



News@JNEU

Judicial Network of the European Union



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'Bringing justice closer to citizens' ... and the use of social media

Article shared by the Dutch Raad van State



Something that is on every judge's mind in Europe: how do you ensure that not only legal professionals understand a judgment, but also the citizen to whom the judgment is primarily addressed? And how do you ensure that a judgment also reaches the general public, especially other citizens for whom the judgment may also have consequences?

It all starts with the basics, of course. Draft judgments in clear

language that can easily be understood. Ensure that everyone can have access to all judgments quickly and in their entirety. The Administrative Jurisdiction Division of the Council of State, the highest general administrative court in the Netherlands, has been pursuing these objectives for several years now. For almost twenty years, the Administrative Jurisdiction Division has been publishing every fully reasoned judgment online and in

To keep the debate alive on the topic of bringing justice closer to citizens News@JNEU invites you to share views and experiences on this subject.

full, only excluding those that merely contain standard reasoning. Judgments are published on the very same day they are delivered, so that the parties to the proceedings, the press and the general public can all access the judgments at the same time. And for a several years, the Administrative Jurisdiction Division has also been actively engaged in the project 'Heldere taal' ('Clear language'): together, judges and their clerks strive towards judgments which are drafted in clear, understandable language, containing an introductory paragraph in which the facts and legal question are presented, a summary at the end, and a paragraph which explains the precise consequences of the decision for the parties involved in the procedure. If the basics are there, you are making headway. Yet publishing judgments on your website does not also necessarily mean that everyone

automatically takes note of them. Nor does simply relying on the media to report on your judgments suffice anymore these days. The times in which everyone read the newspaper or watched the evening news are behind us. Modern means of communication offer many opportunities.

The Administrative Jurisdiction Division uses a range of social media to draw attention to its judgments. Our Twitter account and LinkedIn-page are used for this every week. Tweets are subject to a character limit. Twitter therefore mainly serves as a means of signalling judgments, and our tweets contain links to the full text online. That is why the basics – quick and complete publication of all judgments – are important. Usually, followers of the Council of State’s Twitter account want quick news, so an alert with a headline generally suffices. LinkedIn offers more space – literally. Posts on this platform allow for further elaboration on a judgment. Often, the spokespersons of the Council of State provide a summary in these posts, again including a link to the full text of the judgment that can be found elsewhere. Followers of the Council of State’s LinkedIn-page are mostly professionals that are active in the field of administrative law, such as judges, lawyers, academics, law students and representatives of national authorities.

With a post on LinkedIn that includes a summary and link to the judgment, you will therefore reach different target groups very quickly, who will in their turn also share the post with their own network. This way, a cascade effect can be achieved very efficiently.

Does this also bring justice closer to the citizens? Certainly. Social media have a huge range. And if your tweets or posts have proven to be a reliable and instructive source of information about judgments with a certain impact on society time and again, then citizens barely need to make an effort to follow you. With one simple click, ‘you are there’, and it does not cost the citizen anything.

Alright, so you post your messages and try to draw attention to the full text of judgments.

Is that it, then? In other words, do you simply disseminate information, or do you also engage in a discussion with your followers about the content of these posts? The Administrative Jurisdiction Division currently limits itself to merely posting about judgments on LinkedIn and Twitter, and it responds only to very general questions.

The Administrative Jurisdiction Division does not engage in a discussion with parties or the public about the content of judgments. That is not because of the old adage that ‘one does not communicate about

a judgment’, since the judgment is final and discussing it with others would not change it anyway. In fact, the danger is rather that a substantive discussion on an open platform between a judge and ‘the rest of the world’ could make a judge vulnerable. Judges would not only speak through their judgments, but also through social media.

You may wonder whether a judge should engage in a public debate this way nonetheless. It may only be a matter of time before this actually happens. Social media thus already offer judges enormous possibilities for bringing the judge closer to citizens.

The use of social media has become common practice in announcing the judgments of the Administrative Jurisdiction Division. It could be interesting to gauge within the JNEU whether the way in which the Administrative Jurisdiction Division of the Council of State uses social media would be worth considering. And perhaps there are other members of the JNEU that would already be willing to take it one step further, by using social media not only to draw the attention of the general public to its judgments, but also to discuss their content with this broad audience. Would this then bring justice even closer to citizens?

News@JNEU would like to thank most sincerely the Dutch Raad van State for sharing this article.



NEW KEY CASES

PENDING BEFORE THE CJEU

Main Courtroom, CJEU

This section includes the cases brought before the CJEU which have been assigned to the Grand Chamber during the period covered by this issue. Clicking on the hyperlink will open the page of the Court website, updated regularly, containing all documents available as well as more detailed data when you select  « case information » on the right side of the page.

