

# Recent Trends in the Case Law of the Court of Justice of the European Union

Luxembourg, 30 November - 1 December 2017



This annual conference reviews and comments on a selected number of judicial decisions issued by the Court of Justice of the European Union during the past 12 months. These judicial decisions are significant in offering an interpretation on:

- Certain first-time EU legal instruments
- For giving new meaning to existing legal rules
- On adapting or re-examining past jurisprudence.

This year, the programme features a number of key decisions in the fields of EU citizenship, fundamental EU law principles (equality & non-discrimination) and the law governing the EU institutions (European citizen's initiative). It also presents an analysis of major recent decisions in the field of the internal market (regulatory strategy & free movement of services) and in a selected number of policy areas: environment (access to justice), economic and monetary policy (banking supervision), competition and European civil service law. The programme is completed with a discussion of Court's most recent doctrine and rulings in external relations (competence issues; restrictive measures) and in the various facets of the area of freedom of security and justice, such as asylum (relocation mechanism) and family law (child abduction).

### How will it help you?

By analysing a selection of key rulings from different areas of EU law, the conference will attempt to identify the general trends as well as potential directions for the future evolution of the Court's case law and its impact on the legal development of the EU.

### Who will benefit most?

Legal professionals within the public and private sectors; Officials of EU institutions and agencies; National civil servants and persons working on EU law issues; Judicial professionals; Law enforcement officers; Academics; and others who are interested in EU legal issues in general, and in the main rulings delivered by the European Courts in particular.

# Programme

## THURSDAY 30 NOVEMBER 2017

08.30 **Registration of participants**

09.00 **Welcome of participants and opening of the conference**

*Juan Diego Ramírez-Cárdenas Díaz*, Senior Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg

### Legal order of the EU

#### *Law governing the EU institutions*

09.30 **The wider impact of the European Citizens Initiative case law on the EU's development of democracy and citizen participation'**

- Bürgerausschuss für die Bürgerinitiative Minority SafePack - one million signatures for diversity in Europe v European Commission, Case T-646/13, 3 February 2017
- HB and Others v European Commission, Case T-361/14, 5 April 2017
- Michael Efler and Others, Case T-754/14, 10 May 2017

*James Organ*, Lecturer in Law, School of Law & Social Justice, University of Liverpool, Liverpool

10.00 Questions and answers

10.15 Coffee break

### *EU law principles*

10.45 **Equal treatment and the visible wearing of political, philosophical or religious signs**

- Samira Achbita, Centrum voor gelijkheid van kansen en voor racismebestrijding v G4S Secure Solutions NV, Aleksei Petruhin v Latvijas Republikas, Case C-157/15, 14 March 2017
- Asma Bougnaoui and Association de défense des droits de l'homme (ADDH) v Micropole SA, Case C-188/15, 14 March 2017

*Ronan McCrea*, Senior Lecturer in Law, Faculty of Laws, University College London (UCL), London

11.15 Questions and answers

### *Citizenship of the EU*

11.30 **The rights of third country national as family members of EU citizens. Implications for national regimes on acquisition / withdrawal of nationality**

- Toufik Lounes v Secretary of State for the Home Department, Case C-165/16, 25 February 2016 (judgement expected in autumn)

*Adam Łazowski*, Professor of EU Law, Department of Advanced Legal Studies, University of Westminster

12.00 Questions and answers

12.15 Lunch break

### Internal Market & specific EU Policies

#### *Freedom to provide services*

13.45 **'Old' vs 'new' strategies in the regulation of the internal market: the case of the service activities**

- Asociación Profesional Elite Taxi v Uber Systems Spain SL, Case C-434/15, (judgement expected in autumn)  
N.N.

14.15 Questions and answers

### *Competition law*

14.30 **Object and/or effect in competition law: back to the future**

- Intel Corporation Inc. v European Commission, Case C-413/14 P, 6 September 2017  
*Ludovic Bernardeau*, Legal Secretary, Chambers of Judge Ingrida Labucka, General Court of the European Union, and Senior Lecturer at the University Paris X

15.00 Questions and answers

15.15 Coffee break

### *Environment*

15.45 **Access to justice in environmental matters: the brown bear saga**

- Lesoochránárske zoskupenie VLK v Obvodný úrad Trenčín, Case C-243/15, 8 November 2016  
*Igor Dizdarevic*, Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg

16.15 Questions and answers

### *Economic and monetary policy*

16.30 **The ECB's single supervisory mechanism and judicial review by the EU courts**

- Landeskreditbank Baden-Württemberg - Förderbank v European Central Bank, Case T-122/5, 16 May 2017  
*Antonio Luca Riso*, Legal Counsel, Directorate General Legal Services - Supervisory Law Division, European Central Bank, Frankfurt

17.00 Questions and answers

17.15 **Summary of the day's proceedings and announcement of the programme of the following day**

17.30 **End of first day and reception**

# Programme

## FRIDAY 1 DECEMBER 2017

### Selected EU Policies

#### EU civil service law

- 09.00 **Review of landmark judgements rendered in the field of public administration over the last year**  
*N.N.*
- 09.30 Questions and answers

### External Relations

#### Restrictive measures

- 09.45 **Reviewing the legality of CFSP instruments. The Court establishes its jurisdiction to give preliminary rulings on the validity of restrictive measures**
- PJSC Rosneft Oil Company v Her Majesty's Treasury and Others, Case C-72/15, 28 March 2017  
*Jenö Czuczai*, Legal Adviser, Legal Service of the Council of the European Union, Brussels
- 10.15 Questions and answers
- 10.30 Coffee break

