

Article 298 TFEU through the lens of the EU Ombudsman and the CJEU

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Abstract: Open, efficient and independent European administration is a basic requirement in citizen-administration relation. Although with the Lisbon Treaty it seemed that the development of the principle of good administration reached the final "stop", namely became a right, the complex nature of the supranational administration makes us realize that means of hard law-soft law, judicial and non-judicial forums are needed for further the balance between the interested parties.

Key words: European administration, transparency, access to documents, European Ombudsman, Court of Justice of the European Union

1 INTRODUCTION

Democratic deficit is encapsulating different features such as disjunction between power and electoral accountability (meaning that voters have no role in the legislative agenda), executive dominance (meaning that the Council dominates over other EU institutions), by-passing the democracy argument (meaning that technocrats and national interest groups dominate decision-making), distance issue (meaning the transfer of issues to Brussels away from nation states), and transparency and complexity (meaning that decision-making is complex with procedures behind closed doors).¹ Art. 298 declares that in carrying out their missions, the institutions, bodies, offices and agencies of the Union shall have the support of an open, efficient and independent European administration.²

The article about the EU administration was a new addition to the Lisbon Treaty, stating that open, efficient and independent administration shall help carry out the work of the institutional life of the EU. The CJEU as an institution and the EU Ombudsman as EU office are not only part of the EU institutional system but are means for creating an open, efficient and independent EU institutional system. The institutions have a duty to comply with general principles of EU law which were developed by the Court. We cannot find a catalogue of administrative principles in primary or secondary EU law, or in the jurisprudence of the CJEU. But in the EU treaties we can find several rules and/or principles that are for administrative procedures. For example transparency and openness of Union decision-making procedures are foundational values of the EU written in Articles 10(3) and 11(2) TEU, Articles 15, 297 and 298 TFEU, and Article 42 of the Charter of Fundamental Rights of the European Union.

Already the ECSC Treaty of 1951 had in its Article 15 made reference to the obligation of reason giving – which has been taken over in the EEC Treaty of 1957 (nowadays Article 296 TFEU second indent) –and in its Article 5 a general principle of publicity, which is in line with the principle of transparency inserted in Articles 11 and 15 TFEU, the principle of openness embedded in Articles 1 and 10 TEU, 15 and 298 TFEU. The fundamental right to good administration includes the right to an open and accessible EU administration. The right to good administrative procedure embodied in the above-mentioned code has been formulated into the Charter of Fundamental Rights of the European Union as a right enjoyed by the European citizens: the right to good administration in Article 41³ and the right to refer to the European Ombudsman in Article 43⁴. Principles of EU

¹ Craig, P.: *Integration, Democracy and Legitimacy*. In Paul Craig and Gráinne de Burca (eds), *The Evolution of EU Law* (2nd edn, OUP 2011), 30.

² Art. 298 (1) TFEU

³ «[...] Article 41:

1. Every person has the right to have his or her affairs handled impartially, fairly and within a reasonable time by the institutions and bodies of the Union.

2. This right includes:

– the right of every person to be heard, before any individual measure which would affect him or her adversely is taken;

– the right of every person to have access to his or her file, while respecting the legitimate interests of confidentiality and of professional and business secrecy;

– the obligation of the administration to give reasons for its decisions.

3. Every person has the right to have the Community make good any damage caused by its institutions or by its servants in the performance of their duties, in accordance with the general principles common to the laws of the Member States.

4. Every person may write to the institutions of the Union in one of the languages of the Treaties and must have an answer in the same language».

⁴ «[...] Article 43:

Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has the right to refer to the Ombudsman of the Union cases of maladministration in the activities of the

administrative procedures are established by soft law instruments as well, but those soft law instruments are not formally binding but can generate legal effects.

2 TRANSPARENCY: ACCESS TO DOCUMENTS

The right of access to documents under Article 15 (3) TFEU and Article 42 of the Charter is a fundamental right of EU law and also a basic condition of an open, efficient and independent European administration. Any limitation of this principle must be narrowly construed to comply with the criteria of Article 52(1) of the Charter of Fundamental Rights of the European Union and must therefore be based on law, must respect the essence of the right and follow the criteria of proportionality. Article 15 TFEU states that the obligation to grant access to documents has the objective to promote good governance and ensure the participation of civil society. The Treaty identifies transparency for ensuring accountability, vital for public participation and broader legitimacy of EU decisions.