Citizenship of the Union

[Case C-488/21](#), Chief Appeals Officer and Others

Request for a preliminary ruling from the Court of Appeal (Ireland)

Keywords

Right to move and reside freely within the territory of the Member States — Beneficiaries — Dependant family member — Right of residence of the family member in the ascending line subject to the condition of keeping their dependant status — No right to social welfare benefits — Loss of that status — Unreasonable burden for the State

[Case C-689/21](#), Udlændinge-og Integrationsministeriet (**Loss of Danish nationality**)

Request for a preliminary ruling from the Østre Landsret (Denmark)

Keywords

Nationality of a Member State and of a third State — Loss of the nationality of the Member State by operation of law at the age of 22 on the ground of lack of close attachment failing the submission of a prior application to retain that nationality — Loss of citizenship of the Union — Absence of a case-by-case assessment in accordance with the principle of proportionality of the consequences of the loss in the light of EU law

Area of Freedom, Security and Justice

[Case C-660/21](#), K.B. and F.S. (**Matters raised by a criminal court of its own motion**)

Request for a preliminary ruling from the Tribunal correctionnel de Villefranche-sur-Saône (France)

Keywords

Area of Freedom, Security and Justice — Judicial cooperation in criminal matters — Right to information in criminal proceedings — Strengthening of certain aspects of the presumption of innocence — Rights of the defence — National case-law preventing the criminal court from raising, of its own motion, an infringement of the rights of the defence under EU law

[Case C-137/21](#), Parliament / Commission (**Visa exemption for United States nationals**)

Keywords

Action for failure to act — Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement — Principle of reciprocity — Obligation to adopt the delegated act temporarily suspending the visa exemption for a period of 12 months for United States nationals

Next hearings in streaming

The streaming will be accessible from a [link on the Curia site](#).



Social Policy

November 22nd

Case C-715/20, X (No grounds for termination)

Request for a preliminary ruling from the Sąd Rejonowy dla Krakowa — Nowej Huty w Krakowie (Poland)

Keywords

Framework Agreement on fixed-term work concluded by ETUC, UNICE and CEEP — Clause 4 — Principle of non-discrimination — Difference in treatment on a dismissal — Termination of a fixed-term employment contract — Absence of any obligation to state the grounds for the termination

Fundamental rights

December 16th

Case C-548/21, Bezirkshauptmannschaft Landeck (Attempt to access to personal data stored on a mobile telephone)

Keywords

Telecommunications — Protection of personal data and privacy — Public authorities' access to data stored on a mobile telephone — Criminal proceedings

FORTHCOMING JUDGMENTS AND OPINIONS OF THE CJEU

This section contains the cases assigned to the Grand Chamber for which the Advocate General's opinion or the Court's judgment will be delivered over the next few weeks. Clicking on the hyperlink will open the page of the Court website, updated regularly, containing all documents available as well as more detailed data when you select  « case information » on the right side of the page.

Area of Freedom, Security and Justice

November 22nd — Judgment

Case C-69/21, *Staatssecretaris van Justitie en Veiligheid (Expulsion — Therapeutic Cannabis)*

Request for a preliminary ruling from the rechtbank Den Haag, zittingsplaats's-Hertogenbosch (Netherlands)

Keywords

Border controls, asylum and immigration — Immigration policy — Return of illegally staying third-country nationals — Third-country national suffering from illness who is subject to a return procedure — Medical treatment to relieve pain — Treatment unavailable in the country of origin — Refusal to postpone removal — Scope of the protection afforded by the Charter

December 1st — Opinion

Case C-699/21 E.D.L. (*Ground for refusing surrender based on illness*)

Request for a preliminary ruling from the Corte costituzionale (Italy)

Keywords

Judicial cooperation in criminal matters — European arrest warrant — Surrender of sentenced or suspected persons to the issuing judicial authorities — Serious chronic and potentially irreversible illness — Risk of serious harm to the health of the person concerned by the European arrest warrant

December 15th — Opinions

Case C-137/21, *Parliament / Commission (Visa exemption for United States nationals)*

Keywords

Action for failure to act — Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement — Principle of reciprocity — Obligation to adopt the delegated act temporarily suspending the visa exemption for a period of 12 months for United States nationals

Case C-700/21, *O.G. (European arrest warrant in respect of a third-country national)*

Request for a preliminary ruling from the Corte costituzionale (Italy)

Keywords

Judicial cooperation in criminal matters — European arrest warrant — Respect for private and family life — Grounds for optional non-execution of the surrender — Third-country nationals residing in the territory of the Member State

Approximation of laws

November 22nd — Judgment

Joined cases C-37/20, Luxembourg Business Registers, and **C-601/20**, Sovim

Requests for a preliminary ruling from the Tribunal d'arrondissement (Luxembourg)

Keywords

Approximation of laws — Prevention of the use of the financial system for the purposes of money laundering or terrorist financing — Directive (EU) 2015/849 — Beneficial ownership information — Scope — Concepts of exceptional circumstances, risk and disproportionate risk

Provisions governing the institutions

November 22nd — Judgment

Case C-24/20, Commission /Council (**Accession to the Geneva Act**)

