



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

- 1. Regular Migration
- 2. Asylum
- 3. Borders and Visa
- 4. Irregular Migration
- 5. EEC-Turkey Association Agreement
- 6. Free Movement
- 7. Miscellaneous

June 2020
Quarterly update



Kees Groenendijk and Carolus Grütters | Helen Oosterom-Staples | *Jean Monnet Centre of Excellence* | Centre for Migration Law | European and International Public Law | Radboud University Nijmegen | Tilburg University

New cases and new judgments (or conclusions) not mentioned in the previous overview are marked in red. Judgments and pending cases are arranged in chronological order (oldest first). [Blue underscored](#) references contain hyperlinks to the original documents.



1. Regular Migration

Family Reunification

Directive 2003/86

	Date	Case nr	ECLI:EU:C:	Subject
<i>judgments</i>				
Parliament / Council	27 Jun 2006	C-540/03	2006:429	right to family reunification
Chakroun	4 Mar 2010	C-578/08	2010:117	Art. 7(1)c income requirement
Imran (deleted)	10 Jun 2011	C-155/11 PPU	2011:387	Art. 7(2) integration test abroad
O., S. & L.	6 Dec 2012	C-356...357/11	2012:776	Art. 5(5) interest of the child; Art. 24(2) Charter
Dogan (Naime)	10 Jul 2014	C-138/13	2014:2066	Art. 7(2) integration test abroad
Noorzia	17 Jul 2014	C-338/13	2014:2092	Art. 4(5) minimum age of 21 years
K. & A.	9 Jul 2015	C-153/14	2015:523	Art. 7(2) integration test abroad
Khachab	21 Apr 2016	C-558/14	2016:285	Art. 7(1)c stable and regular resources
A. & S.	12 Apr 2018	C-550/16	2018:248	Art. 10 reunification of minor asylum seekers with parents
C. & A.	7 Nov 2018	C-257/17	2018:876	Art. 15 autonomous permit; integration condition
K. & B.	7 Nov 2018	C-380/17	2018:877	Art. 12(1); family reunification after 3 months
K.	7 Nov 2018	C-484/17	2018:878	Art. 15 autonomous permit; integration condition
E.	13 Mar 2019	C-635/17	2019:192	proof of family ties
Y.Z. a.o.	14 Mar 2019	C-557/17	2019:203	Art. 16(2)(a); consequences of fraude
X.	20 Nov 2019	C-706/18	2019:993	Art. 2(d)+5(4)+11(2) no automatic residence permit as a consequence of expiry of decision period
G.S. & V.G.	12 Dec 2019	C-381+382/18	2019:1072	Art. 6(2) public order
T.B.	12 Dec 2019	C-519/18	2019:1070	Art. 10(2) family member dependent on refugee

pending cases

B.S., B.M.M. & B.M.O.	AG: 19 Mar 2020	C-133+136+137/19		Art. 4; becoming adult during procedure
B.O.L.		C-250/19		Art. 4+18; becoming adult during procedure
Belgian State		C-930/19		Art. 15(3) victims of domestic violence

Long-Term Residents

Directive 2003/109 and 2011/51

judgments

Ziebell	8 Dec 2011	C-371/08	2011:809	Art. 12; expulsion = EEC-Turkey
Kamberaj	24 Apr 2012	C-571/10	2012:233	equal treatment; housing benefits
Com. / NL	26 Apr 2012	C-508/10	2012:243	fees for residence permit
Singh	18 Oct 2012	C-502/10	2012:636	Art. 3(2)(e); formally restricted residence permit
Iida	8 Nov 2012	C-40/11	2012:691	lodging application for LTR is essential
Mlalali	14 Nov 2013	C-257/13	2013:763	equal treatment; inadmissible
Tahir	17 Jul 2014	C-469/13	2014:2094	5 years residence also for spouse
Tümer	5 Nov 2014	C-311/13	2014:2337	LTR Dir not a contrario less rights for other TCN
P. & S.	4 Jun 2015	C-579/13	2015:369	integration obligation after acquisition status
CGIL	2 Sep 2015	C-309/14	2015:523	amount of fee for LTR permit
Lopez Pastuzano	7 Dec 2017	C-636/16	2017:949	Art. 12; expulsion
Y.Z. a.o.	14 Mar 2019	C-557/17	2019:203	Art. 9(1)(a); implications of fraude
X.	3 Oct 2019	C-302/18	2019:830	Art. 5(1)(a) equal treatment family benefit
W.T.	11 Jun 2020	C-448/19	2020:467	Art. 12; criminal offence; withdrawal of status

pending cases

V.R.	AG: 11 Jun 2020	C-303/19	2020:454	Art. 11(1)(d) equal treatment family benefit
P.O. a.o.		C-531+533+534+549+567/19		Art. 12; criminal offence; withdrawal of status
U.Q.		C-503+592/19		Art. 4+6(1); refusal LTR status for criminal record
Com. / Hungary		C-761/19		Art. 11(1)(a) exclusion LTR from certain professions
Land Oberösterreich		C-94/20		Art. 11: housing assistance, proof language skills



Researchers and Students				
Directive 2004/114 and 2016/801	Date	Case nr	ECLI:EU:C:	Subject
<i>judgments</i>				
Payir	24 Nov 2008	C-294/06	2008:36	working Turkish student
Sommer	21 June 2012	C-15/11	2012:371	Art. 17; standstill Accession Bulgaria
Ben Alaya	10 Sep 2014	C-491/13	2014:2187	non-discretionary right to a student visa
Fahimian	4 Apr 2017	C-544/15	2017:255	Art. 6(1)(d); national security

Single Permit				
Directive 2011/98				
<i>judgments</i>				
Martinez Silva	21 Jun 2017	C-449/16	2017:485	Art. 12(1)(e) equal treatment family benefit
<i>pending cases</i>				
W.S.	AG: 11 Jun 2020	C-302/19	2020:452	Art. 12(1)(e) equal treatment family benefit