The Charter of Fundamental Rights declares fundamental individual right of access to documents, as any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of the institutions, bodies, offices and agencies of the Union, whatever their medium. Institutions and bodies of the EU have an obligation to guarantee the widest possible access to documents. The Preamble of the Regulation Regulation 1049/2001 on Public Access to Documents states that openness enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy and is more effective and more accountable to the citizen in a democratic system¹.

Two of the most important institutions in the EU, namely the Council and the Commission, are often put into the spotlight for undermining the right to access to documents. A lack of transparency can be found in several levels in the EU documents. The decision-making process by 'informal' EU bodies is one area of concern e.g. Eurogroup's activities. The Commission engrained for nearly all areas of Commission investigations (with the support of case-law) the general presumptions² of secrecy, e.g. infringement procedures against Member States violating EU law. Legislative documents are in several cases difficult to access e.g. trilogue-related documents, Commission documents relating to legislative procedures etc. And documents for delegated acts and comitology procedures relevant are hard to access.

3 THE EU Ombudsman

Promoting greater openness and transparency, accountability in the EU administration are main targets set for the EU Ombudsman. The office receives many complaints about the EU institutions themselves, for example about lack of transparency, alleged conflicts of interest, "revolving doors", and other ethical concerns. In 2018, the main issue of inquires concerned transparency/accountability, with 24,6% of all inquires.³

Procedural norms regarding EU administrative law are found in the Treaty, the Charter, EU legislation, the case law of EU courts and the decisions of the EU Ombudsman.⁴ One of the main activity to promote transparency concerns the investigation of the Ombudsman regarding *access of documents*. TFEU clearly states that the objective to promote good governance and ensure the participation of civil society thus citizens have right of access to documents of the Union institutions, bodies, offices and agencies, and the latter have the obligation to offer access to their documentst with listed exceptions.⁵ Also, the Charter of Fundamental Rights declares fundamental individual right of access to documents, that is to say, any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of the institutions, bodies, offices and agencies of the Union, whatever their medium..⁶ Institutions and bodies of the EU have an obligation to guarantee the 'widest possible' access to documents. While legislative documents, as the general rule, should always be available, this does not in any way imply that administrative or executive matters, in contrast, are to be conducted in secrecy.⁷ Regulation 1049/2001 on Public Access to Documents', Preamble of the Regulation: 'Openness enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy and is more effective and more accountable to the citizen in a democratic system'.

A strategic inquiry of the EU Ombudsman concerned the transparency of the three preparatory bodies that are involved in preparing Eurogroup meetings. The focus of the inquiry was on requests for public access to documents concerning the work of the Eurogroup and these preparatory bodies 2016. The Eurogroup Working Group (EWG) is the main preparatory body for Eurogroup meetings, assists the Eurogroup and its President in preparing the discussions of the Member States' Finance Ministers on Eurozone matters. EWG prepares short discussion papers for the Finance Ministers focusing on key policy issues.

Eurozone economic policy has wide-ranging implications for citizens. The Ombudsman therefore decided to look into the extent to which the public can inform itself about the EWG's work, including the procedures it uses, and

Community institutions or bodies, with the exception of the Court of Justice and the Court of First Instance acting in their judicial role».

⁵ Annual Report 2018, <https://www.ombudsman.europa.eu/hu/multimedia/infographics/en/79>

⁶ See more Craig, P.: UK, EU and Global Administrative Law: Foundations and Challenges, Cambridge University Press, 2015.

⁷ Article 15 TFEU.

⁸ Article 42 of the Charter.

