



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

Sept. 2014
quarterly update

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

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New cases and new judgments (or conclusions) not mentioned in the previous list are marked in red.

Judgments and pending cases are arranged in chronological order (oldest first).

Blue underscores references contain hyperlinks to the original documents.

1. Regular Migration

Family Reunification

Directive [2003/86](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Parliament/Council	27 June 2006	C-540/03	C:2006:429	right to family reunification
Chakroun	4 Mar 2010	C-578/08	C:2010:117	income requirement
Imran (deleted)	10 June 2011	C-155/11 PPU	C:2011:387	integration test abroad
O., S. & L.	6 Dec 2012	C-356 ... 357/11	C:2012:776	interest of the child; EU charter
Dogan (Naime)	10 Jul 2014	C-138/13	C:2014:2066	integration test abroad
Noorzia	17 Jul 2014	C-338/13	C:2014:2092	minimum age of 21 years

pending cases

K and A		C-153/14		integration test abroad
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Long-Term Residents

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

<i>judgments</i>				
Ziebell	8 Dec 2011	C-371/08	C:2011:809	Art 12; expulsion = EEC-Turkey
Kamberaj	24 Apr 2012	C-571/10	C:2012:233	equal treatment; housing benefits
Com./Netherlands	26 Apr 2012	C-508/10	C:2012:243	fees for residence permit
Singh	18 Oct 2012	C-502/10	C:2012:636	Art 3(2)(e); formally restricted residence permit
Iida	8 Nov 2012	C-40/11	C:2012:691	lodging application for LTR is essential
Mlalali	14 Nov 2013	C-257/13	C:2013:763	equal treatment; inadmissible
Tahir	17 Jul 2014	C-469/13	C:2014:2094	5 years residence also for spouse

pending cases

P. & S.		C-579/13		integration obligation after acquisition status
Van Hauthem		C-176/14		Art. 14; (un)limited access to labour market
CGIL		C-309/14		amount of fee for LTR permit

Students, trainees & volunteers

Directive [2004/114](#)

<i>judgments</i>				
Payir	24 Nov 2008	C-294/06	C:2008:36	working Turkish student
Sommer	21 June 2012	C-15/11	C:2012:371	Art 17; standstill Accession Bulgaria
Ben Alaya	10 Sep 2014	C-491/13	C:2014:2187	non-discretionary right to a student visa

pending cases

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Social Security for TCN

Regulation [859/2003](#) and [1231/2010](#)

<i>judgments</i>				
Xhymshiti	18 Nov 2010	C-247/09	C:2010:698	child benefits; worker in Switzerland

pending cases

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2. Asylum

Qualification

Directive [2004/83](#) and [2011/95](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Elgafaji	17 Feb 2009	C-465/07	C:2009:94	Art 15c
Abdulla a.o.	2 March 2010	C-175 ... 179/08	C:2010:105	revocation; new circumstances
Bolbol	17 June 2010	C-31/09	C:2010:351	Palestinian exception
B. & D.	9 Nov 2010	C-57/09	C:2010:661	terrorist acts organisation
Y. & Z.	5 Sep 2012	C-71/11	C:2012:558	Ahmadiyya in Pakistan
M.M.	22 Nov 2012	C-277/11	C:2012:744	duty of cooperation
El Kott	19 Dec 2012	C-364/11	C:2012:826	Palestinian exception
X., Y. & Z.	7 Nov 2013	C-199 ... 201/12	C:2013:720	homosexual orientation forms a social group
Diakite	30 Jan 2014	C-285/12	C:2014:39	internal armed conflict
H.N.	8 May 2014	C-604/12	C:2014:302	connectivity subs. protection and refugee status
Qurbani	17 Jul 2014	C-481/13	C:2014:2101	no interpr. Refugee Convention by CJEU

pending cases

A., B. and C.	AG: 17 Jul 2014	C-148 ... 150/13	C:2014:2111	establishing homosexual orientation
T.		C-373/13		withdrawal of refugee status
Shepherd		C-472/13		american soldier war in Iraq resister
M'Bodj	AG: 17 Jul 2014	C-542/13	C:2014:2113	right to medical treatment
Abdida	AG: 4 Sep 2014	C-562/13	C:2014:2167	QD applicable to admitt. on medical grounds?