Social Security for TCN				
Regulation 859/2003 and 1231/2010				
<i>judgments</i>				
Xhymshiti	18 Nov 2010	C-247/09	2010:698	child benefits; worker in Switzerland
Wieland & Rothwangl	27 Oct 2016	C-465/14	2016:820	old-age pension
Balandin	24 Jan 2019	C-477/17	2019:60	legal residence concept

2. Asylum

Dublin II and III				
Regulation 343/2003 and 604/2013				
	Date	Case nr	ECLI:EU:C	Subject
<i>judgments</i>				
Petrosian	29 Jan 2009	C-19/08	2009:41	transfer deadline; suspensive effect
N.S. & M.E.	21 Dec 2011	C-411+493/10	2011:865	conditions in Greece; no transfer
Kastrati	3 May 2012	C-620/10	2012:265	withdrawal asylum application
K.	6 Nov 2012	C-245/11	2012:685	Art. 15; sovereignty and humanitarian clause
Halaf	30 May 2013	C-528/11	2013:342	Art. 18 Charter; sovereignty clause
M.A. a.o.	2 Sep 2013	C-648/11	2013:367	transfer of unaccompanied minor
Puid	14 Nov 2013	C-4/11	2013:740	responsible State in stead of Greece
Abdullahi	12 Dec 2013	C-394/12	2013:813	Art. 19(2); meaning of First Member State
Mirza	17 Mar 2016	C-695/15 PPU	2016:188	Art. 3(3); safe third country
Ghezelbash	7 Jun 2016	C-63/15	2016:409	Right to appeal incorrect MS determination
Karim	7 Jun 2016	C-155/15	2016:410	Art. 19(2); meaning of First Member State
C.K. a.o.	16 Feb 2017	C-578/16 PPU	2017:127	transfer of mentally ill asylum seeker
Al Chodor	15 Mar 2017	C-528/16	2017:213	Art. 28; risk of absconding
Ahmed	5 Apr 2017	C-36/17	2017:273	Dublin not applicable if subs. protection is granted
A.S.	26 Jul 2017	C-490/16	2017:585	Art. 13(1); Dublin III and 'irregular crossing'
Jafari	26 Jul 2017	C-646/16	2017:586	Art. 12+13; transit visa
Mengesteab	26 Jul 2017	C-670/16	2017:587	Art. 21(1)+22(7); review transfer decision
Khair Amayry	13 Sep 2017	C-60/16	2017:675	Art. 27(3)+(4); suspensive effect; time limit of detention
Majid Shiri	25 Oct 2017	C-201/16	2017:805	Art. 27(1)+29(1)+29(2)
Aziz Hasan	25 Jan 2018	C-360/16	2018:35	Art. 23+24; unlawful return after transferral
Adil Hassan	31 May 2018	C-647/16	2018:368	Art. 26(1); notification TCN of transfer request
X.	5 Jul 2018	C-213/17	2018:538	Art. 23(3); responsible Member State
Fathi	4 Oct 2018	C-56/17	2018:803	Art. 46(3); examination
X. & X.	13 Nov 2018	C-47+48/17	2018:900	Art. 5(2) Reg. 1560/2003 on appl. of Dublin rules
M.A.	23 Jan 2019	C-661/17	2019:53	Art. 6+17+20(3); does Brexit affect current transfer decisions
Jawo	19 Mar 2019	C-163/17	2019:218	Art. 29(2); risk of absconding
H. & R.	2 Apr 2019	C-582+583/17	2019:280	Art. 20(5)+27; right to appeal
I.N.	2 Apr 2020	C-897/19 PPU	2020:262	extradition of refugee who became EEA citizen
<i>pending cases</i>				
H.A.		C-194/19		Art. 27; effective remedy
Fedasil		C-67/20		Art. 27: effective remedy, suspensive effect, detention

Qualification I and II				
Directive 2004/83 and 2011/95				
<i>judgments</i>				
Elgafaji	17 Feb 2009	C-465/07	2009:94	Art. 15c; serious harm
Abdulla a.o.	2 March 2010	C-175...179/08	2010:105	revocation; new circumstances
Bolbol	17 June 2010	C-31/09	2010:351	Palestinian exception
B. & D.	9 Nov 2010	C-57/09	2010:661	terrorist acts organisation
Y. & Z.	5 Sep 2012	C-71/11	2012:558	Ahmadiyya in Pakistan
M.M.	22 Nov 2012	C-277/11	2012:744	duty of cooperation
El Kott	19 Dec 2012	C-364/11	2012:826	Palestinian exception
X., Y. & Z.	7 Nove 2013	C-199...201/12	2013:720	homosexual orientation forms a social group
Diakite	30 Jan 2014	C-285/12	2014:39	internal armed conflict
H.N.	8 May 2014	C-604/12	2014:302	connectivity subs. protection and refugee status
Qurbani	17 Jul 2014	C-481/13	2014:2101	no interpr. Refugee Convention by CJEU
A., B. & C.	2 Dec 2014	C-148...150/13	2014:2406	homosexual orientation
M'Bodj	18 Dec 2014	C-542/13	2014:2452	right to medical treatment

(Qualification continued)