⁹ Hoffmann-P., H. and Leino-Sandberg, P.: An agenda for transparency in the EU, 23 October 2019 https://europeanlawblog.eu/2019/10/23/an-agenda-for-transparency-in-the-eu/#_ftn1

the specific input it provides to the Eurogroup. Even under the revised transparency policy, the (provisional) agendas of EWG meetings are still not made public. The Eurogroup should examine the extent to which it might proactively make public the concrete input which the EWG provides to it, such as the EWG's opinions on draft budgetary plans

Decision in case 689/2014/JAS concerned the Council's transparency, how the Council's handled a request for public access to documents regarding Iran sanctions. The complaint was made by an entity subject to EU imposed restrictive measures. It complained about the Council of the European Union's handling of a request for public access to documents related to a meeting of the Council's Foreign Relations Counsellors "Sanctions" formation Working Party, where various issues in relation to restrictive measures against Iran had been discussed. The Council refused to release some parts of the documents in question, arguing that the release would undermine the protection of the public interest as regards international relations and would seriously undermine the Council's decision-making-process. The rest of the documents, not covered by these exceptions, were released. The Ombudsman inquired into the issue and found that the Council was justified in refusing access to those parts of the documents which it had withheld. Therefore, the Ombudsman concluded that there was no maladministration by the Council.¹⁰

Decision in case 861/2017/PL on the European Commission's refusal to give public access to all documents related to two infringement procedures against the United Kingdom on how it applies the 'Free Movement Directive' The case concerned the European Commission's refusal to grant public access to all documents related to two infringement procedures against the United Kingdom on how it applies the 'Free Movement Directive', following a request by a Member of the European Parliament, Sophie in 't Veld. The Commission justified its decision to deny access to the requested documents by citing the need to protect the ongoing infringement procedures. It considered that there was no overriding public interest in disclosing the documents. The complainant disagreed and turned to the Ombudsman. The Ombudsman opened an inquiry and inspected the files on the two infringement procedures. She confirmed that the procedures were still ongoing and could be undermined by the disclosure of the documents. Based on her inspection of the documents, she considered that there were no overriding public interests justifying the disclosure of the documents. Thus, she concluded that there had been no maladministration in refusing access.¹¹

In another case the complaint was made in connection the European Commission's refusal to grant access to documents concerning the envisaged second EU Anti-Corruption report and the study regarding corruption within the EU institutions.¹² The Commission refused to disclose these documents on the ground that their disclosure could undermine the internal decision making process. Here, the ombudsman concluded that the Commission was fully justified in withholding their content there was no maladministration.¹³

Another institution, the European Investment Bank belongs under the supervision of the ombudsman office. Regarding the Bank's activity, 3,3% of the inquires concerned issues such as transparency or failure to respond¹⁴. The transparency policy of the EIB was a ground of an ombudsman investigation, with international and EU standards applicable to access to information. Although the EU Ombudsman did not find maladministration, the ombudsman highlighted two key areas where the EIB should make further improvements in transparency. The Office advised the EIB to start disclosing more information about its internal inspections, investigations and audits on fraud and corruption cases so that to strengthen transparency. Furthermore, the Ombudsman made several recommendations to improve the policy, for example the Ombudsman encouraged the EIB to remove from its transparency policy the presumption of non-disclosure related to information and documents collected and generated during inspections, investigations and audits on fraud and corruption, including once these have been closed. This is of main concern because huge amount of funds lent to companies, States and national banks have already led to corruption cases.

Case 146/2017/DR was an example how a project financed by the EIB raised environmental, health and independency questions regarding its monitoring. The European Investment Bank received a complaint about a project financed in Madagascar for nickel-cobalt mining and processing. The complaint concerned the time taken to deal with his complaint and raised concerns about whether the project had been monitored in terms of respect for environmental, health and safety requirements in an independent manner. The Ombudsman found maladministration as the EIB took six years to finalise its investigation into the complaint. While some of the shortcomings identified have been addressed as part of the review of the EIB's Complaints Mechanism, the Ombudsman made a recommendation to avoid problems in the future. The Ombudsman also found issues in how the EIB monitors projects and made a corresponding recommendation¹⁵.

¹⁰ Decision in case 689/2014/JAS on the Council's handling of a request for public access to documents regarding Iran sanctions

¹¹ Decision in case 861/2017/PL on the European Commission's refusal to give public access to all documents related to two infringement procedures against the United Kingdom on how it applies the 'Free Movement Directive'

¹² The complainant requested access to the documents under Regulation 1049/2001. The Commission identified six draft country analyses, drawn up by its staff as part of the follow-up to the 2014 EU Anti-Corruption Report. These contained internal, preliminary opinions on corruption issues in some Member States.

