

ESSENTIAL CASELAW



Court of Justice of European Union (CJEU)

- ❖ Judgment, Case C-139/08, 2 April 2009, *Criminal proceedings Against Rafet Kqiku* (Reference for a preliminary ruling), about Visas, asylum, immigration – Crossing of the Member

The current list of caselaw has not to be considered exhaustive by any means.

Intended to provide a basic knowledge of the main judgments in the subjects of the Chair, the list was compiled by the JM Chair's Tutors, Dr. Stefano Busillo and Dr. Emanuele Vannata, as well as the Young Observer (Supervisor) Dr. Elisabetta Lambiase.

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States' external borders – Conditions of movement of third country nationals subject to a visa requirement (Serbia-Montenegro). [LINK](#)

❖ Judgment, Case C-430/10, 17 November 2011, *Hristo Gaydarov v. Direktor na Glavna direksia 'Ohranitelna politsia' pri Ministerstvo na vatrešnite raboti*, about prohibition on leaving national territory due to a criminal conviction in another country for drug trafficking (Serbia). [LINK](#)

❖ Judgment, Case C-620/10, 3 May 2012, *Migrationsverket v. Nurije Kastrati and Others*, about procedure for determining the Member State responsible for examining an asylum lodged in one of the Member States by a third-country national (Kosovo). [LINK](#)

❖ Judgement, C-695/15 PPU, 17 March 2013, *Shiraz Baig Mirza v. Bevándorlási és Állampolgársági Hivatal*, about criteria and determination mechanisms of the Member State responsible for examining an application for international protection filed in one of the Member States by a citizen of a third country or a stateless (Balkan Route). [LINK](#)

❖ Judgment, Case C-87/12, 8 May 2013, *Kreshnik Ymeraga and Others v. Ministre du Travail, de l'Emploi et de l'Immigration*, about Citizenship of the Union — Right of residence of third-country nationals who are family members of a Union citizen who has not exercised his right of freedom of movement (Kosovo). [LINK](#)

❖ Judgment, Case C-297/12, 19 September 2013, *criminal proceedings against Gjoko Filev and Adnan Osmani (Request for a preliminary ruling from the Amtsgericht Laufen)*, about return in a Member State of illegally staying third-country nationals - criminal proceedings brought against third-country nationals following their entry into Member State more than five years after their expulsion from that country in breach of entry bans of unlimited duration which were coupled with the expulsion orders made against them (Macedonia and Serbia). [LINK](#)

❖ Judgment, Case C-129/14 PPU, 27 May 2014, *criminal proceeding against Zoran Spasic (Request for a preliminary ruling from the Oberlandesgericht Nürnberg)*, about police and judicial cooperation in criminal matters - Ne bis in idem principle (Serbia). [LINK](#)

❖ Judgment, Case C-455/14 P, 19 July 2016, *H. v. Council of EU and Others*, about the European Union Police Mission - EUPM (Bosnia and Herzegovina). [LINK](#)

❖ Judgment, Case C-668/15, 6 April 2017, *Jyske Finans A/S v. Ligebehandlingsnævnet*,

about equal treatment between persons irrespective of racial or ethnic origin (Bosnia and Herzegovina). [LINK](#)

❖ Judgment, Joined Cases C-643/15 and C-647/15, 6 September 2017, *Slovak Republic and Hungary v. Council of the European Union*, about the emergency situation characterized by a sudden inflow of nationals of third countries into certain Member States (Balkan Route). [LINK](#)

❖ Judgment, Joined Cases C-331/16 and C-366/16, 2 May 2018, *K. v. Staatssecretaris van Veiligheid en Justitie and H. F. v Belgische Staat*, about persons whose asylum application has been refused for reasons within the scope of Article 1F of the Geneva Convention or Article 12(2) of Directive 2011/95/EU (Bosnia and Herzegovina). [LINK](#)

❖ Judgment, C-82/16, 8 May 2018, *K.A., R.I. and Others v. Belgische Staat*, about applications for residence in order to family reunification (Albania). [LINK](#)

❖ Judgment, Case C-404/17, 25 July 2018, *A. v. Migrationsverket*, about manifestly unfounded application for international protection and concept of safe country of origin (Kosovo, Serbia). [LINK](#)

❖ Judgment, Case C-93/18, 2 October 2019, *Ermira Bajratari v. Secretary of State for the Home Department*, about the right of residence of a third-country national who is a direct relative in the ascending line of Union citizen minors (Albania). [LINK](#)