Abdida Shepherd	18 Dec 2014	C-562/13	2014:2453	QD does not cover admission on medical grounds
T.	26 Feb 2015	C-472/13	2015:117	conscientious war objector
Alo & Osso	24 Jun 2015	C-373/13	2015:413	Art. 24(1) or 21(3); withdrawal of refugee status
M.	1 Mar 2016	C-443...444/14	2016:127	Art. 33+29; restriction of residence; subs. protection right to be heard
Lounani	9 Feb 2017	C-560/14	2016:320	Art. 12; exclusion clause and terrorist
F.	31 Jan 2017	C-573/14	2016:380	homosexuality test in Hungary
M.P.	25 Jan 2018	C-473/16	2018:36	previous torture and subs. protection
Alheto	24 Apr 2018	C-353/16	2018:276	Palestinian exception
Shajin Ahmed	25 Jul 2018	C-585/16	2018:584	Art. 17(1)(b); exclusion ground
Ahmedbekova	13 Sep 2018	C-369/17	2018:713	application family member
Fathi	4 Oct 2018	C-652/16	2018:801	persecution on religious grounds
Ayubi	4 Oct 2018	C-56/17	2018:803	Art. 29; social assistance
M. a.o.	21 Nov 2018	C-713/17	2018:929	Art. 14; Art. 18 Charter; revoke refugee status; Art. 78(1) TFEU
Bilali	14 May 2019	C-391/16 + C-77...78/17	2019:403	Art. 19(1)+(3) withdrawal of subsidiary protection
Bilali	23 May 2019	C-720/17	2019:448	Art. 19(1)+(3) withdrawal of subsidiary protection

pending cases

E.Z.	AG: 28 May 2020	C-238/19	2020:404	Art. 9(2); refusal of military service
O.A.	AG: 30 Apr 2020	C-255/19	2020:342	Art. 2(e)+7+11; protection of the country of nationality
X.T.		C-507/19		Art. 12(1)(a) Palestinian
M.S., M.W. & G.S.		C-616/19		Art. 25 QD I and subsidiary protection
S.E.		C-768/19		Art. 2(j)+11 QD II; family member
Bundesrepublik Deutschland		C-901/19		Art. 2(f)+15(c) QD II; sub. protection, Afghanistan
L.W.		C-91/20		Art. 3+23(2): minor child, family member

Asylum Procedures I and II**Directive 2005/85 and 2013/32**

	Date	Case nr	ECLI:EU:C	Subject
<i>judgments</i>				
Parliament/Council	6 May 2008	C-133/06	2008:257	list of safe countries of origin
Diouf	28 July 2011	C-69/10	2011:524	accelerated procedure; remedies
H.I.D. & B.A.	31 Jan 2013	C-175/11	2013:45	accelerated procedure; remedies
Tall	17 Dec 2015	C-239/14	2015:824	effective remedy and multiple asylum claim
Danqua	20 Oct 2016	C-429/15	2016:789	dealing with application within reasonable time
Sacko	26 Jul 2017	C-348/16	2017:591	effective remedy
Magamadov	19 Sep 2017	C-438/17	2017:723	Art. 52 transitional provision and subs. protection
C. & J.	5 Jul 2018	C-269/18 PPU	2018:544	Art. 46(8); suspensory effect
A.	25 Jul 2018	C-404/17	2018:588	country of origin info and clearly unfoundedness
Alheto	25 Jul 2018	C-585/16	2018:584	Palestinian exception
X.	26 Sep 2018	C-175/17	2018:776	suspensory effect of appeal only at first instance
X. & Y.	26 Sep 2018	C-180/17	2018:775	suspensory effect of appeal only at first instance
Ahmedbekova	4 Oct 2018	C-652/16	2018:801	Art. 33(2)(e); direct effect; application family member
Fathi	4 Oct 2018	C-56/17	2018:803	Art. 3(1); meaning of examination
E.G.	18 Oct 2018	C-662/17	2018:847	Art. 46(2) subsidiary protection
D. & I. (deleted)	15 Nov 2018	C-586/17	2018:964	introduction new asylum motive in appeal
F.R.	27 Sep 2018	C-422/18 PPU	2018:784	suspensory effect of appeal
Ibrahim Bashar	19 Mar 2019	C-297/17	2019:219	Art. 52 transitional provision and subs. protection
Torubarov	29 Jul 2019	C-556/17	2019:626	Art. 46(3) power to amend decisions of competent authority
Hamed & Omar	13 Nov 2019	C-540+541/17	2019:964	inadequate conditions for refugees
P.G.	19 Mar 2020	C-406/18	2020:216	Art. 31; effective judicial remedy; Art. 47 Charter
L.H.	19 Mar 2020	C-564/18	2020:218	Art. 33 inadmissible applications; Art. 47 Charter
F.M.S. a.o.	14 May 2020	C-924+925/19 PPU	2020:367	Hungarian Border; detention

pending cases

Addis	AG: 19 Mar 2020	C-517/17	2020:225	admissibility of appl. in 2nd MS on the ground of no access to granted rights in 1st MS
Com. / Hungary	AG: 25 Jun 2020	C-808/18	2020:493	incorrect application of CEAS measures
E.Y.		C-40/19		Art. 31 overruling or annulment of an asylum decision
K.D.		C-67/19		Art. 31 overruling or annulment of an asylum decision
T.N.		C-210/19		Art. 31 overruling or annulment of an asylum decision
M.S. a.o.		C-616/19		Art. 25(2); MS concerned; further application
J.P.		C-651/19		Art. 46 effective remedy, short term
T.H.C.		C-755/19		Art. 46 effective remedy, short term
Com. / Hungary		C-821/19		incorrect application on inadmissibility
Staatssecretaris van Justitie en Veiligheid		C-921/19		Art. 40(2) new elements; authenticity of documents
Bundesrepublik Deutschland Bundesamt für Fremdenwesen und Asyl		C-8/20		admissibility of 2nd asylum application
V.L.	AG: 30 Apr 2020	C-36/20 PPU	2020:331	Art. 6 competent authorities
Com. / Belgium		C-20/20		Art. 46 effective remedy, short term

Reception Conditions I and II**Directive 2003/9 and 2013/33***judgments*

CIMADE & GISTI	27 Sep 2012	C-179/11	2012:594	reception conditions during Dublin procedure
Saciri	27 Feb 2014	C-79/13	2014:103	saturation of national reception structures

(Reception Conditions continued)