¹³ Decision in case 1099/2017/JAP concerning the European Commission's refusal to disclose six draft country analyses prepared in the context of the envisaged second EU Anti-Corruption Report

¹⁴ Annual Report 2018.

¹⁵ Recommendation of the European Ombudsman in case 146/2017/DR on how the European Investment Bank handled a complaint about breaches of environmental, health and safety requirements in a project it financed

Another example concerned the EIB's failure to reply to a complainant about a case of alleged fraud and corruption related to an EIB investment project. After the Ombudsman Office contacted the Bank about the complaint, the relevant Bank division sent the reply to the complainant, and ensured that it had taken all appropriate measures to ensure that EIB loans are used for the purposes intended and that all activities are free from prohibited conducts¹⁶.

4 THE COURT

In earlier cases such as Case T-194/94 Carvel and Guardian Newspapers Ltd v Council, Case C-58/94 Netherlands v Council, and Case C-353/99 P Huatala v Council, ECJ recognized the importance of access to documents, but not a general principle of "the right to information."¹⁷ According to the Court, the right to public access is less fundamental when exercised in the administrative context than in the legislative one. However, openness in administrative matters has been acknowledged by the CJEU as a matter of principle.¹⁸ An important case, Case C-139/07 TGI offers a clear view about the Court regarding the distinction between legislative and administrative matters and the general presumption principle. A German company Technische Glaswerke Ilmenau (TGI) asked the European Commission (Commission) to provide access to all documents in the state aid cases concerning TGI, and to all documents concerning state aid for the undertaking Schott Glas, except for business secrets relating to other undertakings. The Commission refused on the ground that it would undermine the protection of the purpose of inspections, investigations and audits.

According to the Court, although in principle the Commission must explain the reason how access to a document could specifically and effectively undermine the interest protected by an exception, but could also base its decision to refuse disclosure on general presumptions which apply to certain categories of documents. The Court made distinction between administrative and legislative document. Documents relating to procedures for reviewing state aid, such as those requested by TGI, fall within the framework of administrative functions of the Commission, but in cases where the Commission acted in the capacity of a legislature, wider access to documents should be authorized.

The Court offered its view onto the general presumption principle. In the process of state aid review there was a general presumption that disclosure of documents in the administrative file in principle undermines protection of the objectives of investigation activities. To rebut such presumption, the interested party had to demonstrate that (i) the requested document was not covered by that presumption, or (ii) there was a higher public interest justifying the disclosure of the document. Thus, according to the Court the Commission was able to refuse access to all the documents relating to procedures for the review of state aid covered by TGI's request for access on the basis of [the Regulation], and could do so without first making a concrete, individual examination of those documents.¹⁹

Thus, case law permits the institutions to rely in relation to certain categories of administrative and court documents on a general presumption that their disclosure would undermine the purpose of the protection of an interest and institutions are freed from examining the requested documents individually. General presumptions of secrecy have now been confirmed in several cases, from documents relating to state aid, mergers, court proceedings, to cartels and infringement proceedings.²⁰

The CJEU has in principle required that documents should be examined one-by-one in accordance with the basic principle of the Regulation stemming from Article 4(6). When assessing possible harm to the interests protected by the Regulation, the risk of that interest being undermined must be reasonably foreseeable and not purely hypothetical.²¹

The public interest test requires the institution to balance the possible harm with the public interest in disclosure and consider whether access could still be granted despite some harm to the protected interests.²² In Joined Cases C-39/05 P and C-52/05 P Sweden and Turco v Council the Court created a three-stage test. According to this, the institution shall first identify and verify the parts of the document that contain information covered by an exception; then examine whether disclosure of the parts of the document would undermine an

<https://www.ombudsman.europa.eu/en/recommendation/en/107214>.

¹⁶ Decision in case 1174/2017/CEC on the European Investment Bank (EIB)'s failure to answer correspondence concerning a case of alleged fraud and corruption related to an EIB investment project
Case 1174/2017/CEC

<https://www.ombudsman.europa.eu/en/opening-summary/en/82215>.

