



OBSERVATORY ON THE RESPECT FOR FUNDAMENTAL RIGHTS IN EUROPE

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Below are the main updates concerning case-law and acts relevant to the protection of fundamental rights, as published in the web site www.europeanrights.eu

For the acts of the **European Union** we have included:

- the European Parliament study of 01.07.2025, "Generative AI and Copyright";
- Directive (EU) 2025/1788 of 24.06.2025 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals;
- the Annual Report of the European Union Agency for Fundamental Rights (FRA) of 10.6.2025, "Fundamental Rights Report 2025".

For the **Court of Justice**, we added the decisions:

- 16.10.2025, C-510/24, *Profil-Copy 2002*, on the right to an effective judicial remedy for a beneficiary of an EU grant;
- 09.10.2025, C-798/23, *Abbottly*, on the European arrest warrant and the notion of a "trial terminated by a decision";
- 11.09.2025, C-802/23, *MSIG*, on the *ne bis in idem* principle and the notion of "same facts";
- 11.09.2025, C-215/24, *Fira*, on the execution of a European arrest warrant;
- 11.09.2025, C-38/24, *Bervidi*, on the unequal treatment of a worker caring for a disabled child and the prohibition of indirect discrimination based on disability;
- 04.09.2025, C-655/23, *Quirin Privatbank*, on the protection of natural persons with regard to the processing of personal data, the right to compensation, and the notion of "non-material damage";
- 04.09.2025, C-543/23, *Gnattai*, on the difference in treatment for determining seniority when calculating the remuneration of teachers who have worked in educational institutions outside the competence of the State;
- 04.09.2025, C-489/23, *Casa Județeană de Asigurări de Sănătate Mureș and others*, on cross-border healthcare;
- 04.09.2025, C-313/25 PPU, *Adrar*, on the removal of a third-country national in an irregular situation and on the best interests of the child and family life;
- 04.09.2025, C-305/22, *C.J. (Exécution d'une condamnation à la suite d'un MAE)*, on the execution of a European arrest warrant;
- 04.09.2025, C-253/24, *Pelavi*, on the right to paid annual leave;
- 04.09.2025, C-225/22, *AW "T"*, on the independence and impartiality of judges;

- 01.08.2025, joined cases C-71/23 P and C-82/23 P, *France/ CWS Powder Coatings and others*, on the classification of titanium dioxide and the protection of health and the environment;
- 01.08.2025, C-97/24, *The Minister for Children, Equality, Disability, Integration and Youth*, on the right of asylum;
- 01.08.2025, C-397/23, *Jobcenter Arbeitplus Bielefeld*, on Union citizenship and the free movement of persons;
- 01.08.2025, C-404/24, *Dimnev*, on the right to an independent and impartial tribunal;
- 01.08.2025, joined cases C-422/23, C-455/23, C-459/23, C-486/23 and C-493/23, *Daka*, on the independence of judges;
- 01.08.2025, C-544/23, *BAJI Trans*, on the principle of retroactive application of the more lenient criminal law;
- 01.08.2025, joined cases C-636/23 and C-637/23, *Al Hoceima*, on the return of third-country nationals and the right to an effective remedy;
- 01.08.2025, joined cases C-758/24 and C-759/24, *Alace*, on the designation, by a Member State, of a third country as a safe country of origin and on the right to an effective remedy;
- 10.07.2025, C-37/24, *DADA Music and UPFR*, on the minimum flat-rate remuneration to producers of phonograms for the broadcasting of phonograms published for commercial purposes, and on the right to the protection of intellectual property;
- 10.07.2025, C-257/24, *Städteregion Aachen*, on the granting of an integration allowance in the form of educational assistance benefits to the disabled child of a frontier worker;
- 10.07.2025, C-635/23, *WBS GmbH*, on the conditions for issuing a European Investigation Order and on the competence to order the gathering of evidence;
- 03.07.2025, C-268/24, *Lalfi*, on the failure to grant non-tenured teachers assigned to short-term substitutions the electronic card intended to support continuous training and enhance their professional skills;
- 03.07.2025, C-610/23, *Al Nasiria*, on the obligation to appear in person before the competent authority for the examination of an appeal against the rejection of an application for international protection;
- 26.06.2025, joined cases C-555/23 and C-556/23, *Makeleio*, on national legislation requiring all media service providers, except those broadcasting their content via the Internet, to respect human dignity and prohibiting the dissemination of qualitatively degrading content, and on the principle of legality of offences and penalties;
- 24.06.2025, C-351/23, *GR REAL*, on the extrajudicial auction of immovable property constituting a consumer's family home and on consumer protection;
- 19.06.2025, C-200/24, *Commission/ Poland (Publicité pour les pharmacies)*, on the prohibition of pharmacy advertising in force in Poland and on the freedom to provide services and the freedom of establishment;
- 19.06.2025, C-219/25 PPU, *Kamekris*, on the request for extradition of an EU citizen by a third country to a Member State, and on a prior decision of another Member State refusing extradition due to a serious risk of violation of the prohibition of torture and inhuman or degrading treatment and of the right to a fair trial;
- 19.06.2025, C-299/23, *Darvate and others*, on the conditions of entry and residence of third-country nationals for study purposes and on the right of appeal against the decision rejecting the application for admission into the territory of a Member State;
- 12.06.2025, C-219/24, *Tallinna linn*, on national legislation allowing an employer to subject a worker exposed to a biological risk to a vaccination obligation, on the right to physical and mental integrity, and on the right of every worker to working conditions respecting health, safety and dignity;
- 12.06.2025, C-7/24, *Deutsche Rentenversicherung Nord and BG Verkehr*, on benefits due under the legislation of one Member State for damage occurring in the territory of another Member State and on the coordination of social security systems;
- 05.06.2025, C-749/23, *innogy Energie*, on a fixed-term electricity supply contract, on the clause imposing a contractual penalty in case of non-payment, and on consumer protection;

