



Overview of judgments and pending cases of the Court of Justice of the European Union on:

May 2014
quarterly update

- 1. regular migration
- 2. asylum of third-country nationals
- 3. borders and visa
- 4. irregular migration, and
- 5. EEC-Turkey Association Agreement
- 6. Free Movement

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New cases and new judgments not mentioned in the previous list are marked in red.
Judgments and pending cases are arranged in chronological order (oldest first).

1. Regular Migration

Family Reunification

Directive [2003/86](#)

	Date	Case nr	MigratieWeb	Subject
<i>judgments</i>				
Parliament/Council	27 June 2006	C-540/03	ve06000854	right to family reunification
Chakroun	4 Mar 2010	C-578/08	ve10000350	income requirement
Imran (deleted)	10 June 2011	C-155/11 PPU	ve11001451	integration test abroad
O., S. and L.	6 Dec 2012	C-356 ... 357/11	ve12002415	interest of the child; EU charter
Ayalti (withdrawn)	25 Mar 2013	C-513/12	ve13000126	integration test abroad

pending cases

Dogan (Naime)	AG: 30 Apr 2014	C-138/13	ve14000732	integration test abroad
Noorzia	AG: 30 Apr 2014	C-338/13	ve14000734	minimum age of 21 years

Long-Term Residents

Directive [2003/109](#) and [2011/51](#)

judgments

Ziebell	8 Dec 2011	C-371/08	ve11003085	Art 12; expulsion = EEC-Turkey
Kamberaj	24 Apr 2012	C-571/10	ve12001037	equal treatment; housing benefits
Com./Netherlands	26 Apr 2012	C-508/10	ve12001031	fees for residence permit
Singh	18 Oct 2012	C-502/10	ve12002127	Art 3(2)(e); formally restricted residence permit
lida	8 Nov 2012	C-40/11	ve12002235	lodging application for LTR is essential
Mlalali	14 Nov 2013	C-257/13	ve13001427	equal treatment; inadmissible

pending cases

Tahir		C-469/13	ve13002022	5 years residence also for spouse?
P. & S.		C-579/13	=	integration obligation after acquisition status

Students, trainees & volunteers

Directive [2004/114](#)

judgments

Payir	24 Nov 2008	C-294/06	ve08000192	working Turkish student
Sommer	21 June 2012	C-15/11	ve12001762	Art 17; standstill Accession Bulgaria

pending cases

Ben Alaya		C-491/13	ve13002066	(non-)discretionary right to a student visa?
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Social Security for TCN

Regulation [859/2003](#)

judgments

Xhymshiti	18 Nov 2010	C-247/09	ve11000404	child benefits; worker in Switzerland
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pending cases