¹⁷ Craig, P.: EU Administrative Law, 2nd edn, Oxford University Press, 2012, 449

¹⁸ See case T-403/15 MyTravel v Commission

¹⁹ C-139/07 P Commission v Technische Glaswerke Ilmenau

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=84749&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=70973>

²⁰ See Case C-404/10 P Commission v Éditions Odile Jacob; Case C-514/07 P Sweden and Others v API and Commission; Case C-365/12 P Commission v EnBW and Joined Cases C514/11 P and C-605/11 P LPN and Finland v Commission.

²¹ Curtin, D. and Leino-Sandberg, P.: Openness, Transparency and the Right of Access to Documents in the EU. In-Depth Analysis, RSCAS 2016/63 Robert Schuman Centre for Advanced Studies, 2016

https://cadmus.eui.eu/bitstream/handle/1814/44204/RSCAS_2016_63.pdf?sequence=1

²² Article 4(2) and 4(3) of the Regulation.

interest; and thirdly, when a public interest test applies to the exception if there is an overriding public interest justifying the disclosure.²³

In Joined Cases C-514/07 P, C-528/07 P and C-532/07 P (Association de la presse internationale ASBL (API)), the Court of Justice ruled in issues of documents relating to Court proceedings. According to the Court, both from the wording of the relevant provisions of the Treaties and from the broad logic of Regulation No 1049/2001 and the objectives of the relevant EU rules, that judicial activities are as such excluded from the scope, established by those rules, of the right of access to documents the exclusion of judicial activities from the scope of the right of access to documents, without any distinction being drawn between the various procedural stages, is justified in the light of the need to ensure that, throughout the court proceedings, the exchange of argument by the parties and the deliberations of the Court in the case before it take place in an atmosphere of total serenity. The Court stated that a general presumption that disclosure of the pleadings lodged by one of the institutions in court proceedings would undermine the protection of those proceedings while those proceedings remain pending. Disclosure of the pleadings in question would have the effect of exposing judicial activities to external pressure, albeit only in the perception of the public, and would disturb the serenity of the proceedings. The Court pointed out, disclosure would flout the special nature of that category of documents and would be tantamount to making a significant part of the court proceedings subject to the principle of transparency and the effectiveness of the exclusion of the Court of Justice from the institutions to which the principle of transparency applies would be largely frustrated. But in closed cases, that once proceedings have been closed by a decision of the Court, there are no longer grounds for presuming that disclosure of the pleadings would undermine the judicial activities of the Court and the general presumption thus no longer applied.

Joined Cases C-514/11 P and C-605/11 P LPN and Finland v the Commission established the Court's stance regarding documents requested in infringements proceedings. A Portuguese environmental NGO requested two documents relating to pending infringement proceedings. They concerned the compatibility of a dam construction project with the EU Habitats Directive (92/43/EEC). The Commission refused to grant access to the documents with reference to how in an infringement procedure a climate of mutual trust was needed. According to the CJEU, infringement procedures are regarded as a type of procedure which, as such, has characteristics precluding full transparency being granted in that field and which therefore has a special position within the system of access to documents. Infringement procedure has characteristics which are comparable to those of a State aid review procedure where it had previously confirmed the existence of a general presumption: both are procedures initiated in respect of the Member State responsible, either for granting aid for alleged infringement of EU law. Moreover, under neither of the two procedures the interested parties with the exception of the relevant Member State enjoy a right to consult the documents on the Commission's administrative file, and that granting access to them would call the system into question. The Court referred to the purpose of the pre-litigation procedure that is to give the Member State concerned an opportunity, on the one hand, to comply with its obligations under European Union law and, on the other, to avail itself of its right to defend itself against the objections formulated by the Commission. The disclosure of the documents concerning an infringement procedure during its pre-litigation stage would, in addition, be likely to change the nature and progress of that procedure, given that, in those circumstances, it could prove even more difficult to begin a process of negotiation and to reach an agreement between the Commission and the Member State concerned putting an end to the infringement alleged, in order to enable European Union law to be respected and to avoid legal proceedings. Finally, the Court established that the documents relating to the pre-litigation stage of an infringement procedure constitute a single category of documents for the purposes of applying the abovementioned general presumption.