- 05.06.2025, C-762/23, *Curtea de Apel București (Suppression d'une indemnité de départ à la retraite des juges)*, on the suspension and abolition of the payment of a retirement allowance to judges and public prosecutors for reasons linked to budget deficit reduction constraints, and on the principle of judicial independence;
- 03.06.2025, C-460/23, *Kinsa*, on the conduct of a person who, in violation of border crossing rules, brings into the territory of a Member State minor third-country nationals accompanying them, for whom they are in fact the legal guardian;
- 20.05.2025, C-135/25 PPU, *Kachev*, on the possibility of a trial and decision in absentia and on the rights of the defence;
- 15.05.2025, joined cases C-623/23 and C-626/23, *Melbán*, on the supplementation of the contributory old-age pension in the case of biological or adopted children and on direct sex-based discrimination.
- 08.05.2025, C-130/24, *Stadt Wuppertal*, on the derived right of residence of a third-country national who has a dependent minor child who is a Union citizen;
- 08.05.2025, joined cases C-212/24, C-226/24 and C-227/24, *L.T. (Allocations sociales pour travailleurs agricoles à durée déterminée)*, on the calculation of social security contributions and the principle of non-discrimination against part-time workers;
- 08.05.2025, C-530/23, *Barało*, on legal aid, the right to be assisted by counsel in criminal proceedings, and procedural safeguards for vulnerable persons;
- 08.05.2025, C-662/23, *Zimir*, on the procedures for the recognition of international protection and on the extension of the six-month time limit for examination by the determining authority;
- 30.04.2025, C-39/24, *Justa*, on unfair contract terms and consumer protection;
- 30.04.2025, C-63/24, *Galte*, on the exclusion from refugee status;
- 30.04.2025, joined cases C-313/23, C-316/23, C-332/23, *Inspektorat kam Visshia sadeben savet*, on judicial independence, the right to effective judicial protection in areas governed by law, and the protection of individuals with regard to the processing of personal data;
- 30.04.2025, C-386/23, *Novel Nutriology*, on the advertising of a food supplement making health claims, and on consumer and health protection;
- 30.04.2025, C-429/24, *St. Kliment Ohridski Primary Private School*, on teaching contracts concerning compulsory school-age children, the notion of "consumer", and consumer protection;
- 30.04.2025, C-699/23, *Caja Rural de Navarra*, on mortgage loan contracts and consumer protection;
- 29.04.2025, C-181/23, *Commission/ Malta (Citoyenneté par investissement)*, on EU citizenship and the implementation by a Member State of a citizenship-by-investment programme;
- 10.04.2025, C-481/23, *Sangas*, on the European arrest warrant;
- 10.04.2025, C-584/23, *Alcampo and others*, on the method of calculating the pension for permanent disability resulting from an occupational accident, and on the prohibition of indirect sex discrimination;
- 10.04.2025, C-607/21, *Belgian State (Preuve du lien de dépendance)*, on the conditions for granting a residence card to the direct ascendant of the partner of a Union citizen who is dependent on that citizen and/or that partner;
- 08.04.2025, C-292/23, *EPPO (Contrôle juridictionnel des actes de procédure)*, on the European Public Prosecutor's Office and the right to effective judicial review;
- 03.04.2025, C-283/24, *Barouk*, on an asylum application and the right to an effective remedy;
- 03.04.2025, C-710/23, *Ministerstvo zdravotníctví (Données relatives au représentant d'une personne morale)*, on data concerning the representative of a legal entity and on the protection of personal data;
- 03.04.2025, C-743/24, *Alchaster II*, on the surrender of a person to the United Kingdom for the purpose of criminal prosecution and on the principle of legality of offences and penalties;
- 03.04.2025, C-807/23, *Jones Day*, on national legislation requiring part of a trainee lawyer's training period to be completed with a lawyer established in the national territory, and on the free movement of workers;