J.N.	15 Feb 2016	C-601/15 PPU	2016:84	Art. 8; detention and Art 6 Charter
K.	14 Sep 2017	C-18/16	2017:680	Art. 8(3) in relation with Art 6 Charter
D.H. (deleted)	8 Mar 2019	C-704/17	2019:247	Art. 9; judicial review after detention has ended
Haqbin	12 Nov 2019	C-233/18	2019:956	Art. 20; unaccompanied minor, serious breach of rules reception centre
F.W. & G.Y. (deleted)	28 Apr 2020	C-726/18		Art. 20: answered in Haqbin

pending cases

K.S. & M.H.K.		C-322/19		Art. 15; reception and delay of Dublin transfer
R.A.T. & D.S.		C-385/19		Art. 15; categories of 'applicant'
V.L.	AG: 30 Apr 2020	C-36/20 PPU	2020:331	Art. 8: detention

Provisional measures of protection for the benefit of Italy and Greece

Council Decision [2015/1523](#) and [2015/1601](#)

judgments

Slovakia & Hungary/Council	6 Sep 2017	C-643+647/15	2017:631	relocation decision is legally correct
Com. / Poland, Hungary & Czech Republic	2 Apr 2020	C-715+718+719/17	2020:257	failure to comply with relocation decisions

3. Borders and Visa

Schengen Acquis

Convention of [14 June 1985](#)

Date Case nr ECLI:EU:C: Subject

judgments

E.	16 Jan 2018	C-240/17	2018:8	Art. 25 entry ban
----	-------------	--------------------------	--------	-------------------

pending cases

Migrationsverket		C-193/19		Art. 6 establishment of identity
------------------	--	--------------------------	--	----------------------------------

Borders Code

Regulation [562/2006](#) and [2016/399](#)

judgments

Garcia & Cabrera	22 Oct 2009	C-261+348/08	2009:648	Art. 11; no obligation to expel
Melki & Abdeli	22 June 2010	C-188+189/10	2010:206	Art. 21; internal border
Gaydarov	17 Nov 2011	C-430/10	2011:749	Art. 27; criminal conviction in other MS
ANAFE	14 June 2012	C-606/10	2012:348	Art. 5(4)+13; return visa
Adil	19 July 2012	C-278/12 PPU	2012:508	Art. 21; internal border
Parliament / Council	5 Sep 2012	C-355/10	2012:516	annulment implementing measure
Zakaria	17 Jan 2013	C-23/12	2013:24	appeal against refusal at the border
Air Baltic	4 Sep 2014	C-575/12	2014:2155	limited grounds for refusal at border
A.	21 Jun 2016	C-9/16	2017:483	Art. 23; internal border and control
El Dakkak	4 May 2017	C-17/16	2017:341	Art. 4(1); internal border
Touring Tours a.o.	13 Dec 2018	C-412+474/17	2018:1005	Art. 22+23; obligation to check documents
Arib a.o.	19 Mar. 2019	C-444/17	2019:220	Art. 32; penal sanctions on illegal entry after reintroduced border controls
E.P.	12 Dec 2019	C-380/18	2019:1071	Art. 6(1)(e); public order
J. a.o.	5 Feb 2020	C-341/18	2020:76	Art. 11; departure stamps border crossing in sea port
Blue Air	30 Apr 2020	C-584/18	2020:324	Art. 14(2) exemption visa obligation
F.U.	4 Jun 2020	C-554/19	2020:439	Art. 22+23; internal border and control

pending cases

Syyttäjä		C-35/20		Art. 20+21(c): EU-citizen, obligation to carry passport
----------	--	-------------------------	--	---

Border Traffic

Regulation [1931/2006](#)

judgments

Shomodi	21 Mar 2013	C-254/11	2013:182	3-month period local border traffic
---------	-------------	--------------------------	----------	-------------------------------------

Border Surveillance System

Regulation [1052/2013](#)

judgments

Spain v. EP & Council	8 Sep 2015	C-44/14	2015:554	Art. 19; cooperation Eurosur with UK/IR
-----------------------	------------	-------------------------	----------	---

Passports

Regulation [2252/2004](#)

judgments

Schwarz	17 Oct 2014	C-291/12	2013:670	use of finger prints for other purposes
Com./Belgium	13 Feb 2014	C-139/13	2014:80	failure to issue biometric passports
U.	2 Oct. 2014	C-101/13	2014:2249	first name, surname and birth name in passport
Willems a.o.	16 Apr 2015	C-446...449/12	2015:238	no right to passport without biometric data

Transit through Switzerland

Decision [896/2006](#)

judgments

Kqiku	2 Apr 2009	C-139/08	2009:230	TCN with Swiss residence permit
-------	------------	--------------------------	----------	---------------------------------



Visa Code				
Regulation 810/2009				
in conjunction with 2019/1155				
	Date	Case nr	ECLI:EU:C:	Subject
<i>judgments</i>				
Vo	10 Apr 2012	C-83/12	2012:202	Art. 21+34; human trafficking
Koushaki	19 Dec 2013	C-84/12	2013:862	limited ground refusal visa; discretion MS
Air Baltic	4 Sep 2014	C-575/12	2014:2155	valid visa in cancelled travel document
X & X	7 Mar 2017	C-638/16 PPU	2017:173	Art. 25(1)(a); humanitarian visa
El Hassani	13 Dec 2017	C-403/16	2017:960	Art. 32; effective remedy
Vethanayagam	29 Jul 2019	C-680/17	2019:627	Art. 8(4)+32(3) Visa representation; Art 47 Charter
<i>pending cases</i>				
Minister van Buitenlandse Zaken		C-225+226/19		Art. 32; effective remedy against refusal
Q.A. (German case)		no C-nr yet		On the disclosure of the MS that opposed to the visa
Konsul Rzeczypospolitej Polskiej		C-949/19		Art. 21(2) Schengen; 47 Charter; effective remedy

Visa List I and II Regulation 539/2001 and 2018/1806

<i>judgments</i>				
Com./Parliament	16 Jul 2015	C-88/14	2015:499	validity of amendments

4. Irregular Migration

Facilitation Directive 2002/90

	Date	Subject	ECLI:EU:C:	Subject
<i>Judgments</i>				
Paoletti a.o.	25 May 2016	C-218/15	2016:748	retroactivity of the more lenient criminal law
Vo	10 April 2002	C-83/12 PPU	2012:12	human smuggling

