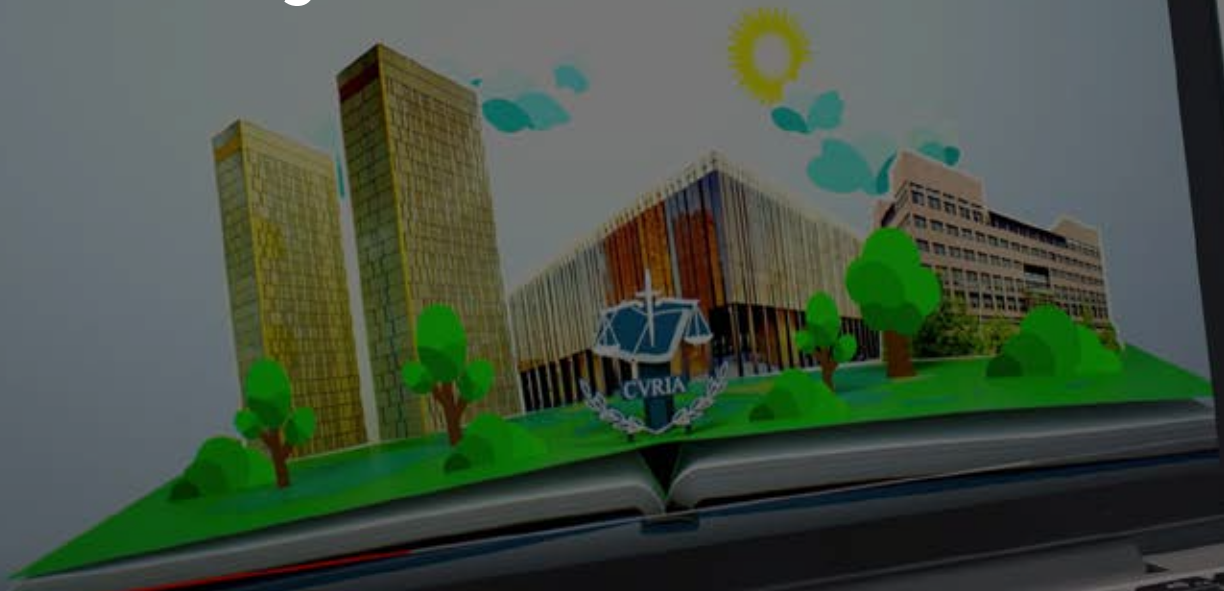
Women

60%



**“ Explaining to
citizens how the
case-law of the
Court affects their
daily lives. ”**

Why does the Court of Justice of the EU Exist?



▶ | 🔊 0:28 / 1:35



The Court on YouTube

Any modern court must effectively explain its mission to the public. To that end, the European Court of Justice uses various media, including social networks such as YouTube, which are increasingly used by citizens.

In order to target the general public, which may not be familiar with law, the Court has created several short videos of 2 to 3 minutes. These animated videos, which are accompanied by infographics and explained in simple terms by a narrator, present short and easily understandable content. The aim is to explain to citizens how the case-law of the Court of Justice of the European Union affects their daily lives.

The first videos published on YouTube in 2017 relate to the following topics:

- *Why does the Court of Justice of the European Union exist?*
- *How does it work?*
- *What has the Court of Justice done for me?*
- *How do the Court of Justice and the General Court protect my rights?*

The videos are designed and adapted for smartphone and tablet screens, but also for large screens. They are therefore an attractive resource for presentations or lessons.

The project, launched in 2016 and implemented in 2017, continues in 2018 with new titles also focused on citizens' interests.

An environmentally-friendly institution

The Court of Justice of the European Union has for several years been pursuing an ambitious environment policy, designed to meet the highest standards of sustainable development and environmental conservation.

Underpinning the management of the institution's building projects, and the day-to-day management of the resources and tools at its disposal, is the constant commitment to respecting the environment, as shown by the Court's EMAS registration (Eco-Management and Audit Scheme) on 15 December 2016.