- 27.03.2025, C-217/23, *Laghman*, on the conditions third-country nationals must meet in order to qualify for refugee status;
- 20.03.2025, C-365/23, *Arce*, on the contract between a professional providing sports development and career support services and a minor “promising” player, on consumer protection, property rights, and the rights of minors.
- 20.03.2025, C-763/22, *Procureur de la République () e d'une demande d'extradition*, on national legislation granting an executive authority the competence to decide on the precedence to be given to a European Arrest Warrant or to an extradition request in the event of a conflict, and on the right to an effective remedy;

and for the **General Court** the decisions:

- 03.09.2025, T-553/23, *Latombe/ Commission*, concerning the European Commission’s decision establishing a new transatlantic framework for personal data flows between the European Union and the United States, and the protection of personal data;
- 09.07.2025, T-163/23, *Fritz Egger and others/ ECHA (Mélamine)*, and T-167/23, *LAT Nitrogen Piesteritz and Cornerstone/ ECHA (Mélamine)*, both on the notion of “intrinsic properties” of a chemical substance and the protection of health and the environment;
- 09.07.2025, T-1031/23, *Kaili/ Parliament*, on access to documents;
- 14.05.2025, C-36/23, *Stevi and The New York Times/ Commission*, on access to documents and the principle of good administration.

For the **extra-European area** we have included:

- the advisory opinions of the *International Court of Justice* of 22.10.2025, “*Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*”, issued on the basis of United Nations General Assembly Resolution 79/232, concerning Israel’s obligations regarding the presence and activities of the United Nations, other international organizations, and third States in and in relation to the Occupied Palestinian Territories; and of 23.7.2025, “*Obligations of States in respect of Climate Change*”, delivered pursuant to United Nations General Assembly Resolution 77/276, concerning the obligations of States under international law regarding the protection of the climate and environment from anthropogenic greenhouse gas emissions, and the legal consequences in the event of significant damage resulting from violations of such obligations;
- the judgments of the *International Criminal Court* of 06.10.2025, *The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman (“Ali Kushayb”)*, which found the accused, former *Janjaweed* leader, guilty of crimes against humanity and war crimes committed in Darfur between August 2003 and April 2004; and of 24.7.2025, *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, finding the defendants guilty of war crimes and crimes against humanity committed in Bangui (Central African Republic) between September 2023 and February 2024;
- the judgment of the *High Court of the Hong Kong Special Administrative Region* of 9.9.2025, on the illegality of legislative provisions preventing the “biological mother” of a child conceived through reciprocal in vitro fertilisation, married to the “gestational mother,” from being registered as a parent;
- the order of the *United States District Court for the District of Massachusetts* of 3.9.2025, which annulled the orders imposing the freezing and subsequent suspension of federal grants to Harvard University, for violation of the right to freedom of speech enshrined in the First Amendment to the United States Constitution;
- the judgment of the *High Court of Malawi* of 16.7.2025, declaring unconstitutional Article 200 of the Penal Code, which provided for criminal sanctions in cases of defamation, for violation of the right to freedom of expression;
- the judgment of the *State of Michigan Court of Claims* of 13.5.2025, declaring unconstitutional certain national regulations on abortion for violation of the right to reproductive freedom;