Return Directive 2008/115

<i>judgments</i>				
Kadzoev	30 Nov 2009	C-357/09 PPU	2009:741	maximum period of detention
El Dridi	28 Apr 2011	C-61/11 PPU	2011:268	prison sentence; order to return
Achughbabian	6 Dec 2011	C-329/11	2011:807	sanctions non-compliance return order
Sagor	6 Dec 2012	C-430/11	2012:277	fine, home detention, expulsion prevails
Mbaye	21 Mar 2013	C-522/11	2013:190	fine, deportation, risk of absconding
Arslan	30 May 2013	C-534/11	2013:343	directive and detention asylum seekers
G. & R.	10 Sep 2013	C-383/13 PPU	2013:533	infringement rights of defence
Filev & Osmani	19 Sep 2013	C-297/12	2013:569	old unlimited entry bans incompatible
Mahdi	5 Jun 2014	C-146/14 PPU	2014:1320	scope judicial review; coop. with removal
Bero & Bouzalmate	17 Jul 2014	C-473+514/13	2014:2095	absence from special detention centre
Pham	17 Jul 2014	C-474/13	2014:2096	separation of ordinary criminals
Mukarubega	5 Nov. 2014	C-166/13	2014:2336	right to be heard
Boudjlida	11 Dec 2014	C-249/13	2014:2431	right to be heard
Abida	18 Dec 2014	C-262/13	2014:2453	suspensive effect of appeal on medical grounds
Zaizoune	23 Apr 2015	C-38/14	2015:260	fine is incompatible with removal
Zh. & O.	11 June 2015	C-554/13	2015:377	risk to public policy
Celaj	1 Oct 2015	C-290/14	2015:640	prison sanction, entry ban and removal
Bensada Benallal	17 Mar 2016	C-161/15	2016:175	right to be heard
Affum	7 Jun 2016	C-47/15	2016:408	transit passenger and illegal stay
Ouhrami	26 Jul 2017	C-225/16	2017:590	start of entry ban
Petrea	14 Sep 2017	C-184/16	2017:684	entry ban and citizen of the Union
E.	16 Jan 2018	C-240/17	2018:8	Art. 6(2); entry ban
K.A. a.o.	8 May 2018	C-82/16	2018:308	suspension of entry ban and family life
Gnandi	19 Jun 2017	C-181/16	2018:465	suspensive effect and effective remedy
X.	26 Sep 2018	C-175/17	2018:776	suspensory effect of appeal limited to first instance
X. & Y.	26 Sep 2018	C-180/17	2018:775	suspensory effect of appeal limited to first instance
Arib	19 Mar 2019	C-444/17	2019:220	penal sanctions on illegal entry after reintroduced border controls

<i>pending cases</i>				
J.Z.	AG: 23 Apr 2020	C-806/18		Art. 11(2) entry ban
Com. / Hungary	AG: 25 Jun 2020	C-808/18	2020:493	Art. 5+6+12+13; procedural guarantees
W.M.	AG: 27 Feb 2020	C-18/19	2020:130	Art. 16; deportation
B.	AG: 28 May 2020	C-233/19		Art. 5+13; deportation and health risks
L.M.	AG: 4 Mar 2020	C-402/19	2020:155	Art. 5+13; deportation and health risks
T.Q.		C-441/19		Art. 6+8+10; enforcement of return decision and unaccompanied minors
B.Z.		C-546/19		Art. 2(2)(b)+3(6) entry ban
M.O.		C-568/19		Incompatibility Spanish legislation
M. a.o.		C-673/19		Art. 3+4+6+15 removal of TCN with international protection in another MS
M.A.		C-112/20		Art. 5+13; Art.24+47 Charter: best interest child, EU-citizen

Mutual recognition expulsion decisions

Directive 2001/40

judgments

Orrego Arias	3 Sep 2015	C-456/14	2015:550	CJEU lacks jurisdiction
W.T.	11 Jun 2020	C-448/19	2020:467	expulsion of LTR