❖ View of Advocate General Mengozzi, Case C-256/11, 29 September 2011, *Murat Dereci and Others v. Bundesministerium für Inneres*, about citizenship of the Union and right of residence of nationals of third countries who are family members of Union citizens - Refusal based on the citizen's failure to exercise the right to freedom of movement - Possible difference in treatment compared with EU citizens who have exercised their right to freedom of movement (Kosovo). [LINK](#)

❖ Opinion of Advocate General Jääskinen, Case C-129/14 PPU, 2 May 2014, *Zoran Spasić*, about Police and judicial cooperation in criminal matters (Serbia). [LINK](#)

❖ Opinion of Advocate General Jääskinen, Opinion of the Court 1/13, 13 May 2014, about international agreements in the field of judicial cooperation in civil matters (Albania). [LINK](#)

❖ Opinion of the Court (Grand Chamber), 14 October 2014, *Case Opinion 1/13*, about the

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acceptance of the accession of a non-Union country to the Convention on the civil aspects of international child abduction in the field of the exclusive competence of the EU (Albania). [LINK](#)

❖ Opinion of Advocate General *Sharpston*, 8 June 2017, *A.S. v. Republic of Slovenia*, about determination of the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national — Arrival of an exceptionally large number of third-country nationals wishing to obtain international protection — Organisation by the authorities of a Member State of the crossing of the border for the purpose of transit to another Member State — Entry authorised by way of derogation for humanitarian reasons (Balkan Route). [LINK](#)

❖ Judgement, Case C-571/17 PPU, 22 December 2017, *Samet Ardic*, (Reference for a preliminary ruling) about police and judicial cooperation in criminal matters and surrender procedures between Member States, the lawful of the execution of sentence subsequently suspended in part subjects to certain conditions and the revocation proceeding conducted in the absence of the person concerned who violated the conditions. (Netherlands) [LINK](#)

❖ Judgement, Case C-367/16, 23 January 2018, *Dawid Piotrowski*, (Reference for a preliminary ruling) about police and judicial cooperation in criminal matters, requirement to verify the minimum age at which a minor may be regarded as criminally responsible or assessment, in each individual case, of the additional conditions laid down by the law of a Member State which is executing an European arrest warrant. (Belgium) [LINK](#)

❖ Judgement, Case C-64/16, 27 February 2018, *Associação Sindical dos Juizes Portugueses v Tribunal de Contas*, (reference for a preliminary ruling) about the interpretation of Article 19 (1) TEU and the reduction of remuneration in the national public administration for budgetary austerity measures. (Portugal) [LINK](#)

❖ Judgement, Case C-537/16, 20 March 2018, *Garlsson Real Estate SA and Others v Commissione Nazionale per le Società e la Borsa (Consob)*, (Reference for a preliminary ruling) about the application of the ne bis in idem principle, national legislation providing for administrative penalty and a criminal penalty for the same acts. (Italy) [LINK](#)

❖ Judgement, Case C-550/16, 12 April 2018, *A and S v Staatssecretaris van Veiligheid en Justitie*, (Reference for a preliminary ruling) about the definition of ‘unaccompanied minor’ applicable or not applicable to a refugee below the age of 18 at the time of entry into the Member State and at

the time of application for asylum, but over 18 at the time of the decision granting asylum and of his application for family reunion. (Netherlands) [LINK](#)

❖ Judgement, Case C-414/16, 17 April 2018, *Vera Egenberger v Evangelisches Werk für Diakonie und Entwicklung e.V* (Reference for preliminary ruling), about equal treatment and non-discrimination based on religion. (Germany) [LINK](#)

❖ Judgement, Case C-673/16, 18 June 2019, *Relu Adrian Coman and Others v Inspectoratul General pentru Imigrări and Ministerul Afacerilor Interne* (Reference for preliminary ruling), about citizenship of the Union and freedom of movement in the Union territory. (Romania) [LINK](#)

❖ Judgement, Case C-619/18, 24 June 2018, *European Commission v Republic of Poland*, (Failure of a Member State to fulfil obligations), about the effective judicial protection in the fields covered by Union law, principle of irremovability of judges and judicial independence, in particular referring to the ruling of Republic of Poland and the new system that allows to law the retirement age of Supreme Court judges. (Poland) [LINK](#)

❖ Judgement, Case C-181/16, 19 June 2018, *Sadikou Gnandi v État belge*, (Reference for a preliminary ruling), about Directive 2008/115/EC and the adoption of a return decision before resolution of an appeal against the decision of the determining authority rejecting the application for international protection. (Belgium) [LINK](#)