However, the Court of Justice pointed out that while it is open to that institution, body, office or agency to base its decisions on general presumptions which apply to certain categories of documents, in order to enable it to decide whether the disclosure of those documents would, in principle, undermine the interest protected by one or more exceptions laid down in Article 4 of Regulation No 1049/2001, it is not required to base its decision on such a general presumption. The Court of Justice has thus concluded that the application of a general presumption of confidentiality is merely an option for the institution, body, office or agency concerned and the latter always retains the possibility of carrying out a specific and individual examination of the documents in question to determine whether they are protected, in whole or in part, by one or more of the exceptions laid down in Article 4 of Regulation No 1049/2001.²⁴

4 Conclusion

The activities of the European Ombudsman are largely determined by the expressed critique regarding the lack of transparency in the EU institutional system. As we can see, cases involving lack of transparency make up the largest group since the forum's establishment, and a number of resolutions have been issued in connection with this. It is important to mention the Ombudsman himself is to ensure transparency so that people could follow their cases and understand the proceedings that propagates good example. The CJEU itself has to do more in connection with its transparency. This is the institutions to interpret EU law and it is of utmost importance.

²³ Joined Cases C-39/05 P and C-52/05 P Sweden and Turco v Council EU

²⁴The Court confirms the right of access to documents contained in the file of a marketing authorisation application for a medicinal product

Court of Justice of the European Union PRESS RELEASE No 6/20 Luxembourg, 22 January 2020

Judgments in Case C-175/18 P PTC Therapeutics International Ltd v European Medicines Agency (EMA), and C-178/18 P MSD Animal Health Innovation and Intervet International v European Medicines Agency (EMA)

<https://curia.europa.eu/jcms/upload/docs/application/pdf/2020-01/cp200006en.pdf>

Bibliography:

Craig, P.: *Integration, Democracy and Legitimacy*. In Paul Craig and Gráinne de Burca (eds), *The Evolution of EU Law*, 2nd edn, Oxford University Press, 2011

Craig, P.: *UK, EU and Global Administrative Law: Foundations and Challenges*, Cambridge University Press, 2015

Craig, P.: *EU Administrative Law*, 2nd edn, Oxford University Press, 2012

Hoffmann-P., H. and Leino-Sandberg, P.: *An agenda for transparency in the EU*, 23 October 2019 https://europeanlawblog.eu/2019/10/23/an-agenda-for-transparency-in-the-eu/#_ftn1

Curtin, D. and Leino-Sandberg, P.: *Openness, Transparency and the Right of Access to Documents in the EU. In-Depth Analysis*, RSCAS 2016/63 Robert Schuman Centre for Advanced Studies, 2016 https://cadmus.eui.eu/bitstream/handle/1814/44204/RSCAS_2016_63.pdf?sequence=1

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Decision in case 1174/2017/CEC on the European Investment Bank (EIB)'s failure to answer correspondence concerning a case of alleged fraud and corruption related to an EIB investment project

Joined Cases C-514/07 P, C-528/07 P and C-532/07 P (Association de la presse internationale ASBL (API)

Joined Cases C-39/05 P and C-52/05 P Sweden and Turco v Council EU

Case C-175/18 P PTC Therapeutics International Ltd v European Medicines Agency (EMA), and C-178/18 P MSD Animal Health Innovation and Intervet International v European Medicines Agency (EMA)

C-139/07 P Commission v Technische Glaswerke Ilmenau

Case T-403/15 MyTravel v Commission

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Judgments in Case C-175/18 P PTC Therapeutics International Ltd v European Medicines Agency (EMA), and C-178/18 P MSD Animal Health Innovation and Intervet International v European Medicines Agency (EMA)

<https://curia.europa.eu/jcms/upload/docs/application/pdf/2020-01/cp200006en.pdf>

The European Ombudsman: Annual Report 2018

<https://www.ombudsman.europa.eu/hu/multimedia/infographics/en/79>

Treaty on the Functioning of the European Union

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

Charter of Fundamental Rights of the European Union

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>

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