5. EEC-Turkey Association Agreement

Workers and Family Members

Decision 2/76 and 1/80

	Date	Case nr	ECLI:EU:C:	Subject
<i>judgments</i>				
Demirel	30 Sept 1987	C-12/86	1987:400	Art. 12 AO + 36 AP: no right to family reunion
Sevince	20 Sept 1990	C-192/89	1990:322	Art. 6; direct effect; stable position labour market; right of residence
Kus	16 Dec 1992	C-237/91	1992:527	Art. 6; stable position labour market
Eroglu	5 Oct 1994	C-355/93	1994:369	Art. 6; same employer/no loss; also qualifies under 7(2)
Bozkurt (Ahmet)	6 June 1995	C-434/93	1995:168	Art. 6; belonging to labour market
Tetik	23 Jan 1997	C-171/95	1997:31	Art. 6; voluntary unemployment after 4 years
Kadiman	17 Apr 1997	C-351/95	1997:205	Art. 7(1); calculation period cohabitation as family
Eker	29 May 1997	C-386/95	1997:257	Art. 6; same employer
Kol	5 June 1997	C-285/95	1997:280	Art. 6; conviction for fraud
Ertanir	30 Sept 1997	C-98/96	1997:446	Art. 6; analogous application Art. 45 TFEU
Günaydin	30 Sept 1997	C-36/96	1997:445	Art. 6; analogous application Art. 45 TFEU
Akman	19 Nov 1998	C-210/97	1998:555	Art. 7(2); Turkish worker has left labour market
Birden	26 Nov 1998	C-1/97	1998:568	Art. 6; sheltered work not marginal & ancillary
Nazli	10 Feb 2000	C-340/97	2000:77	Art. 6/14; no loss residence right during detention; analogous application Art. 27(2) Dir 2004/38
Ergat	16 Mar 2000	C-329/97	2000:133	Art. 7(1); no loss residence right application for renewal residence permit after expiry date
Eyüp	22 June 2000	C-65/98	2000:336	Art. 7(1); obligation to co-habit as family
Bicakci	19 Sept 2000	C-89/00	-	Art. 14; no preventive expulsion measure
Kurz (Yuce)	19 Nov 2002	C-188/00	2002:694	Art. 6; rights following unjustified expulsion measure
Birlikte	8 May 2003	C-171/01	2003:260	Art. 10; direct effect/analogous interpretation Art. 45(2) TFEU; political trade union rights
Abatay & Sahin Com./Austria	21 Oct 2003	C-317/01+369/01	2003:572	Art. 13; direct effect/scope standstill obligation
	16 Sept 2004	C-465/01	2004:530	Art. 10; direct effect/analogous interpretation Art. 45(2) TFEU; political trade union rights
Ayaz	30 Sept 2004	C-275/02	2004:570	Art. 7(1); stepchild is family member
Cetinkaya	11 Nov 2004	C-467/02	2004:708	Art. 7(1); family member analogous Art. 10 Reg 1612/68
Dörr & Ünal	2 June 2005	C-136/03	2005:340	Art. 14; procedural guarantees Dir 64/221
Aydinli	7 July 2005	C-373/03	2005:434	Art. 7(1); long detention no justification loss
Dogan (Ergül)	7 July 2005	C-383/03	2005:436	Art. 6; return labour market: no loss due to detention
Gürol	7 July 2005	C-374/03	2005:435	Art. 9; right to education grant for study in Turkey
Sedef	10 Jan 2006	C-230/03	2006:5	Art. 6; same employer/maritime shipping
Torun	16 Feb 2006	C-502/04	2006:112	Art. 7(2); 2 reasons for loss residence right
Güzeli	26 Oct 2006	C-4/05	2006:670	Art. 6(2); rights only after one year with same employer
Derin	18 July 2007	C-325/05	2007:442	Art. 7; 2 reasons for loss rights/prison sentence
Polat	4 Oct 2007	C-349/06	2007:581	Art. 14; multiple convictions small crimes no expulsion
Payir a.o.	24 Jan 2008	C-294/06	2008:36	Art. 6; reason admission not relevant (study/au pair)
Nihat Kahveci	25 July 2008	C-152/08	2008:450	Art. 10(1); Turkish prof. football player counts as national player
Er	25 Sept 2008	C-453/07	2008:524	Art. 7(1); no loss right no paid employment
Altun	18 Dec 2008	C-337/07	2008:744	Art. 7(1); rights family members of unemployed Turkish worker or fraud by Turkish worker
Sahin	17 Sept 2009	C-242/06	2009:554	Art. 13; fees for residence permit
Bekleyen	21 Jan 2010	C-462/08	2010:30	Art. 7(2); start training/parents not in host-MS
Genc (Hava)	4 Feb 2010	C-14/09	2010:57	Art. 6; part-time worker/real & genuine employment
Com./Netherlands	29 Apr 2010	C-92/07	2010:228	Art. 13; fees for residence permit
Toprak & Oguz	2 Dec 2010	C-300...301/09	2010:756	Art. 13; no going back on relaxation national rules
Bozkurt (Metin)	22 Dec 2010	C-303/08	2010:800	Art. 7(1); divorce doesn't affect right
Pehlivan	16 June 2011	C-484/07	2011:395	Art. 7(1); no retroactive withdrawal residence permit
Baris Ünal	29 Sept 2011	C-187/10	2011:623	Art. 6; no retroactive withdrawal residence permit
Ziebell	8 Dec 2011	C-371/08	2011:809	Art. 14; no analogous appl. Art. 28(3)(a) Dir 2004/38
Kahveci & Inan	29 Mar 2012	C-7...9/10	2012:180	Art. 7(1); worker dual nationality (Turkish & host-MS)
Dülger	19 July 2012	C-451/11	2012:504	Art. 7(1); nationality family member irrelevant
Gülbahce	8 Nov 2012	C-268/11	2012:695	Art. 6; no retroactive withdrawal residence permit
Demir	7 Nov 2013	C-225/12	2013:725	Art. 13; legal residence; objective justification
Essent	11 Sep 2014	C-91/13	2014:2206	Art. 13; not applicable if Turkish worker does not seek access to labour market of MS
Genc (Caner)	12 Apr 2016	C-561/14	2016:247	Art. 13; applies to family reunion rules; ties with DK; integration
Ucar a.o.	21 Dec 2016	C-508...509/15	2016:986	Art. 7; family life, lawful employment
Tekdemir	29 Mar 2017	C-652/15	2017:239	Art. 13; family reunification

(Workers and Family Members continued)

Yön	7 Aug 2018	C-123/17	2018:632	Art. 13; Art. 7 Dec. 2/76; language test; objective justification
A.	10 Jul 2019	C-89/18	2019:580	Art. 13; requirement of closer ties with Denmark
A. a.o.	3 Oct 2019	C-70/18	2019:823	Art. 7 Dec. 2/76; Art. 13 Dec. 1/80; standstill clauses and Overriding reasons of public interest

pending cases

G.R.		C-720/19		Art. 7(1) Dec. 1/80; loss of nationality
X. (VG Düsseldorf)		no C-nr yet		Art. 9 Dec. 1/80 residence rights parents of school children

EEC-Turkey

Establishment and Provision of Services

Additional Protocol

	Date	Case nr	ECLI:EU:C	Subject: ref to AP unless stated otherwise
<i>judgments</i>				
Savas	11 May 2000	C-37/98	2000:224	Art. 13 AO & 41: direct effect/scope standstill
Abatay & Sahin	21 Oct 2003	C-317/01	2003:572	scope standstill obligation
Yedas Tarim/Council	5 July 2007	C-255/06 P	2007:414	significance of requirements mentioned in preamble only
Tum & Dari	20 Sept 2007	C-16/05	2007:530	scope standstill obligation
Soysal & Savatli	19 Feb 2009	C-228/06	2009:101	standstill also applies to EU secondary law
Com./Netherlands	29 Apr 2010	C-92/07	2010:228	fees residence permits covered by standstill
Tural Oguz	21 July 2011	C-186/10	2011:509	definition fraud covered by standstill
Dereci a.o.	15 Nov 2011	C-256/11	2011:734	fraud
Demirkan	24 Sep 2013	C-221/11	2013:583	recipients of services not covered by Art. 41(1)
Dogan (Naime)	10 Jul 2014	C-138/13	2014:2066	language requirement abroad; objective justification
Essent	11 Sep 2014	C-91/13	2014:2206	Art. 41 requires economic activity between T. and EU