Asylum Procedures

Directive [2005/85](#)

judgments

Parliament/Council	6 May 2008	C-133/06	C:2008:257	list of safe countries of origin
Diouf	28 July 2011	C-69/10	C:2011:524	accelerated procedure; remedies
H.I.D. & B.A.	31 Jan. 2013	C-175/11	C:2013:45	accelerated procedure; remedies

pending cases

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Dublin II and III

Regulation [343/2003](#) and [604/2013](#)

judgments

Petrosian	29 Jan 2009	C-19/08	C:2009:41	transfer deadline; suspensive effect
N.S. & M.E.	21 Dec 2011	C-411+493/10	C:2011:865	conditions in Greece; no transfer
Kastrati	3 May 2012	C-620/10	C:2012:265	withdrawal asylum application
K.	6 Nov 2012	C-245/11	C:2012:685	Art. 15; sovereignty and humanitarian clause
M. a.o. (deleted)	7 Jan 2013	C-666/11	C:2013:2	timely transfer impossible; absconding
Halaf	30 May 2013	C-528/11	C:2013:342	sovereignty clause; Art. 18 EU Charter
Rajaby (deleted)	10 June 2013	C-158/13	C:2013:455	Art 15 dependency
M.A. a.o.	2 Sep 2013	C-648/11	C:2013:367	transfer of unaccompanied minor
Puid	4 Nov 2013	C-4/11	C:2013:740	responsible State in stead of Greece
Abdullahi	12 Dec 2013	C-394/12	C:2013:813	Art. 19(2); meaning of First Member State

pending cases

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Reception Conditions

Directive [2003/9](#)

judgments

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

pending cases

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3. Borders and Visa

Visa Code

Regulation [810/2009](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Vo	10 Apr 2012	C-83/12	C:2012:202	Art 21; Art 34; human trafficking
Dang (deleted)	18 June 2012	C-39/12	C:2012:359	fraud with and validity of visa
Koushkaki	19 Dec 2013	C-84/12	C:2013:862	limited ground refusal visa; discretion MS
Air Baltic	4 Sep 2014	C-575/12	C:2014:2155	valid visa in cancelled travel document

pending cases

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Borders Code

Regulation [562/2006](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Garcia & Cabrera	22 Oct 2009	C-261+348/08	C:2009:648	Art 11; no obligation to expel
Melki & Abdeli	22 June 2010	C-188 ... 189/10	C:2010:206	Art 21; internal border
Gaydarov	17 Nov 2011	C-430/10	C:2011:749	Art. 27: criminal conviction in other MS
ANAFE	14 June 2012	C-606/10	C:2012:348	return visa; Art 5(4); Art 13
Adil	19 July 2012	C-278/12 PPU	C:2012:508	Art 21; internal border
Parliament/Council	5 Sep 2012	C-355/10	C:2012:516	annulment implementing measure
Jaoo (deleted)	14 Sep 2012	C-88/12	C:2012:573	Art 21; internal border
Zakaria	17 Jan 2013	C-23/12	C:2013:24	appeal against refusal at the border
Air Baltic	4 Sep 2014	C-575/12	C:2014:2155	limited grounds for refusal at border

pending cases

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Transit through Switzerland

Decision [896/2006](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Kqiku	2 Apr 2009	C-139/08	C:2009:230	TCN with Swiss residence permit

pending cases

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Border Traffic

Regulation [1931/2006](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Shomodi	21 Mar 2013	C-254/11	C:2013:182	3 month period local border traffic

pending cases

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Passports

Regulation [2252/2004](#)

	Date	Case nr	ECLI:EU:	Subject
<i>judgments</i>				
Schwarz	17 Oct 2013	C-291/12	C:2013:670	use of finger prints for other purposes
Com./Belgium	13 Feb 2014	C-139/13	C:2014:80	failure to issue biometric passports

pending cases

Willems a.o.		C-446 ... 449/12		right to passport without finger prints
U.	AG: 30 Apr 2014	C-101/13	C:2014:296	family names in passport