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2. Asylum

Qualification				
Directive 2004/83 and 2011/95	Date	Case nr	Migratiweb	Subject
<i>judgments</i>				
Elgafaji	17 Feb 2009	C-465/07	ve09000233	Art 15c
Abdulla a.o.	2 March 2010	C-175 ... 179/08	ve10000328	revocation; new circumstances
Bolbol	17 June 2010	C-31/09	ve10001154	Palestinian exception
B. and D.	9 Nov 2010	C-57/09	ve10001978	terrorist acts organisation
Y. and Z.	5 Sep 2012	C-71/11	ve12001870	Ahmadiyya in Pakistan
M.M.	22 Nov 2012	C-277/11	ve12002343	duty of cooperation
El Kott	19 Dec 2012	C-364/11	ve13000460	Palestinian exception
X., Y. and Z.	7 Nov 2013	C-199 ... 201/12	ve13002178	homosexual orientation forms a social group
Diakite	30 Jan 2014	C-285/12	ve14000173	internal armed conflict
H.N.	8 May 2014	C-604/12	ve14000765	connectivity subsidiary protection and refugee status
<i>pending cases</i>				
A., B. and C.		C-148 ... 150/13	ve13000565	establishing homosexual orientation
T.		C-373/13	ve13001803	withdrawal of refugee status
Shepherd		C-472/13	ve13001948	american soldier war in Iraq resister
M'Bodj		C-542/13	ve13002415	right to medical treatment
Abdida		C-562/13	ve13002416	medical treatment pending appeal
Qurbani		C-481/13	ve13002067	interpretation Art. 31 Refugee Convention
Asylum Procedures				
Directive 2005/85				
<i>judgments</i>				
Parliament/Council	6 May 2008	C-133/06	ve08000815	list safe countries of origin
Diouf	28 July 2011	C-69/10	ve11001765	accelerated procedure; remedies
H.I.D. and B.A.	31 Jan. 2013	C-175/11	ve13000192	accelerated procedure; remedies
<i>pending cases</i>				
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Dublin II				
Regulation 343/2003				
<i>judgments</i>				
Petrosian	29 Jan 2009	C-19/08	ve09000283	transfer deadline; suspensive effect
N.S. and M.E.	21 Dec 2011	C-411+493/10	ve11003203	conditions in Greece; no transfer
Kastrati	3 May 2012	C-620/10	ve12001104	withdrawal asylum application
K.	6 Nov 2012	C-245/11	ve12002218	Art. 15; sovereignty and humanitarian clause
M. a.o. (deleted)	7 Jan 2013	C-666/11	ve12000462	timely transfer impossible; absconding
Halaf	30 May 2013	C-528/11	ve13001077	sovereignty clause; Art. 18 EU Charter
Rajaby (deleted)	10 June 2013	C-158/13	ve13000611	Art 15 dependency
M.A. a.o.	2 Sep 2013	C-648/11	ve13001157	transfer of unaccompanied minor
Puid	4 Nov 2013	C-4/11	ve13002243	responsible State in stead of Greece
Abdullahi	12 Dec 2013	C-394/12	ve13002470	Art. 19(2); meaning of First Member State
<i>pending cases</i>				
Qurbani		C-481/13	ve13002067	interpretation Art. 31 Refugee Convention
Reception Conditions				
Directive 2003/9				
<i>judgments</i>				
CIMADE and GISTI	27 Sep 2012	C-179/11	ve12001982	reception conditions during Dublin procedure
Saciri	27 Feb 2014	C-79/13	ve14000345	saturation of national reception structures
<i>pending cases</i>				
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3. Borders and Visa

Visa Code Regulation 810/2009				
	Date	Case nr	Migratiweb	Subject
<i>judgments</i>				
Vo	10 Apr 2012	C-83/12	ve12000874	Art 21; Art 34; human trafficking
Dang (deleted)	18 June 2012	C-39/12	ve12000874	fraud with and validity of visa
Koushkaki	19 Dec 2013	C-84/12	ve13002570	limited ground refusal visa; discretion MS
<i>pending cases</i>				
Air Baltic	AG: 21 May 2014	C-575/12	ve13000143	validity of visa in cancelled travel doc
Borders Code Regulation 562/2006				
<i>judgments</i>				
Garcia and Cabrera	22 Oct 2009	C-261+348/08	ve09001461	Art 11; no obligation to expel
Melki & Abdeli	22 June 2010	C-188 ... 189/10	ve10000918	Art 21; internal border
Gaydarov	17 Nov 2011	C-430/10	ve11002843	Art. 27: criminal conviction in other MS
ANAFE	14 June 2012	C-606/10	ve12001343	return visa; Art 5(4); Art 13
Adil	19 July 2012	C-278/12 PPU	ve12001594	Art 21; internal border
Parliament/Council	5 Sep 2012	C-355/10	ve12001874	annulment implementing measure
Jaoo (deleted)	14 Sep 2012	C-88/12	ve12001227	Art 21; internal border
Zakaria	17 Jan 2013	C-23/12	ve13000280	appeal against refusal at the border
<i>pending cases</i>				
Air Baltic	AG: 21 May 2014	C-575/12	ve13000143	validity of visa in cancelled travel doc
Transit through Switzerland Decision 896/2006				
<i>judgments</i>				
Kqiku	2 Apr 2009	C-139/08	ve09001701	TCN with Swiss residence permit
<i>pending cases</i>				
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Border Traffic Regulation 1931/2006				
<i>judgments</i>				
Shomodi	21 Mar 2013	C-254/11	ve13000564	3 month period local border traffic
<i>pending cases</i>				
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Passports Regulation 2252/2004				
<i>judgments</i>				
Schwarz	17 Oct 2014	C-291/12	ve13002024	use of finger prints for other purposes
Com./Belgium	13 Feb 2014	C-139/13	ve13000764	failure to issue biometric passports
<i>pending cases</i>				
Willems a.o. U.	AG: 30 Apr 2014	C-446 ... 449/12 C-101/13	ve13000124 ve13000742	right to passport without finger prints family names in passport