Keywords

Action for annulment — Council Decision (EU) 2019/1754 of 7 October 2019 on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indication — Legal basis — Competence to adopt the decision — Articles 2, 218(6) and 291(1) TFEU

Data protection

December 8th — Judgment

Case C-460/20, Google (**De-referencing of allegedly inaccurate content**)

Request for a preliminary ruling from the Bundesgerichtshof (Germany)

Keywords

Protection of personal data — Articles published on a website containing information and photos — Display, by a search engine, of links to those articles and stickers of those photos — Request for de-referencing against the search engine manager

Principles of EU law

December 15th — Opinions

Joined cases C-615/20 and **C-671/20**, YP and others and M. M. (**Waiver of immunity and suspension of a judge**)

Requests for a preliminary ruling from the Sąd Okręgowy w Warszawie (Poland)

Keywords

Member States – Obligations – Provision of remedies sufficient to ensure effective legal protection — Observance of the principle of judicial independence — Disciplinary measures for national judges — Waiver of immunity and suspension from judicial office by a court itself suspended pursuant to an order for interim measures of the Court of Justice — Status of a national court formed in violation of the rules on the appointment of judges — Mandatory consultation of bodies independent of the Order of Judges

Joined cases C-181/21 and **Case C-269/21**, BC and DC and G. (**Appointment of judges to the ordinary Polish courts**)

Request for a preliminary ruling from the Sąd Okręgowy w Katowicach (Poland)

Keywords

Member States – Obligations – Provision of remedies sufficient to ensure effective legal protection — Observance of the principle of judicial independence — Status of a national court formed in violation of the rules on the appointment of judges — Mandatory consultation of bodies independent of the Order of Judges

Case C-204/21, Commission / Poland (**Independence and the private life of judges**)

Keywords

Failure of a Member State to fulfil obligations — Rule of law — Judicial independence — Prohibition of national courts from reviewing the legality of courts and tribunals or assessing the legality of judicial appointments and of judicial powers resulting from such appointments — Classification as a disciplinary offence of judicial review of the observance of certain requirements relating to the need for a tribunal to be independent and impartial and previously established by law — Exclusive jurisdiction of the Extraordinary Review and Public Affairs Chamber of the Supreme Court to examine the lack of independence of a court or judge — Jurisdiction of the Disciplinary Chamber of the Supreme Court to determine cases which have a direct impact on the status and tenure of office of judges and assessors (trainee judges) — Obligation for the judiciary to provide a written declaration of their membership of societies, charities and political parties, their position within such bodies and to publish that declaration

Taxation

December 8th — Judgment

Case C-694/20, Orde van Vlaamse Balies and Others

Request for a preliminary ruling from the Grondwettelijk Hof (Belgium)

Keywords

Administrative cooperation in the field of taxation — Mandatory automatic exchange of information in relation to reportable cross-border arrangements — Lawyer's professional secrecy — Exemption for the intermediaries from the obligation to declare — Request to assess the validity

Competition

December 15th — Opinions

Case C-124/21 P, International Skating Union / Commission

Keywords

Appeal — Competition – Sports federation – Speed skating – Criteria for eligibility

Case C-333/21, European Superleague Company

Request for a preliminary ruling from the Juzgado de lo Mercantil n.º 17 de Madrid (Spain)

Keywords

Competition – Abuse of a dominant position – European Super League (ESL) – First European competition outside of UEFA – Refusal of UEFA and FIFA to recognise the ESL – Prior approval for another body to organise a new competition – Threat of sanctions against clubs and players involved in the new competition – Rights arising from competitions and marketing

Entry into office of new members of the CJEU

The following members of the General Court entered into office on the formal sitting of September 15th, 2022:

- ⇒ Ms Elisabeth Tichy-Fisslberger (Austria)
- ⇒ Mr Goulielmos Valasidis (Greece)
- ⇒ Mr Steven Verschuur (Netherlands)

The presentation of the members can be consulted [here](#).

Thematic working groups' activities

Legal terminology

« Training sessions on the use of the EU's terminology database IATE (Interactive Terminology for Europe) and on terminology methodology, as well as on documentary research tools and techniques for finding linguistic solutions, organised by the coordinators of the JNEU Legal Terminology Thematic Group, has started in November.

These training sessions are provided to JNEU members as well as to those who perform services for the jurisdictions (translation, drafting, and summary). If you are interested in any of these courses, or have a specific need, please contact us:

Terminologie@curia.europa.eu »

The Judicial Network of the European Union was created on the initiative of the President of the Court of Justice of the European Union and the Presidents of the Constitutional and Supreme Courts of the Member States.



One of the objectives of the JNEU is to share and centralise information and documents relevant to the application, dissemination and study of EU law, as interpreted and applied not only by the Court of Justice of the European Union but also by national courts and tribunals.

It also aims to promote mutual knowledge and understanding of the laws and systems of the Member States from a comparative law perspective.