#### External competence

- 11.00 **The Court's Opinion on the EU-Singapore FTA: implications for the issue of mixity in the negotiation of future trade agreements**
- (Singapore FTA), Opinion 2/15, 16 May 2017  
*Frank Hoffmeister*, Head of Unit, Investigations II. Anti-circumvention, Directorate H - Trade Defence, DG Trade, European Commission, Professor of Law, Free University, Brussels
- 11.30 Questions and answers
- 11.45 Lunch

### Area of Freedom, Security and Justice

#### Asylum policy

- 13.15 **Recent actions against the legality of provisional measures on international protection. The Court upholds EU law on the relocation of asylum-seekers**
- Slovakia and Hungary v Council, Joined Cases C-643/15 and C-647/15, 6 September 2017  
*Matthieu Chavier*, Legal Adviser, Legal Service of the Council of the European Union, Brussels
- 13.45 Questions and answers

#### Judicial cooperation in civil matters

- 14.00 **Jurisdictional issues in disputes relating to employment contracts: the case of the air navigation and implications for other industrial sectors**
- Sandra Nogueira and Others v Crewlink Ltd and Miguel José Moreno Osacar v Ryanair, Joined Cases C-168/16 and C-169/16, 14 September 2017  
*N.N.*
- 14.30 Questions and answers
- 14.45 **Recent case law developments on the meaning of 'habitual residence' of an infant in child abduction cases**
- OL v PQ, Case C-111/17 PPU, 8 June 2017  
*Roberta Ribeiro Oertel*, Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg
- 15.15 Questions and answers
- 15.30 **Summary of the proceedings of the second day**
- 16.00 **End of conference**

# General Information

## Hotel reservations

The European Institute of Public Administration has negotiated prices with a number of selected hotels. All rates are including breakfast and tourist tax. You can find the complete list of hotels available [here](#).

### Kirchberg

- **Hotel Novotel Kirchberg**, at the rate of €155  
Tel.: +352 49 00 11 44 44  
E-mail: H1930-RE2@accor.com  
<http://businesstravel.accorhotels.com>  
(Client code: SC000002048 – Access Code: IN281LU654)
- **Hotel Melia**, at the rate of €165  
Tel.: +352 27 33 32 02  
E-mail: reservations.melia.luxembourg@melia.com  
[www.melia-luxembourg.com](http://www.melia-luxembourg.com)

### City Centre

- **Hotel Parc Bellevue**, at the rate of €99  
Tel.: +352 44 23 23 - 23 23  
E-mail: reservation@goeres-group.com  
[www.goeres-group.com](http://www.goeres-group.com) (Reservation code: EIPA)

Should you wish to make use of this possibility, please phone or fax the reservation department of the hotel on one of the above-mentioned numbers and mention the relevant reservation code. Payment is to be made directly and personally to the hotel on checking out.

### **Local transport**

Luxembourg City has several bus stations in the City Centre (Royal, Hamilius, Monterey, Forum Royal, Badanstalt, Charlyis Gare). Bus lines 1 and 16, with departure every ten minutes, leave from dock Hamilius 1, go in direction 'Kirchberg', and stop at Kirchberg, stop John F. Kennedy which is within 5 minutes walking distance from the Chambre des Métiers building, where EIPA Luxembourg's premises are located. In addition bus line 16 links Findel Airport (dock 1) to the city centre and the station area.

### **Meals**

Should you require a special menu (e.g. vegetarian, diabetic), please inform the Programme Organiser so that this can be arranged.

### **Fee**

EIPA members' fee\*: €765  
Regular fee: €850

The participation fee includes documentation, lunch(es), a reception/dinner and refreshments. Accommodation and travel costs are at the expense of the participants or their administration. Please tick the relevant box in the registration form when registering for a seminar or training course.

\* EIPA Members can take advantage of a reduced fee; this is available to all civil servants working for one of EIPA's member countries (i.e. AT, BE, BG, CY, CZ, DE, DK, FI, FR, ES, GR, HU, IE, IT, LT, LU, MT, NL, NO, PL, SE, UK), and civil servants working for an EU institution, body or agency.

### **Early registration discount**

On the regular fee of this seminar, EIPA Luxembourg offers a €50 discount for all registrations received before **28 September 2017**.

Note that reductions cannot be accumulated. For more information, please visit EIPA's website: <http://seminars.eipa.eu> (FAQ - special discounts).

### **Registration**

Kindly complete the online registration form which can be found on EIPA's website <http://seminars.eipa.eu> before **9 November 2017**.

### **Programme Organiser**

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Your name and address will be part of EIPA's database for our mailing purpose only. If you do not want to be included in our mailing database, please tick the box on the registration form.

### **Confirmation**

Confirmation of registration will be forwarded to participants on receipt of the completed registration form.

### **Payment**

Prior payment is a condition for participation. Please indicate the method of payment on the registration form. For cancellations received within 15 days before the activity begins, we will have to charge an administration fee of €150 unless a replacement participant is found.

### **Cancellation policy**

EIPA reserves the right to cancel the seminar up to two weeks before the starting date. EIPA accepts no responsibility for any costs incurred (travel, hotel, etc.). For EIPA's cancellation policy, please visit our website <http://seminars.eipa.eu> (FAQ - Cancellation policy).

[www.eipa.eu](http://www.eipa.eu)