4. Irregular Migration

Returns				
Directive 2008/115	Date	Case nr	Migratiweb	Subject
<i>Judgments</i>				
Kadzoev	30 Nov 2009	C-357/09 PPU	ve09001685	maximum period of detention
El Dridi	28 Apr 2011	C-61/11 PPU	ve11001045	prison sentence; order to return
Achughbabian	6 Dec 2011	C-329/11	ve11003075	sanctions non-compliance return order
Ettaghi a.o.	4 July 2012	C-73 ... 75/12	ve12001883	manifestly inadmissible
Sagor	6 Dec 2012	C-430/11	ve12002416	fine, home detention, expulsion prevails
Zhu a.o.(deleted)	6 Feb 2013	C-51 ... 54/12	ve12000869	illegal residence be defined as crime?
Mbaye	21 Mar 2013	C-522/11	ve13000693	fine, deportation, risk of absconding
Arslan	30 May 2013	C-534/11	ve13001082	directive and detention asylum seekers
G. and R.	10 Sep 2013	C-383/13 PPU	ve13001798	infringement rights of defence
Filev and Osmani	19 Sep 2013	C-297/12	ve13001862	old unlimited entry bans incompatible
<i>pending cases</i>				
Mukarubega		C-166/13	ve13000975	right to be heard
Da Silva		C-189/13	ve13001028	penal sanctions on illegal entry
Boudjlida		C-249/13	ve13001402	right to be heard
Bero	AG: 30 Apr 2014	C-473/13	ve13001946	absence from special detention centre
Pham	AG: 30 Apr 2014	C-474/13	ve13001947	no separation of ordinary criminals
Bouzalmate		C-514/13	ve13002162	absence from special centres in Germany
Zh. and O.		C-554/13	ve13002474	risk to public policy in Art. 7(4)?
Zaizoune		C-38/14	ve14000384	Art. 4+6: financial penalties and removal
Mahdi		C-146/14	ve14000837	cooperation with removal

5. EEC-Turkey Association [Agreement](#)

Workers and Family Members

Decision [2/76](#) and [1/80](#)

	date	Case nr	Migratiweb	Subject
<i>Judgments</i>				
Demirel	30 Sept 1987	C-12/86	ve07002117	
Sevince	20 Sept 1990	C-192/89	ve06001442	
Kus	16 Dec 1992	C-237/91	ve07002116	
Eroglu	5 Oct 1994	C-355/93	ve06001432	
Bozkurt (Ahmet)	6 June 1995	C-434/93	ve05000207	
Tetik	23 Jan 1997	C-171/95	ve99000087	
Kadiman	17 Apr 1997	C-351/95	ve06001418	
Eker	29 May 1997	C-386/95	ve07002119	
Kol	5 June 1997	C-285/95	ve06001419	
Ertanir	30 Sept 1997	C-98/96	ve06001417	
Günaydin	30 Sept 1997	C-36/96	ve06001422	
Akman	19 Nov 1998	C-210/97	ve06001423	
Birden	26 Nov 1998	C-1/97	ve06000779	
Nazli	10 Feb 2000	C-340/97	ve02001146	
Ergat	16 Mar 2000	C-329/97	ve00000037	
Eyüp	22 June 2000	C-65/98	ve00000050	
Bicakci	19 Sept 2000	C-89/00	ve06001424	
Kurz (Yuce)	19 Nov 2002	C-188/00	ve03000107	
Birlikte	8 May 2003	C-171/01	ve06001420	
Abatay & Sahin	21 Oct 2003	C-317/01+369/01	ve03001582	
Com./Austria	16 Sept 2004	C-465/01	ve06001421	
Ayaz	30 Sept 2004	C-275/02	ve04001671	
Cetinkaya	11 Nov 2004	C-467/02	ve04001883	
Dörr en Ünal	2 June 2005	C-136/03	ve05001076	
Aydinli	7 July 2005	C-373/03	ve05001232	
Dogan (Ergül)	7 July 2005	C-383/03	ve05001233	
Gürol	7 July 2005	C-374/03	ve05001235	
Sedef	10 Jan 2006	C-230/03	ve06000248	
Torun	16 Feb 2006	C-502/04	ve06000249	
Güzeli	26 Oct 2006	C-4/05	ve06001416	
Derin	18 July 2007	C-325/05	ve07001408	
Polat	4 Oct 2007	C-349/06	ve07001973	
Payir a.o.	24 Jan 2008	C-294/06	ve08000192	
Nihat Kahveci	25 July 2008	C-152/08	ve12000504	
Er	25 Sept 2008	C-453/07	ve08001673	
Altun	18 Dec 2008	C-337/07	ve08002110	
Sahin	17 Sept 2009	C-242/06	ve09001278	
Bekleyen	21 Jan 2010	C-462/08	ve10000153	
Genc	4 Feb 2010	C-14/09	ve10000204	
Com./Netherlands	29 Apr 2010	C-92/07	ve10000639	
Toprak & Oguz	2 Dec 2010	C-300...301/09	ve10002230	
Bozkurt (Metin)	22 Dec 2010	C-303/08	ve11000022	
Pehlivan	16 June 2011	C-484/07	ve11001350	
Baris Ünal	29 Sept 2011	C-187/10	ve11002311	
Ziebell	8 Dec 2011	C-371/08	ve11003085	
Kahveci & Inan	29 Mar 2012	C-7...9/10	ve12000785	
Dülger	19 July 2012	C-451/11	ve12001597	
Gülbahce	8 Nov 2012	C-268/11	ve12002236	
Demir	7 Nov 2013	C-225/12	ve13002177	standstill in Art. 13 of Dec. 1/80