4. Irregular Migration

Returns Directive 2008/115	Date	Case nr	ECLI:EU:	Subject
<i>Judgments</i>				
Kadzoev	30 Nov 2009	C-357/09 PPU	C:2009:741	maximum period of detention
El Dridi	28 Apr 2011	C-61/11 PPU	C:2011:268	prison sentence; order to return
Achughbabian	6 Dec 2011	C-329/11	C:2011:807	sanctions non-compliance return order
Ettaghi a.o.	4 July 2012	C-73 ... 75/12	C:2012:410	manifestly inadmissible
Sagor	6 Dec 2012	C-430/11	C:2012:277	fine, home detention, expulsion prevails
Zhu a.o. (deleted)	6 Feb 2013	C-51 ... 54/12	C:2013:61	illegal residence be defined as crime?
Mbaye	21 Mar 2013	C-522/11	C:2013:190	fine, deportation, risk of absconding
Arslan	30 May 2013	C-534/11	C:2013:343	directive and detention asylum seekers
G. & R.	10 Sep 2013	C-383/13 PPU	C:2013:533	infringement rights of defence
Filev & Osmani	19 Sep 2013	C-297/12	C:2013:569	old unlimited entry bans incompatible
Mahdi	5 Jun 2014	C-146/14 PPU	C:2014:1320	scope judicial review; coop. with removal
Da Silva (inadmissible)	3 Jul 2014	C-189/13	C:2014:2043	penal sanctions on illegal entry
Bero & Bouzalmate	17 Jul 2014	C-473+514/13	C:2014:2095	absence from special detention centre
Pham	17 Jul 2014	C-474/13	C:2014:2096	separation of ordinary criminals
<i>pending cases</i>				
Mukarubega	AG: 25 Jun 2014	C-166/13	C:2014:2031	right to be heard
Boudjlida	AG: 25 Jun 2014	C-249/13	C:2014:2032	right to be heard
Zh. & O.		C-554/13		risk to public policy in Art. 7(4)?
Zaizoune		C-38/14		Art. 4+6: financial penalties and removal
Celaj		C-290/14		prison sanction, entry ban and removal

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

Workers and Family Members

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

Decision	date	Case nr	ECLI:EU:	Subject
<i>Judgments</i>				
Demirel	30 Sept 1987	C-12/86	C:1987:400	
Sevince	20 Sept 1990	C-192/89	C:1990:322	
Kus	16 Dec 1992	C-237/91	C:1992:527	
Eroglu	5 Oct 1994	C-355/93	C:1994:369	
Bozkurt (Ahmet)	6 June 1995	C-434/93	C:1995:168	
Tetik	23 Jan 1997	C-171/95	C:1997:31	
Kadiman	17 Apr 1997	C-351/95	C:1997:205	
Eker	29 May 1997	C-386/95	C:1997:257	
Kol	5 June 1997	C-285/95	C:1997:280	
Ertanir	30 Sept 1997	C-98/96	C:1997:446	
Günaydin	30 Sept 1997	C-36/96	C:1997:445	
Akman	19 Nov 1998	C-210/97	C:1998:555	
Birden	26 Nov 1998	C-1/97	C:1998:568	
Nazli	10 Feb 2000	C-340/97	C:2000:77	
Ergat	16 Mar 2000	C-329/97	C:2000:133	
Eyüp	22 June 2000	C-65/98	C:2000:336	
Bicakci	19 Sept 2000	C-89/00	-	
Kurz (Yuce)	19 Nov 2002	C-188/00	C:2002:694	
Birlikte	8 May 2003	C-171/01	C:2003:260	
Abatay & Sahin	21 Oct 2003	C-317/01+369/01	C:2003:572	
Com./Austria	16 Sept 2004	C-465/01	C:2004:530	
Ayaz	30 Sept 2004	C-275/02	C:2004:570	
Cetinkaya	11 Nov 2004	C-467/02	C:2004:708	
Dörr & Ünal	2 June 2005	C-136/03	C:2005:340	
Aydinli	7 July 2005	C-373/03	C:2005:434	
Dogan (Ergül)	7 July 2005	C-383/03	C:2005:436	
Gürol	7 July 2005	C-374/03	C:2005:435	
Sedef	10 Jan 2006	C-230/03	C:2006:5	
Torun	16 Feb 2006	C-502/04	C:2006:112	
Güzeli	26 Oct 2006	C-4/05	C:2006:670	
Derin	18 July 2007	C-325/05	C:2007:442	
Polat	4 Oct 2007	C-349/06	C:2007:581	
Payir a.o.	24 Jan 2008	C-294/06	C:2008:36	
Nihat Kahveci	25 July 2008	C-152/08	C:2008:450	
Er	25 Sept 2008	C-453/07	C:2008:524	
Altun	18 Dec 2008	C-337/07	C:2008:744	
Sahin	17 Sept 2009	C-242/06	C:2009:554	fees for residence permit; Art. 13 Dec 1/80
Bekleyen	21 Jan 2010	C-462/08	C:2010:30	Art. 7 Dec 1/80 after admission as student
Genc	4 Feb 2010	C-14/09	C:2010:57	part-time Turkish worker; Art. 6 Dec 1/80
Com./Netherlands	29 Apr 2010	C-92/07	C:2010:228	fees for residence permit
Toprak & Oguz	2 Dec 2010	C-300...301/09	C:2010:756	
Bozkurt (Metin)	22 Dec 2010	C-303/08	C:2010:800	
Pehlivan	16 June 2011	C-484/07	C:2011:395	
Baris Ünal	29 Sept 2011	C-187/10	C:2011:623	
Ziebell	8 Dec 2011	C-371/08	C:2011:809	Art. 14 Dec 1/80; Art. 28 Dir 2004/38
Kahveci & Inan	29 Mar 2012	C-7...9/10	C:2012:180	dual nationals and Dec 1/80
Dülger	19 July 2012	C-451/11	C:2012:504	Art. 7 Dec irrespective of nationality
Gülbahce	8 Nov 2012	C-268/11	C:2012:695	
Demir	7 Nov 2013	C-225/12	C:2013:725	standstill in Art. 13 of Dec 1/80