EEC-Turkey

Social Security Decision 3/80

Subject: ref to Dec 3/80 unless stated otherwise

judgments

Taflan-Met a.o.	10 Sept 1996	C-277/94	1996:315	Dec 3/80 has entered into force
Sürül	4 May 1999	C-262/96	1999:228	Art. 3; direct effect
Kocak & Örs	14 Mar 2000	C-102/98	2000:119	determination of date of birth
Öztürk	28 Apr 2004	C-373/02	2004:232	conditions early old-age pension
Akdas	26 May 2011	C-485/07	2011:346	Art. 6; direct effect
Demirci a.o.	14 Jan. 2015	C-171/13	2018:8	Art. 6; dual nationality
Çoban	15 May 2019	C-677/17	2019:408	Art. 6; return and LTR-status
Solak	13 Feb 2020	C-258/18	2020:98	Art. 6; effect of loss of Union citizenship

6. Free Movement

EU citizens and Family members

Subject, Art.

Directive 2004/38 and Articles 20-21 TFEU

Regulation 492/2011

	Date	Case nr	ECLI:EU:C:	TFEU	Dir 2004/38	Reg 492/2011
<i>judgments</i>						
Jipa	10 Jul 2008	C-33/07	2008:396	20	4+27	-
Metock	25 Jul 2008	C-127/08	2008:449	-	3(1)	-
Föster	18 Nov 2008	C-158/07	2008:630	18+20	-	-
Huber	16 Dec 2008	C-524/06	2008:724	18	-	-
Deniz Sahin	19 Dec 2008	C-551/07	2008:755	-	3+6+7	-
Vatsouras & Koupatantze	4 Jun 2009	C-22...23/08	2009:344	18	24(2)	-
Wolzenburg	6 Oct 2009	C-123/08	2009:616	18	-	-
Ibrahim	23 Feb 2010	C-310/08	2010:80	-	-	10
Teixeira	23 Feb 2010	C-480/08	2010:83	-	-	10
Rottmann	2 Mar 2010	C-135/08	2010:104	20	-	-
Lassal	7 Oct 2010	C-162/09	2010:592	-	16	-
Tsakouridis	23 Nov 2010	C-145/09	2010:708	-	28(3)	-
Ruiz Zambrano	8 Mar 2011	C-34/09	2011:124	20	-	-
Runevič-Vardyn	12 May 2011	C-391/09	2011:291	21	-	-
McCarthy	5 May 2011	C-434/09	2011:277	21	-	-
Dias	21 Jul 2011	C-325/09	2011:498	-	16	-
Dereci	15 Nov 2011	C-256/11	2011:734	20	-	-
Gaydarov	17 Nov 2011	C-430/10	2011:749	-	4+27	-
Aladzhev	17 Nov 2011	C-434/10	2011:750	-	4+27	-
Ziolkowski & Szeja	21 Dec 2011	C-424...425/10	2011:866	-	16	-
P.I.	22 May 2012	C-348/09	2012:300	-	28(3)	-
Com./NL	14 Jun 2012	C-542/09	2012:346	45	-	7(2)
Rahman a.o.	5 Sep 2012	C-83/11	2012:519	-	3(2)	-
Czop & Punakova	6 Sep 2012	C-147...148/11	2012:538	-	16	10
Com./Austria	4 Oct 2012	C-75/11	2012:605	20+21	24	-
Byankov	4 Oct 2012	C-249/11	2012:608	-	27	-
Iida	8 Nov 2012	C-40/11	2012:691	20	-	-
O., S. & L.	6 Dec 2012	C-356...357/11	2012:776	20	3(1)	-
L.N.	21 Feb 2013	C-46/12	2013:97	45(2)	7(2)+24	-
Alarape & Tijani	8 May 2013	C-529/11	2013:290	-	-	10