❖ Judgement, Case C-390/16, 5 July 2018, *Criminal proceedings against Dániel Bertold Lada*, (Reference for a preliminary ruling), about taking account in the new criminal proceedings of a previous conviction in another Member State. (Hungary) [LINK](#)

❖ Judgement, Case C-216/18 PPU, 25 July 2018, *LM*, (Reference for a preliminary ruling) about police and judicial cooperation in criminal matters whereas the access to an independent and impartial tribunal is uncertain, because rule of law is compromised. (Ireland and Poland) [LINK](#)

❖ Judgement, Case C-268/17, 25 July 2018, *AY*, (Reference for a preliminary ruling) about the grounds for the refusal to execute a European arrest warrant since the requested person had the status of a witness in previous proceedings concerning the same acts. (Croatia) [LINK](#)

❖ Judgement, Case C-327/18 PPU, 19 September 2018, *Minister for Justice and Equity v RO*, (Reference for a preliminary ruling) about police and judicial cooperation in criminal matters,

specifically about a warrant issued by the judicial authorities of a Member State that has initiated the procedure for withdrawal for European Union. (Ireland) [LINK](#)

❖ Judgement, Case C-180/17, 26 September 2018, *X and Y v Staatssecretaris van Veiligheid en Justitie*, (Reference for a preliminary ruling) about the automatic suspensory effect limited to the action at the first instance, in case of appeal, after a decision rejecting an application for international protection and imposing an obligation to return. (Netherlands) [LINK](#)

❖ Judgement, Case C-257/17, 7 November 2018, *C and A v Staatssecretaris van Veiligheid en Justitie*, (Reference for a preliminary ruling) about the rejection of an autonomous residence permit on the ground that the applicant did not pass a civic integration test on the language and society of that Member State, as requested in domestic law. (Netherlands) [LINK](#)

❖ Judgement, Case C-380/17, 7 November 2018, *K and B v Staatssecretaris van Veiligheid en Justitie*, (Reference for a preliminary ruling) about the rejection of an application for international protection due to the failure to comply within the time limit of three months following the grant of reunification. (Netherlands) [LINK](#)

❖ Judgement, Joined Cases C-47/17 and C-48/17, 13 November 2018, *X and X v Staatssecretaris van Veiligheid en Justitie*, (Reference for a preliminary ruling) about time limit for replying to a request to take charge of or take back an asylum seeker. (Netherlands) [LINK](#)

❖ Judgement, Case C-557/17, 14 March 2019, *Staatssecretaris van Veiligheid en Justitie v Y.Z. and Others*, (Reference for a preliminary ruling) about the loss of the status of third-country nationals who are long-term residents in case of fraud. (Netherlands) [LINK](#)

❖ Judgement, Joined Cases C-297/17, C-319/17 and C-438/17, 19 March 2019, *Bashar Ibrahim and Others v Bundesrepublik Deutschland and Bundesrepublik Deutschland v Taus Magamadov*, (Reference for a preliminary ruling) about rejection of an application on the ground of refugees being inadmissible on the ground that the applicant has been previously granted subsidiary protection by another Member State. (Germany) [LINK](#)

❖ Judgement, Case C-467/18, 19 September 2019, *Criminal proceedings against EP*, (Reference for a preliminary ruling) about national legislation authorising, on therapeutic and safety grounds, the committal to a psychiatric hospital of persons who, in a state of insanity, have committed

acts representing a danger to society and his right to information about rights and the right of access to a lawyer. (Bulgaria) [LINK](#)

❖ Judgement, Case C-128/18, 15 October 2019, *Dumitru-Tudor Dorobantu*, (Reference for a preliminary ruling), about police and judicial cooperation in criminal matters and the grounds for refusal of execution of a European arrest warrant in a Member State where there is a risk of inhuman or degrading treatment. (Germany and Hungary). [LINK](#)

❖ Judgement, Case C-324/17, 24 October 2019, *Criminal proceedings against Ivan Gavanozov*, (Reference for a preliminary ruling), about the absence of legal remedies in the issuing Member State after a European Investigation Order in criminal matters. (Bulgaria) [LINK](#)

❖ Judgement, Case C-457/18, 30 January 2020, *Republic of Slovenia v Republic of Croatia*, about the determination of the common border between two Member State. (Slovenia and Croatia) [LINK](#)

❖ Judgement, Case C-659/18, 12 March 2020, *Criminal proceedings against VW*, (Reference for a preliminary ruling), about the circumstances in which the right of access to a lawyer must be guaranteed, specifically whereas the suspect failed to appear, and a European arrest warrant is issued. (Spain) [LINK](#)