- the judgment of the *Superior Tribunal de Justiça* (Brazil) of 9.5.2025, ruling in favour of the possibility of amending the civil registry in order to indicate a neutral gender identity;
- the judgment of the *Inter-American Court of Human Rights* of 19.6.2024, *Ubaté y Bogotá vs. Colombia*, on the State's responsibility for the enforced disappearance, in 1995, of two members of the *Ejército Popular de Liberación (EPL)* by State agents.

As far as **case law of national courts** is concerned, the following decisions must be highlighted:

- **Belgium:** the judgment of the *Cour constitutionnelle* n. 119/2025 of 18.9.2025, which annulled Article 10 of the law of 25 December 2023 amending the law of 3 December 2007 establishing the Data Protection Authority, insofar as it concerned the scope of the regulatory powers granted to that authority, referring to the provisions of the EU Charter of Fundamental Rights, the ECHR and the General Data Protection Regulation (GDPR), as well as to the case-law of the Court of Justice; the judgement n. 104/2025 of 17.7.2025, which makes a reference for a preliminary ruling to the Court of Justice on the validity of Articles 12–14 of Directive (EU) 2022/2523 aimed at ensuring a global minimum level of taxation for multinational enterprise groups and large-scale domestic groups within the Union, also in light of the provisions of the EU Charter of Fundamental Rights; the judgment n. 82/2025 of 28.5.2025, dismissing the action brought against various provisions of the Cooperation Agreement of 7 July 2023 between the French Community, the Walloon Region and the French Community Commission concerning the dissemination of education on relational, emotional and sexual life, also referring to the case-law of the Court of Strasbourg; and the judgment n. 75/2025 of 15.5.2025, dismissing the actions brought against the decrees of the French Community of 7 September 2023, the Walloon Region of 20 September 2023, and the French Community Commission of 28 September 2023, all approving the Cooperation Agreement of 7 July 2023 on the dissemination of education on relational, emotional and sexual life; and the order of the *Nederlandstalige Rechtbank van Eerste Aanleg Brussel* (Dutch-speaking Court of First Instance of Brussels) of 17.7.2025, which, also referring to Regulation (EU) 2021/821 establishing an EU regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items, ordered the Flemish Region to halt the transit to Israel of defence products and other military goods and equipment for which no assurance had been provided that they would be used exclusively for civilian purposes;
- **Czech Republic:** the judgment of the *Ústavní soud* (Constitutional Court) of 3.9.2025, on the right to an effective remedy in proceedings concerning international child abduction, which refers to the case law of the Strasbourg Court; the judgment of 2.7.2025, which, also recalling the provisions of the ECHR and the case law of the Strasbourg Court, rejected the applicant's claim seeking consent for the practice of active euthanasia: according to the Court, the issue of the legalisation of euthanasia and the related conditions falls within the competence of the legislature; the judgement of 7.5.2025, on the violation of the principle of equality of arms due to the absence of adequate interpretation at a crucial stage of the proceedings, referring to the case-law of the Court of Strasbourg; the judgment of 19.3.2025, which, in a case concerning a conviction for sexual offences where the defendant was sentenced to a suspended custodial sentence, analyses the positive obligations deriving from Article 3 of the ECHR in the light of the Strasbourg Court's case-law; and the judgement of 11.3.2025, on freedom of expression in relation to the case of an individual convicted for spreading online alarmism, which also refers to the case law of the Court of Strasbourg;
- **France:** the judgment of the *Conseil d'État* n. 467982 of 24.10.2025, which held that the objective of reducing greenhouse gas emissions by 40% by 2040 is rational and achievable, referring to relevant EU regulations; and the judgement n. 505689 of 17.10.2025, which ruled that only a final conviction terminates a European parliamentary mandate, whereas a first-instance conviction with provisional enforcement does not; and the order of the *Cour d'appel de Paris* of 18.09.2025, which

ordered the energy group TotalEnergies to produce certain documents in response to a complaint by a group of NGOs alleging violations of “due diligence” principles, with reference to United Nations instruments;