pending cases

Essent	AG: 8 May 2014	C-91/13	ve14000764	standstill - subcontractors
Dogan (Naime)	AG: 30 Apr 2014	C-138/13	ve14000732	language requirement abroad

(5. EEC-Turkey Association Agreement – continued)

Establishment and Provision of Services				
Additional Protocol	Date	Case nr	Migratiweb	Subject
<i>Judgments</i>				
Savas	11 May 2000	C-37/98	ve00000031	
Abatay & Sahin	21 Oct 2003	C-317/01	ve03001582	
Yedas Tarim/Council	5 July 2007	C-255/06 P	ve07002122	
Tum & Dari	20 Sept 2007	C-16/05	ve07001703	
Soysal & Savatli	19 Feb 2009	C-228/06	ve09000248	
Com./Netherlands	29 Apr 2010	C-92/07	ve10000639	
Tural Oguz	21 July 2011	C-186/10	ve11001753	
Dereci a.o.	15 Nov 2011	C-256/11	ve11002794	
Demirkan	24 Sep 2013	C-221/11	ve13001900	
<i>pending cases</i>				
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Social Security				
Decision 3/80				
<i>Judgments</i>				
Taflan-Met	10 Sept 1996	C-277/94	ve07002120	Decision 3/80 has entered into force
Sürül	4 May 1999	C-262/96	ve99000035	Art. 3 has direct effect
Kocak	14 Mar 2000	C-102/98	ve02001014	Determination of date of birth
Öztürk	28 Apr 2004	C-373/02	ve04000791	Conditions early old-age pension
Akdas	26 May 2011	C-485/07	ve11001241	Art. 6 has direct effect
<i>pending cases</i>				
Demirci a.o.		C-171/13	ve13000669	Art. 6 and dual nationality

6. Free Movement

EU citizens and Family members

Directive [2004/38](#) and Articles [20-21 TFEU](#)

Regulation [492/2011](#)