❖ Judgement, Case C-448/19, 11 June 2020, *WT v Subdelegación del Gobierno en Guadalajara*, (Reference for a preliminary ruling) about the automatic removal of a third-country national holding a long-term residence permit who has committed an offence punishable by a sentence of at least one year. (Spain) [LINK](#)

❖ Judgement, Case C-181/19, 6 October 2020, *Jobcenter Krefeld - Widerspruchsstelle v J* (Reference for a preliminary ruling), about free movement of persons and the right to social protection benefits. (Germany) [LINK](#)

❖ Judgement, Case C-416/20 PPU, 17 December 2020, *TR v Generalstaatsanwaltschaft Hamburg*, (Reference for a preliminary ruling) about the conditions for execution of a European arrest warrant, whether the execution of European arrest warrant depends on the fulfilment by the requestion State of the condition laid down in a European Directive. (Germany and Romania) [LINK](#)

- ❖ Judgement, Case C-414/20 PPU, 13 January 2021, *Criminal proceedings against MM*, (Reference for a preliminary ruling) about the validity of the European arrest warrant called into question in support of a request for review of the pre-trial detention measure concerning the suspected. (Bulgaria) [LINK](#)
- ❖ Judgement, Case C-824/18, 2 March 2021, *A.B. and Others v Rada Sądownictwa and Others*, (Reference for a preliminary ruling) about rule of law and the adoption of legislation declaring the discontinuance of pending cases by operation of law and precluding in the future any judicial remedy in cases concerning the principle of judicial independence. (Poland) [LINK](#)
- ❖ Judgement, Case C-193/19, 4 March 2021, *A v Migrationsverket*, (Reference for a preliminary ruling) about the refusal to renew a residence permit for the purpose of family reunion on the ground that the applicant's identity cannot be established with certainty. (Germany) [LINK](#)
- ❖ Judgement, Case C-949/19, 10 March 2021, *M.A. contro Konsul Rzeczypospolitej Polskiej w N* (Reference for a preliminary ruling), about border controls, asylum and immigration and the obligation on a Member State to guarantee a remedy before a tribunal against a decision refusing a long-stay visa. (Poland) [LINK](#)
- ❖ Judgement, Case C-505/19, 12 May 2021, *WS v Bundesrepublik Deutschland*, (Reference for a preliminary ruling), about the application of ne bis in idem principle after a Member State filed a criminal proceeding and about the lawfulness of the processing of personal data contained in a red notice from Interpol. (Germany) [LINK](#)
- ❖ Judgement, Case C-791/19, 15 July 2021, *European Commission v Republic of Poland*, about failure of a Member State to fulfil obligations, rule of law and the fulfilment of the independence of judges. (Poland) [LINK](#)
- ❖ Judgement, Case C-487/19, 6 October 2021, *proceedings brought by W.Ż.*, (Reference for a preliminary ruling) about rule of law, primacy of EU law and the principle of irremovability of judges and judicial independence. (Poland) [LINK](#)
- ❖ Judgement, Case C-35/20, 6 October 2021, *Criminal proceedings against A*, (Reference for a preliminary ruling) about right of Union citizens to move freely within the territories of the Member States and the rules on sanctions applicable when moving between Member States without an identity card or passport. (Finland) [LINK](#)

- ❖ Judgement, Case C-91/20, 9 November 2021, *LW v Bundesrepublik Deutschland*, (Reference for a preliminary ruling) about common policy on asylum and subsidiary protection and the application of more favourable standards capable of being retained or introduced by a Member State for the purpose of extending the refugee or subsidiary protection status of a beneficiary of international protection to family members, specifically the grand of a parent's refugee status to her minor child as a derived right. (German) [LINK](#)
- ❖ Judgement, Case C-852/19, 11 November 2021, *Criminal proceedings against Ivan Gavanozov*, (Reference for a preliminary ruling) about the absence of legal remedies in the issuing of a Member State of a European investigation order in criminal matters. (Bulgaria) [LINK](#)
- ❖ Judgement, Joined Cases C-748/19 – C-754/19, 16 November 2021, *Criminal proceedings against WB and Others* (Reference for a preliminary ruling), about rule of law on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings. (Poland) [LINK](#)
- ❖ Judgement, Case C-479/21 PPU, 16 November 2021, *SN and SD*, (Reference for a preliminary ruling) about the continuation under the Withdrawal Agreement, on a transitional basis, of the European arrest warrant regime in respect of the United Kingdom and its application to Ireland. (Ireland) [LINK](#)
- ❖ Judgement, Case C-203/20, 16 December 2021, *Criminal proceedings against AB and Others*, (Reference for a preliminary ruling) about the lawfulness of the emission of a European arrest warrant after an amnesty and legislative procedure for the adoption of a resolution relating to the revocation of an amnesty, and the ne bis in idem principle. (Slovakia) [LINK](#)
- ❖ Judgement, Joined Cases C-375/19, C-379/19, C-811/19 and C.840/19, 21 December 2021, *PM and Others*, (Reference for a preliminary ruling), about mechanism for cooperation and verification of progress in Romania to address specific benchmarks in the areas of judicial reform and the fight against corruption. (Romania) [LINK](#)
- ❖ Judgement, Case C-156/21, 16 February 2022, *Hungary v. European Parliament and Council of the European Union*, (Action for annulment) about the annulment of the Regulation (EU, Euratom) 2020/2092, on the general regime of conditionality for the protection of the European Union budget, in the case of breaches of the principles of the rule of law in the Member States. In particular, the Judgement is also about the principle of solidarity, which is a fundamental base for drawing up the