pending cases

Van Hauthem [C-176/14](#) **Art. 6 and 7 Dec 1/80**

(5. EEC-Turkey Association Agreement – continued)

Establishment and Provision of Services

Additional Protocol

	Date	Case nr	ECLI:EU:	Subject
<i>Judgments</i>				
Savas	11 May 2000	C-37/98	C:2000:224	
Abatay & Sahin	21 Oct 2003	C-317/01	C:2003:572	
Yedas Tarim/Council	5 July 2007	C-255/06 P	C:2007:414	
Tum & Dari	20 Sept 2007	C-16/05	C:2007:530	
Soysal & Savatli	19 Feb 2009	C-228/06	C:2009:101	
Com./Netherlands	29 Apr 2010	C-92/07	C:2010:228	
Tural Oguz	21 July 2011	C-186/10	C:2011:509	
Dereci a.o.	15 Nov 2011	C-256/11	C:2011:734	
Demirkan	24 Sep 2013	C-221/11	C:2013:583	
Dogan (Naime)	10 Jul 2014	C-138/13	C:2014:2066	language requirement abroad
Essent	11 Sep 2014	C-91/13	C:2014:2206	standstill – subcontractors

pending cases

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Social Security

Decision 3/80

<i>Judgments</i>				
Taflan-Met a.o.	10 Sept 1996	C-277/94	C:1996:315	Decision 3/80 has entered into force
Sürül	4 May 1999	C-262/96	C:1999:228	Art. 3 has direct effect
Kocak & Örs	14 Mar 2000	C-102+211/98	C:2000:119	Determination of date of birth
Öztürk	28 Apr 2004	C-373/02	C:2004:232	Conditions early old-age pension
Akdas	26 May 2011	C-485/07	C:2011:346	Art. 6 has direct effect

pending cases

Demirci a.o.	AG: 10 Jul 2014	C-171/13	C:2014:2073	Art. 6 and dual nationality
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6. Free Movement

EU citizens and Family members

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

Regulation [492/2011](#)