<i>(EU citizens and family members continued)</i>				TFEU	2004/38	492/2011
Ymeraga	8 May 2013	C-87/12	2013:291	20	3(1)	-
Z.Z.	4 Jun 2013	C-300/11	2013:363	-	30(2)+31	-
Hadj Ahmed	13 Jun 2013	C-45/12	2013:390	18	13(2)+14	10
Prinz & Seeberger	18 Jun 2013	C-523+585/11	2013:524	20+21	-	-
Brey	19 Sep 2013	C-140/12	2013:565	-	7(1)(b)	-
Aloka & Moudoulou	10 Oct 2013	C-86/12	2013:645	20	-	-
Onuekwere	16 Jan 2014	C-378/12	2014:13	-	16	-
M.G.	16 Jan 2014	C-400/12	2014:9	-	28(3)(a)	-
Reyes	16 Jan 2014	C-423/12	2014:16	-	2(2)(c)	-
O. & B.	12 Mar 2014	C-456/12	2014:135	20+21	3+6+7	-
S. & G.	12 Mar 2014	C-457/12	2014:136	20+21	3+6+7	-
Rüffer	27 Mar 2014	C-322/13	2014:189	18+21	-	-
Saint Prix	19 Jun 2014	C-507/12	2014:2007	45	7(3)	-
Ogieriakhi	10 Jul 2014	C-244/13	2014:2068	-	16(2)	-
Haralambidis	10 Sep 2014	C-270/13	2014:2185	45(1)+(4)	-	-
Dano a.o.	11 Nov 2014	C-333/13	2014:2358	-	7(1)(b)+24(1)	4
Sean McCarthy a.o.	18 Dec 2014	C-202/13	2014:2450	-	10+35	-
Com./Belgium	5 Feb 2015	C-317/14	2015:63	45	-	-
Martens	26 Feb 2015	C-359/13	2015:118	20+21	-	-
Kuldip Singh a.o.	26 Jul 2015	C-218/14	2015:476	-	7(1)(b)+13(2)(a)	-
Alimanovic	15 Sep 2015	C-67/14	2015:597	18+45	24(2)	4
Delvigne	6 Oct 2015	C-650/13	2015:648	20(2)(b)	-	-
Garcia-Nieto	25 Feb 2016	C-299/14	2015:366	-	24(2)	-
Bensada Benallal	17 Mar 2016	C-161/15	2016:175	-	28+30+31	-
Com./UK	14 Jun 2016	C-308/14	2016:436	-	7+14(2)+24(2)	-
N.A.	30 Jun 2016	C-115/15	2016:487	20+21	13(2)	10
Petruhhin	6 Sep 2016	C-182/15	2016:630	18+21	-	-
Rendón Marín	13 Sep 2016	C-165/14	2016:675	20+21	-	-
C.S.	13 Sep 2016	C-304/14	2016:674	20	-	-
Bragança	14 Dec 2016	C-238/15	2016:949	-	-	7(2)
Depesme & Kerrou	15 Dec 2016	C-401...403/15	2016:955	45	-	7(2)
Aquino	15 Mar 2017	C-3/16	2017:209	267	28	-
Chavez-Vilchez	10 May 2017	C-133/15	2017:354	20	-	-
Freitag	8 Jun 2017	C-541/15	2017:432	18+21	-	-
Bechtel	22 Jun 2017	C-20/16	2017:488	45	-	-
E.	13 Jul 2017	C-193/16	2017:542	-	27	-
Petrea	14 Sep 2017	C-184/16	2017:684	-	27-32	-
Lounes	14 Nov 2017	C-165/16	2017:862	21	3(1)+7+16	-
Gusa	20 Dec 2017	C-442/16	2017:1004	-	7(1)+7(3)+14(4)	-
B. & Vomero	17 Apr 2018	C-316+424/16	2018:256	-	28(3)(a)	-
K. & H.F.	2 May 2018	C-331+366/16	2018:296	-	27(2)+28(3)	-
K.A. a.o.	8 May 2018	C-82/16	2018:308	20	27+28	-
Coman a.o.	5 Jun 2018	C-673/16	2018:385	-	2(2)(a)+3	-
Deha Altiner & Ravn	27 Jun 2018	C-230/17	2018:497	21(1)	-	-
Diallo	27 Jun 2018	C-246/17	2018:499	-	10(1)	-
Banger	12 Jul 2018	C-89/17	2018:570	21	3(2)+15(1)	-
Rafal Prefeta	13 Sep 2018	C-618/16	2018:719	-	7(2)	-
Mahmood a.o.	10 Jan 2019	C-169/18	2019:5	-	5(2)	-
(deleted)						
Tjebbes a.o.	12 Mar 2019	C-221/17	2019:189	20+21	-	-
S.M.	26 Mar 2019	C-129/18	2019:248	-	2(2)+3(2)(a)	-
Tarola	11 Apr 2019	C-483/17	2019:309	-	7(1)(a)+7(3)(c)	-
Chenchooliah	10 Sep 2019	C-94/18	2019:693	-	7+15+30+31	-
Daknevičiute	19 Sep 2019	C-544/18	2019:761	49	7+16(3)	-
Bajratari	2 Oct 2019	C-93/18	2019:809	-	7(1)(b)	-
Krah	10 Oct 2019	C-703/17	2019:850	45	-	7(1)
A.T.	22 Jan 2020	C-32/19	2020:25	-	17(1)(a)	-
R.H.	27 Feb 2020	C-836/18	2020:119	20	-	-
Ryan Air	18 Jun 2020	C-754/18	2020:478	-	5+10	-

pending cases

Jobcenter Krefeld	AG: 14 May 2020	C-181/19	2020:377	-	24(2)	10
Z.W.	AG: 4 Jun 2020	C-454/19	2020:430	-	in full	-
A.		C-535/19		-	7(1)(b)+24	-
G.M.A.		C-710/19		45	15+31	-
Ordre des barreaux a.o.		C-718/19		20+21	in full	-
F.S.		C-719/19		-	15(1)	-
Belgian State		C-930/19		-	in full	-
Syyttäjä		C-35/20		21(1)	-	-
Wiener Landesregierung		C-118/20		20	-	-

7. Miscellaneous

EEA Agreement	Date	Case	ECLI:EU:C:	Subject
<i>judgments</i>				
I.N.	2 Apr 2020	C-897/19 PPU	2020:262	Art. 36; Art 3(2) TEU; Art 19 Charter, extradition of refugee who became EEA citizen

EEC-Tunisia non discrimination	Date	Case	ECLI:EU:C:	Subject
<i>judgments</i>				
Gatoussi	14 Dec 2006	C-97/05	2006:780	Art. 64(1) non-discrimination; working conditions
<i>pending cases</i>				
E.P.		C-905/19	1996:315	Art. 64(1) non-discrimination; period of validity

EFTA Court	Date	case	Subject
On Free Movement			Dir 2004/38
<i>judgments</i>			
Clauder	26 Jul 2011	E-4/11	Art 16(1)+7(1) permanent residence
Yankuba Jabbi	26 Jul 2016	E-28/15	Art. 7 family reunification with returning EEA national
<i>pending cases</i>			
Kerim		E-1/20	Art.35

Sources: <https://www.curia.europa.eu> | <https://www.migratieweb.nl>
<https://cmr.jur.ru.nl/nemis> | <https://cmr.jur.ru.nl/neais> | <https://cmr.jur.ru.nl/nefis> |
Want to sign up? <mailto:c.grutters@jur.ru.nl>