Union budget, enshrining the clear relationship between respect of the value of rule of law and the implementation of the Union budget and consequentially the principle of solidarity (Hungary) [LINK](#)

❖ Judgement, Case C-157/21, 16 February 2022, *Republic of Poland v European Parliament and Council of the European Union*, (Action of annulment), based on the annulment of the Regulation (EU, Euratom) 202/2092, on the general regime of conditionality for the protection of the European Union budget, in the case of breaches of the principles of the rule of law in the Member States. *In particular, the Judgement is also about the principle of solidarity, which is a fundamental base for drawing up the Union budget, enshrining the clear relationship between respect of the value of rule of law and the implementation of the Union budget and consequentially the principle of solidarity* (Poland) [LINK](#)

❖ Judgement, Case C-430/21, 22 February 2022, *Proceedings brought by RS* (Reference for a preliminary ruling) about rule of law and the primacy of EU law, and the initiation of disciplinary proceedings and the application of disciplinary penalties in respect of a judgement applying the principle of primacy of EU law over the grounds of a decision of national jurisdiction. (Romania) [LINK](#)

❖ Judgement, Case C-368/20, 26 April 2022, *NW v Landespolizeidirektion Steiermark*, (Reference for a preliminary ruling) about free movement of persons and checks on persons in the Schengen Area during the temporary reintroduction of border control at internal borders regime. (Austria) [LINK](#)

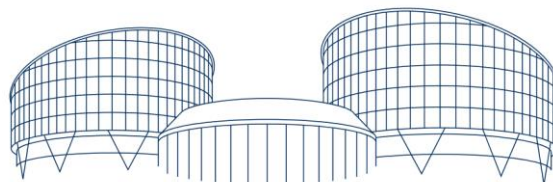
❖ Judgement, Case C-72/22 PPU, 30 June 2022, *M.A. v Valstybės sienos apsaugos tarnyba* (Reference for a preliminary ruling), about asylum and immigration policy on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted. (Lithuania) [LINK](#)

❖ Judgement, Case C-261/21, 7 July 2022, *F. Hoffmann-La Roche Ltd and Others v Autorità Garante della Concorrenza e del Mercato*, (Reference for a preliminary ruling) about the primacy of the interpretation of Eu law provided by the Court during a judgment of a national court. (Italy) [LINK](#)

❖ Judgement, Joined Cases C.562/21 PPU and C-563/21 PPU, 22 February 2022, *X and Y*, (Reference for a preliminary ruling), about judicial cooperation in criminal matters whereas the access to an independent and impartial tribunal is uncertain, because rule of law is compromised. (Netherlands and Poland) [LINK](#)

- ❖ Judgement, Case C-231/21, 31 March 2022, *IA v Bundesamt Fremdenwesen und Asyl*, (Reference for a preliminary ruling) about the application of the concept of ‘imprisonment’ to the non-voluntary committal of an asylum seeker to a hospital psychiatric department, which has been authorised by a judicial decision. (Austria) [LINK](#)
- ❖ Judgement, Case C-569/20, 19 May 2022, *Criminal proceedings against IR*, (Reference for a preliminary ruling) about the right to be present at the trial and the execution of a criminal proceedings whereas occurs the inability to locate the accused person notwithstanding the reasonable efforts of the competent authorities and the possibility of a trial and a conviction in absentia. (Bulgaria) [LINK](#)
- ❖ Judgement, Case C-435/22 PPU, 28 October 2022, *Criminal proceedings against HF*, (Reference for a preliminary ruling) about extradition of a third-country national to the United States under a bilateral treaty concluded by a Member State. (Germany) [LINK](#)
- ❖ Judgement, Case C-632/20 P, 17 January 2023, *Spain v Commission*, (Appeal) about external relations and the stabilisation and association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, on the other part, specifically about the incorporation of Kosovo into existing regulatory bodies or expert groups, such as BEREC. [LINK](#)





EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

European Court of Human Rights (ECtHR)

- ❖ Judgment, 2 October 2001, *Stankov and the United Macedonian Organization Ilinden v. Bulgaria*, about assessing peace in the Balkans by protecting the right of association of minorities. [LINK](#)
- ❖ Judgment, 12 December 2006, *Bajrami v. Albania*, about preventing or punishing child abduction from the territory of the respondent State, resulting in non-enforcement of custody award. [LINK](#)
- ❖ Judgment, 13 November 2007, *Driza v. Albania*, about the lack of impartiality of the Supreme Court and the failure to enforce judgments and administrative decisions for the restitution of property. [LINK](#)
- ❖ Judgement, 18 December 2007, *Marini c. Albania*, about enforcement a final judgment, excessive length of proceedings, lack of reasoning of court decisions and denial of his right of access to court (Albania). [LINK](#)
- ❖ Judgment, 18 December 2007, *Dybeku v. Albania*, about appropriate conditions of detention and adequate medical treatment for prisoners requiring special care on account of their health. [LINK](#)
- ❖ Judgment, 22 December 2009, *Sejdić and Finci v. Bosnia and Herzegovina*, about the

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Inability of Roma and Jew persons to stand for election to highest political office in the country. [LINK](#)

❖ Judgment, 21 January 2011, *M.S.S. v. Belgium and Greece*, about conditions of detention and subsistence of asylum-seeker expelled under the Dublin Regulation and conditions of detention and subsistence of asylum-seeker expelled under the Dublin Regulation. [LINK](#)

❖ Judgment, 15 February 2011, *Palić v. Bosnia and Herzegovina*, about the effectiveness of investigation by Bosnian police. [LINK](#)

❖ Judgment, 31 May 2011, *Šabanović v. Montenegro and Serbia*, about the breach of right to freedom of expression. [LINK](#)

❖ Judgment, 13 December 2011, *Lakičević and Others v. Montenegro and Serbia*, about the general principle of peaceful enjoyment of property. [LINK](#)

❖ Judgment, 19 April 2012, *Sašo Gorgiev v. The Former Yugoslav Republic of Macedonia*, about State responsibility for a life-threatening action against him taken by a State agent not resulting in death (Macedonia). [LINK](#)

❖ Judgment, 26 June 2012, *Kurić and Others v. Slovenia*, about the failure to regulate residence of persons who had been “erased” from the permanent residents’ register following Slovenian independence. [LINK](#)

❖ Judgment, 13 December 2012, *El-Masri v. The Former Yugoslav Republic of Macedonia*, about torture and inhuman and degrading treatment during and following applicant’s extraordinary rendition to CIA. [LINK](#)

❖ Judgment, 8 January 2013, *Qama c. Albania and Italy*, about a breach of Articles 6 § 1 and 8 of the Convention on account of the Albanian and Italian authorities’ failure to secure the right of contact with his child in Italy. [LINK](#)

❖ Judgment, 26 March 2013, *Zorica Jovanović v. Serbia*, about failure by the Serbian authorities to provide a mother with any information (no showing or restitution of body, no autopsy proof or report) about the real fate of her son, who had allegedly died while in the care of a State-run hospital, or indeed with any other redress in that regard (Serbia). [LINK](#)

❖ Judgment, 25 June 2013, *Kaçiu and Kotorri v. Albania*, about numerous complaints under

Articles 3, 5 §§ 1 and 3, 6 §§ 1 and 3 (a) to (d) as well as 7 of the Convention arising out of the criminal proceedings which were brought against them in connection with the murder of three people. [LINK](#)