	Date	Case nr	ECLI:EU:	Subject
<i>Judgments</i>				
Jipa	10 Jul 2008	C-33/07	C:2008:396	20 TFEU; 4+27 Dir
Metock	25 Jul 2008	C-127/08	C:2008:449	3(1) Dir
Föster	18 Nov 2008	C-158/07	C:2008:630	18+20 TFEU
Huber	16 Dec 2008	C-524/06	C:2008:724	18 TFEU
Deniz Sahin	19 Dec 2008	C-551/07	C:2008:755	3+6+7 Dir
Vatsouras & Koupatantze	4 Jun 2009	C-22 ... 23/08	C:2009:344	18 TFEU; 24(2) Dir
Wolzenburg	6 Oct 2009	C-123/08	C:2009:616	18 TFEU
Rottmann	2 Mar 2010	C-135/08	C:2010:104	20 TFEU
Ibrahim	23 Feb 2010	C-310/08	C:2010:80	12 Dir
Teixeira	23 Feb 2010	C-480/08	C:2010:83	12 Dir
Tsakouridis	23 Nov 2010	C-145/09	C:2010:708	28(3) Dir
Lassal	7 Oct 2010	C-162/09	C:2010:592	16 Dir
Ruiz Zambrano	8 Mar 2011	C-34/09	C:2011:124	20 TFEU
Runevič-Vardyn	12 May 2011	C-391/09	C:2011:291	21 TFEU
McCarthy	5 May 2011	C-434/09	C:2011:277	21 TFEU
Dias	21 Jul 2011	C-325/09	C:2011:498	16 Dir
Dereci	15 Nov 2011	C-256/11	C:2011:734	20 TFEU
Gaydarov	17 Nov 2011	C-430/10	C:2011:749	4+27 Dir
Aladzov	17 Nov 2011	C-434/10	C:2011:750	4+27 Dir
Ziolkowski & Szeja	21 Dec 2011	C-424 ... 425/10	C:2011:866	16 Dir
P.I.	22 May 2012	C-348/09	C:2012:300	28(3) Dir
Com./Netherlands	14 Jun 2012	C-542/09	C:2012:346	45 TFEU; 7(2) Reg
Rahman a.o.	5 Sep 2012	C-83/11	C:2012:519	3(2) Dir
Czop & Punakova	6 Sep 2012	C-147 ... 148/11	C:2012:538	16 Dir; 10 Vo
Com./Austria	4 Oct 2012	C-75/11	C:2012:605	20+21 TFEU; 24 Dir
Byankov	4 Oct 2012	C-249/11	C:2012:608	27 Dir
Iida	8 Nov 2012	C-40/11	C:2012:691	20 TFEU
O., S. & L.	6 Dec 2012	C-356 ... 357/11	C:2012:776	20 TFEU; 3(1) Dir
L.N.	21 Feb 2013	C-46/12	C:2013:97	45(2) TFEU; 7(2)+24 Dir
Alarape & Tijani	8 May 2013	C-529/11	C:2013:290	10 Vo
Ymeraga	8 May 2013	C-87/12	C:2013:291	20 TFEU; 3(1) Dir
Z.Z.	4 Jun 2013	C-300/11	C:2013:363	30(2) Dir
Hadj Ahmed	13 Jun 2013	C-45/12	C:2013:390	18 TFEU; 13(2)+14 Dir; 10 Vo
Prinz & Seeberger	18 Jun 2013	C-523+585/11	C:2013:524	20+21 TFEU
Brey	19 Sep 2013	C-140/12	C:2013:565	7(1)(b) Dir
Alokpa & Moudoulou	10 Oct 2013	C-86/12	C:2013:645	20 TFEU
Onuekwere	16 Jan 2014	C-378/12	C:2014:13	16 Dir
G.	16 Jan 2014	C-400/12	C:2014:9	28(3)(a)
Reyes	16 Jan 2014	C-423/12	C:2014:16	2(2)(c) Dir
O. & B.	12 Mar 2014	C-456/12	C:2014:135	20+21 TFEU; 3+6+7 Dir.
S. & G.	12 Mar 2014	C-457/12	C:2014:136	20+21 TFEU; 3+6+7 Dir.
Pia Braun (deleted)	18 Mar 2014	C-603/12	C:2014:203	20+21 TFEU
Rüffer	27 Mar 2014	C-322/13	C:2014:189	18+21 TFEU
Saint Prix	19 Jun 2014	C-507/12	C:2014:2007	45 TFEU; 7(3) Dir
Ogierakhi	10 Jul 2014	C-244/13	C:2014:2068	16(2) Dir

pending cases

Sean McCarthy a.o.	AG: 20 May 2014	C-202/13	C:2014:345	5(2)+35 Dir
Dano a.o.	AG: 20 May 2014	C-333/13	C:2014:341	24(2) Dir; 4 Reg
Martens		C-359/13		20+21 TFEU
Alimanovic		C-67/14		24(2) Dir; 4 Reg
Rendón Marín		C-165/14		20 TFEU
Kuldip Singh a.o.		C-218/14		7(1)(b)+13(2)(a) Dir
Eur Cie/NL		C-233/14		20+21 TFEU; 24(2) Dir
CS		C-304/14		20 TFEU

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