	Date	Case nr	Migratiweb	Subject
<i>Judgments</i>				
Huber	16 Dec 2008	C-524/06	ve08002102	18 TFEU
Jipa	10 Jul 2008	C-33/07	ve08001197	20 TFEU; 4+27 Dir
Föster	18 Nov 2008	C-158/07	ve08001198	18+20 TFEU
Deniz Sahin	19 Dec 2008	C-551/07	ve09000026	3+6+7 Dir
Vatsouras & Koupatantze	4 Jun 2009	C-22 ... 23/08	ve09000773	18 TFEU; 24(2) Dir
Wolzenburg	6 Oct 2009	C-123/08	ve09001382	18 TFEU
Metock	25 Jul 2008	C-127/08	ve08001292	3(1) Dir
Rottmann	2 Mar 2010	C-135/08	ve10000329	20 TFEU
Ibrahim	23 Feb 2010	C-310/08	ve10000298	12 Dir
Teixeira	23 Feb 2010	C-480/08	ve10000300	12 Dir
Ruiz Zambrano	8 Mar 2011	C-34/09	ve11000568	20 TFEU
Tsakouridis	23 Nov 2010	C-145/09	ve10002097	28(3) Dir
Lassal	7 Oct 2010	C-162/09	ve10001726	16 Dir
P.I.	22 May 2012	C-348/09	ve12001208	28(3) Dir
Runevič-Vardyn	12 May 2011	C-391/09	ve11001129	21 TFEU
McCarthy	5 May 2011	C-434/09	ve11001086	21 TFEU
Commissie t. NI	14 Jun 2012	C-542/09	ve12001344	45 TFEU; 7(2) Reg
Dias	21 Jul 2011	C-325/09	ve11001815	16 Dir
Ziolkowski	21 Dec 2011	C-424 ... 425/10	ve11003204	16 Dir
Gaydarov	17 Nov 2011	C-430/10	ve11002843	4+27 Dir
Aladzhev	17 Nov 2011	C-434/10	ve11002842	4+27 Dir
lida	8 Nov 2012	C-40/11	ve12002235	20 TFEU
Com./Austria	4 Oct 2012	C-75/11	ve12002033	20+21 TFEU; 24 Dir
Rahman a.o.	5 Sep 2012	C-83/11	ve12001875	3(2) Dir
Czop & Punakova	6 Sep 2012	C-147 ... 148/11	ve12002475	16 Dir; 10 Vo
Byankov	4 Oct 2012	C-249/11	ve12002034	27 Dir
Dereci	15 Nov 2011	C-256/11	ve11002794	20 TFEU
Z.Z.	4 Jun 2013	C-300/11	ve13001597	30(2) Dir
O., S. & L.	6 Dec 2012	C-356 ... 357/11	ve12002415	20 TFEU; 3(1) Dir
Prinz & Seeberger	18 Jun 2013	C-523/11 + 585/11	ve13001602	20+21 TFEU
Alarape & Tijani	8 May 2013	C-529/11	ve13000913	10 Vo
Hadj Ahmed	13 Jun 2013	C-45/12	ve13001337	18 TFEU; 13(2)+14 Dir; 10 Vo
L.N.	21 Feb 2013	C-46/12	ve13000370	45(2) TFEU; 7(2)+24 Dir
Alokpa & Moudoulou	10 Oct 2013	C-86/12	ve13001992	20 TFEU
Ymeraga	8 May 2013	C-87/12	ve13000912	20 TFEU; 3(1) Dir
Brey	19 Sep 2013	C-140/12	ve13001861	7(1)(b) Dir
Onuekwere	16 Jan 2014	C-378/12	ve14000081	16 Dir
G.	16 Jan 2014	C-400/12	ve14000082	28(3)(a)
Reyes	16 Jan 2014	C-423/12	ve14000083	2(2)(c) Dir
O. & B.	12 Mar 2014	C-456/12	ve14000449	20+21 TFEU; 3+6+7 Dir.
S. & G.	12 Mar 2014	C-457/12	ve14000448	20+21 TFEU; 3+6+7 Dir.
Pia Braun (deleted)	18 Mar 2012	C-603/12	ve13000976	20+21 TFEU
Rüffer	27 Mar 2014	C-322/13	=	18+21 TFEU

pending cases

Jessy Saint Prix	AG: 12 Dec 2013	C-507/12	ve13002562	7(3) Dir
Sean McCarthy a.o.	AG: 20 May 2014	C-202/13	ve14000831	5(2)+35 Dir
Ogieriakhi	AG: 14 May 2014	C-244/13	ve14000803	16(2) Dir
Dano a.o.	AG: 20 May 2014	C-333/13	ve14000826	24(2) Dir; 4 Reg
Alimanovic		C-67/14	ve14000721	24(2) Dir; 4 Reg

Sources: <<http://www.curia.europa.eu>> | <<http://cmr.jur.ru.nl/nemis>> | <<http://cmr.jur.ru.nl/neais>> | <<http://www.migratiweb.nl>>