- ❖ Judgment, 25 June 2013, *Youth Initiative for Human Rights v. Serbia*, about freedom of expression freedom to receive information. [LINK](#)
- ❖ Judgment, 18 July 2013, *Maktouf and Damjanović v. Bosnia and Herzegovina*, about the retrospective application of criminal law laying down heavier sentences for war crimes than the law in force when the offences were committed. [LINK](#)
- ❖ Judgment, 19 September 2013, *Velinov v. the former Yugoslav Republic of Macedonia*, about the deprivation of liberty to enforce fine that had already been paid. [LINK](#)
- ❖ Judgment, 14 January 2014, *Muslija v. Bosnia and Herzegovina*, about ne bis in idem (Bosnia and Herzegovina). [LINK](#)
- ❖ Judgment, 25 March 2014, *Vučković and Others v. Serbia*, about the exhaustion of domestic remedies. [LINK](#)
- ❖ Judgment, 27 May 2014, *Marguš v. Croatia*, about the conviction for war crimes of a soldier who had previously been granted an amnesty. [LINK](#)
- ❖ Judgment, 16 July 2014, *Ališić and Others v. Bosnia and Herzegovina, Croatia, Serbia, Slovenia and the former Yugoslav Republic of Macedonia*, about the inability to recover old foreign-currency savings following dissolution of former SFRY. [LINK](#)
- ❖ Judgment, 22 July 2014, *Bulatović v. Montenegro*, about the prohibition of torture and the right to liberty and security. [LINK](#)
- ❖ Judgment, 28 April 2015, *Milić and Nikezić v. Montenegro*, about torture and conditions of persons under detention. [LINK](#)
- ❖ Judgment, 24 May 2016, *Paunović and Milivojević v. Serbia*, about the right to free election invoking the deprivation of the applicant's right to sit as members of the National Parliament of the Republic of Serbia (Serbia). [LINK](#)

- ❖ Judgment, 14 March 2017, *Ahmed v. Hungary*, about the detention of two Bangladeshi asylum-seekers in the border zone for 23 days as well as their removal from Hungary to Serbia. [LINK](#)
- ❖ Judgment, 30 March 2017, *Chowdury and Others v. Greece*, about anti-trafficking agreements regarding the Western Balkans route. [LINK](#)
- ❖ Judgment, 27 June 2017, *Medžlis Islamske Zajednice Brčko and Others v. Bosnia and Herzegovina*, about freedom of expression. [LINK](#)
- ❖ Judgment, 5 December 2017, *Hamidović v. Bosnia and Herzegovina*, about the manifestation of religion or belief. [LINK](#)
- ❖ Judgment, 26 April 2018, *Hoti v. Croatia*, about a migrant in Croatia who complained that he had been unable to regularise his residence status since his arrival in the country in 1979. [LINK](#)
- ❖ Judgment, 17 May 2018, *Ljatifi v. The Former Yugoslav Republic of Macedonia*, about the providing of minimum procedural safeguards in proceedings in which the applicant had been required to leave the respondent State and the subsequent judicial review proceedings had not been an effective remedy (Macedonia). [LINK](#)
- ❖ Judgment, 25 June 2019, *Al Husin v. Bosnia and Herzegovina*, about the alleged unlawful detention in an immigration centre of a Syrian refugee. [LINK](#)
- ❖ Judgment, 29 October 2019, *Baralija v. Bosnia and Herzegovina*, about general prohibition of discrimination and difference of treatment depending on residence - impossibility to vote and stand in local elections for prolonged period of time (Bosnia and Herzegovina). [LINK](#)



International Court of Justice (ICJ)

- ❖ Judgment, 25 March 1948, 9 April 1949 and 15 December 1949, *United Kingdom of Great Britain and Northern Ireland v. Albania*, about the Corfu Channel - responsibility under international law for the explosions that had taken place in Albanian waters and for the damage and loss of life which had ensued. Overview [LINK](#) Full judgment 1 [LINK](#) Full judgment 2 [LINK](#)
- ❖ Judgment, 11 July 1996 and 26 February 2007, *Bosnia and Herzegovina v. Serbia and Montenegro*, about the application of the Convention on the Prevention and Punishment of the Crime of Genocide. Overview [LINK](#) Full judgment 1 [LINK](#) Full judgment 2 [LINK](#),
- ❖ Judgment, 3 February 2003, *Bosnia and Herzegovina v. Yugoslavia*, about the revision of the Judgment of 11 July 1996 in the Case concerning the application of the Convention on the Prevention and Punishment of the Crime of Genocide. Overview [LINK](#) Full judgment [LINK](#)
- ❖ Judgment, 15 December 2004, *Serbia and Montenegro v. Belgium, Serbia and Montenegro v. Canada, Serbia and Montenegro v. France, Serbia and Montenegro v. Germany, Serbia and Montenegro v. Italy, Serbia and Montenegro v. Netherlands, Serbia and Montenegro v. Portugal, Serbia and Montenegro v. United Kingdom, Yugoslavia v. Spain, Yugoslavia v. United States of America*, about the legality of use of force. Overview [LINK](#) Full judgment 1 [LINK](#) Full judgment 2 [LINK](#) Full judgment 3 [LINK](#) Full judgment 4 [LINK](#) Full judgment 5 [LINK](#) Full judgment 6 [LINK](#) Full judgment 7 [LINK](#) Full judgment 8 [LINK](#)