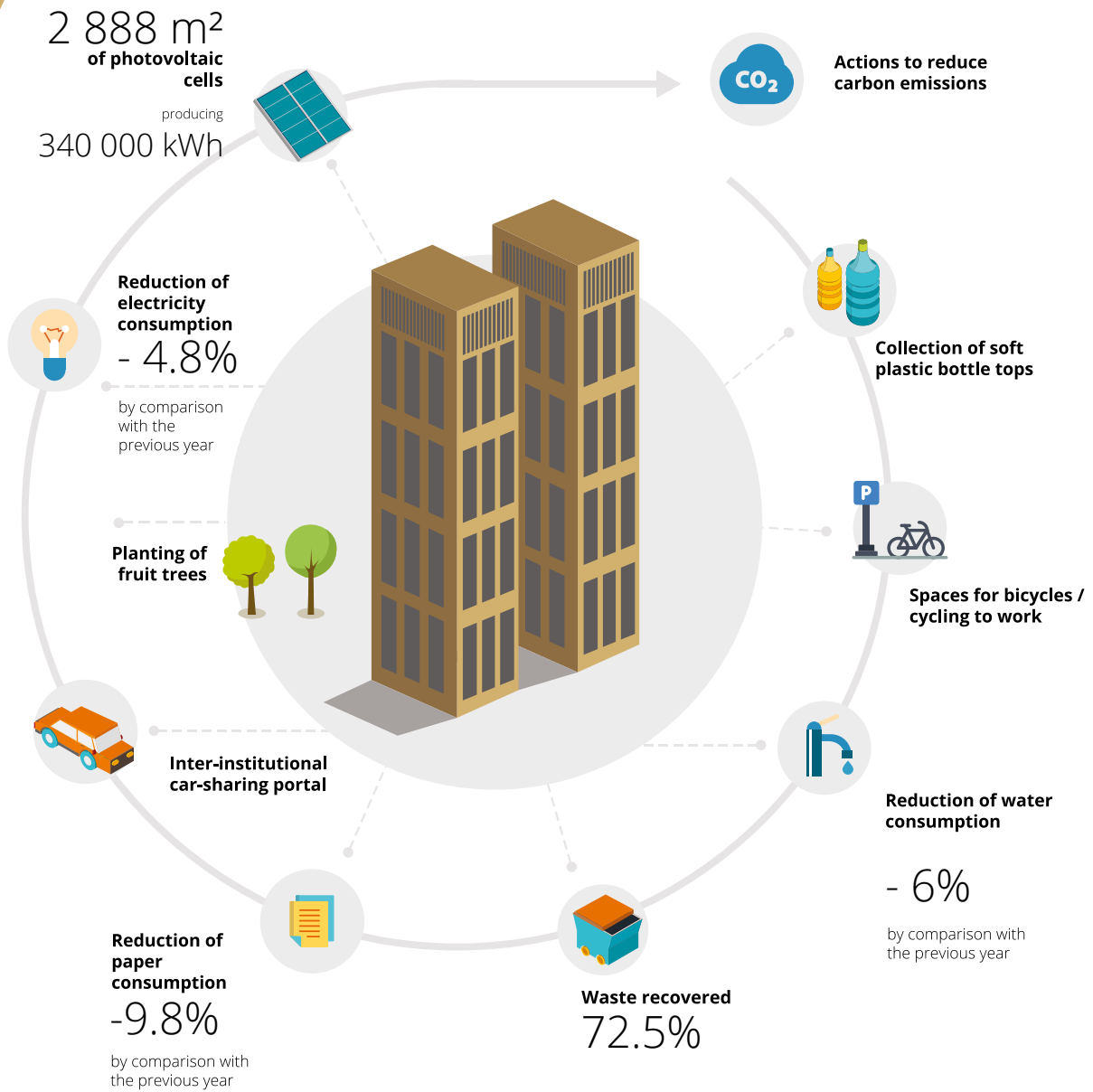
The EMAS certification, established by an EU regulation and granted to organisations that satisfy strict conditions relating to their environmental policies and their efforts in relation to the protection of the environment and sustainable development, is therefore a clear recognition of the Court's ecological commitment and of the high environmental performance achieved.

This certification leads to concrete results in the form of environmental projects which have an impact that is not limited to our institution, especially in the field of mobility.

Thus, between May and July, the Court's staff participated in an initiative of the Luxembourg State entitled '**Mam vélo op d'Schaff**' (in English: 'cycling to work'), a campaign of the Luxembourgish transport association (Verkéiersverbond) intended to raise awareness among citizens about 'soft' modes of transport, and in particular the use of bicycles. Thanks to the considerable involvement of staff, more than 33 000 km were travelled by bicycle, which amounts to savings of almost 6 tonnes of CO₂ emissions. The Court was therefore awarded 2nd prize in the 'Company Challenge' by the State Secretary for Sustainable Development and Infrastructure of the Luxembourg Government.

Furthermore, the Court decided to reserve 51 new spaces for bicycles in the construction of the third tower.

Lastly, for several years the Court has taken part in **European Mobility Week** to raise awareness amongst its staff of the environmental impact of daily commuting.







MULTILINGUALISM, A CORE VALUE OF THE EUROPEAN UNION

While pursuing its fundamental objective of offering a high-quality justice system, the Court of Justice of the European Union attaches great importance to multilingualism as a core value of the European Union.

Ensuring full multilingualism is a challenge facing the institution constantly. The Court's language regime has no equivalent in any other court in the world, since each of the official languages of the EU can be the language of the case. The Court is therefore required to communicate with the parties in the language of the case and to ensure the dissemination of its case-law in the 24 official languages of the European Union. It must manage 552 language combinations, resulting in more than a million pages translated per year, and provide simultaneous interpretation services for approximately 700 hearings and meetings every year.

In order to preserve the cardinal value of multilingualism, which is an essential part of Europe, the Court decided, with effect from 1 January 2018, to group together its language departments. Thus, the Directorate-General for Multilingualism was created, composed of the interpretation and legal translation departments. The Court is the first EU institution to set up such a Directorate-General, the task of which will be to manage more effectively the challenges and difficulties related to multilingualism. In so doing, the Court wishes to highlight the fact that multilingualism is a source of enrichment, in accordance with the motto of the European Union which is 'united in diversity' — including linguistic diversity. As part of its promotion of multilingualism, in 2018 the Court will celebrate the 40th year of its interpretation service and the 60th anniversary of Regulation No 1 on the language regime of the European Union.

An abstract graphic design on a red background. It features two grey skyscrapers in the center, a large white circle in the foreground, and various geometric shapes like triangles and polygons in shades of gold, grey, and red. There are also dotted lines, small circles, and a plus sign scattered throughout the composition.

6 / Stay
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curia.europa.eu

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- following the Court's **Twitter account**: @CourUEpresse or @EUCourtPress
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- consult the webpage for the **2017 Annual Report**: curia.europa.eu/jcms/AnnualReport
 - **The year in review**
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