❖ Judgments, 18 November 2008 and 3 February 2015, *Croatia v. Serbia*, about the application of the Convention on the Prevention and Punishment of the Crime of Genocide. Overview [LINK](#) Full judgment 1 [LINK](#) Full judgment 2 [LINK](#)

❖ Advisory opinion, 22 July 2010, *Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo*. [LINK](#)

Judgment, 5 December 2011, *the former Yugoslav Republic of Macedonia v. Greece*, about the application of the Interim Accord of 13 September 1995. Overview [LINK](#) Full judgment [LINK](#)

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International Criminal Tribunal for the former Yugoslavia (ICTY)

- ❖ Judgment, 10 July 2008, *Boškoski & Tarčulovski*, IT-04-82, “*Ljuboten*”, about murder, wanton destruction of cities, towns or villages and cruel treatment as violations of laws or customs of war (Macedonia). Case information sheet [LINK](#) Judgment summary [LINK](#) Full judgment [LINK](#)
- ❖ Judgment, 20 July 2009, *Lukić Milan & Lukić Sredoje*, IT-98-32/1, “*Višegrad*”, about persecutions on political, racial and religious grounds, murder, inhumane acts and extermination as crimes against humanity; murder and cruel treatment as violations of the laws or customs of war (Bosnia and Herzegovina). Case information sheet [LINK](#) Judgment summary [LINK](#) Full judgment [LINK](#)
- ❖ Judgment, 26 February 2009, *Šainović et al.*, IT-05-87, about deportation, other inhumane acts, murder and persecutions as crimes against humanity; murder as violations of the laws or customs of war (Kosovo). Case information sheet [LINK](#) Judgment summary [LINK](#)
- ❖ Judgment, 10 June 2010, *Popović et al.*, IT-05-88, “*Srebrenica*”, about genocide, conspiracy to commit genocide; extermination, murder, persecutions, inhumane acts, deportation as crimes against humanity; murder as violations of the laws or customs of war (Bosnia and Herzegovina). Case information sheet [LINK](#) Judgment summary [LINK](#) Full judgment [LINK](#)
- ❖ Judgment, 23 February 2011, *Đorđević Vlastimir*, IT-05-87/1, about deportation, other

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inhumane acts murder, persecutions on political, racial and religious grounds as crimes against humanity; murder as violations of the laws or customs of war (Kosovo). Case information sheet [LINK](#) Judgment summary [LINK](#) Full judgment [LINK](#)

❖ Judgment, 29 May 2013, *Prljić et al.*, IT-04-74, about wilful killing, inhuman treatment (sexual assault), unlawful deportation, transfer and confinement of a civilian, inhuman treatment, extensive destruction of property and appropriation of property not justified by military necessity and carried out unlawfully and wantonly as grave breaches of the Geneva Conventions; persecutions on political, racial or religious grounds, murder, rape, deportation, imprisonment, inhumane acts as crimes against humanity; cruel treatment, unlawful labour, wanton destruction of cities, towns or villages, or devastation not justified by military necessity, destruction or wilful damage done to institutions dedicated to religion or education, plunder of public or private property, unlawful attack on civilians, unlawful infliction of terror on civilians as violations of the laws or customs of war (Bosnia and Herzegovina). Case information sheet [LINK](#) Judgment summary [LINK](#)

❖ Judgment, 24 March 2016, *Karadžić Radovan*, IT-95-5/18, “*Pilica Farm*”, about genocide; persecutions, extermination, murder, deportation, inhumane acts as crimes against humanity; murder, terror, unlawful attacks on civilians, taking of hostages as violations of the laws or customs of war (Bosnia and Herzegovina). Case information sheet [LINK](#) Judgment summary [LINK](#) Full judgment [LINK](#)

❖ Judgment, 22 November 2017, *Mladić Ratko*, IT-09-92, “*Pilica Farm*”, about genocide; persecutions, extermination, murder, deportation, inhumane acts as crimes against humanity; murder, terror, unlawful attacks on civilians, taking of hostages as violations of the laws or customs of war (Bosnia and Herzegovina). Case information sheet [LINK](#) judgment summary [LINK](#)

❖ *Milošević Slobodan*, IT-02-54, “*Kosovo, Croatia and Bosnia*” case information sheet [LINK](#)