- **Germany:** the judgment of the Bundesverfassungsgericht (Federal Constitutional Court) of 29.09.2025, concerning religious discrimination in the workplace by a church employer, referring to Article 19 TFEU, Directive 2000/78/EC, and extensive case-law of the Court of Justice and the European Court of Human Rights; the judgment of 23.09.2025, concerning the use by an unidentified European State of the ANOM software for data tracking and its transfer to the United States, referring to Directive 2014/41/EU and various judgments of the Court of Justice; and the judgment of 23.08.2025, concerning child custody and parental responsibility, referring to Article 8 of the ECHR; and the judgment of the Verwaltungsgericht Berlin (Administrative Court of Berlin) of 2.6.2025, holding that asylum seekers who applied for international protection during border checks must be subject to the procedures provided for in Regulation (EU) 604/2013 (“Dublin III Regulation”) for determining the Member State responsible, and cannot be subjected to immediate refoulement;
- **Ireland:** the judgment of the Supreme Court of 25.7.2025, concerning the assessment of refugee status, also analysing the case-law of the Strasbourg and Luxembourg Courts; and the judgment of 27.6.2025, which makes a reference for a preliminary ruling to the Court of Justice regarding the interpretation of Article 35 (abuse of rights) of Directive 2004/38/EC in relation to the revocation of the decision granting permanent residence; the judgment of the Court of Appeal of 30.7.2025, which overturned the High Court’s ruling that the Government’s failure to provide for the applicants’ basic needs between 4 December 2023 and 10 May 2024 amounted to a violation of Article 1 of the EU Charter of Fundamental Rights: according to the Court of Appeal, the applicants for international protection were placed in a condition of extreme material poverty, but without sufficient evidence that such a situation amounted to a state of degradation incompatible with human dignity; the judgment of the High Court of 29.7.2025, dismissing the action brought against the Online Safety Code, adopted by the national regulatory authority *Coimisiún na Meán* to implement the provisions of Article 28b of the Audiovisual Media Services Directive (Directive 2010/13/EU), in particular insofar as it introduced specific obligations on video-sharing platforms and measures to protect minors and the public in general; the judgment of 16.6.2025, declaring invalid the authorisation granted for the construction of a wind farm, due to the violation of the provisions of Article 6(2) (public information) of Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment; and the judgment of 11.4.2025, which, also referring to the case-law of the Strasbourg Court, rules on the right of children born abroad to same-sex parents through donor-assisted reproduction procedures, where only one of the parents was Irish, to obtain an Irish passport;
- **Italy:** the judgment of the Corte costituzionale n. 155 of 23.10.2025, confirming the legitimacy of the rules restricting access to medically assisted reproduction techniques to couples composed of partners of different sexes, which examines several articles of the ECHR and certain international conventions; the judgment n. 147 of 14.10.2025, reaffirming the possibility for ordinary judges to freely choose between making a preliminary reference or raising a question of constitutionality, referring to recent case-law on the subject; and the judgment n. 113/2025 of 23.07.2025, concerning the criteria for the applicability of the EU Charter of Fundamental Rights and the use of its provisions as interpretative parameters for domestic guarantees; the order of the Corte di cassazione n. 28122/2025 of 22.10.2025, which excludes the criminal nature of certain Consob sanctions, referring to Article 6 of the ECHR, Article 47 of the EU Charter of Fundamental Rights, and the case-law of the Court of Justice on situations where no preliminary reference is required; the judgment of the Corte di appello di Trieste of 22.06.2025, on the abuse of fixed-term supply contracts, which refers to the case-law of the Court of Justice; the order of the Tribunale di Lipari of 01.10.2025, suspending the detention of the vessel *Mediterranea*, since its activities appear consistent with international law on maritime rescue; and the order of the Tribunale di Bologna of 10.07.2025, which found discriminatory the exclusion of a foreign worker from access

to public housing on the grounds of unemployment, referring to EU legislation and the EU Charter of Fundamental Rights;

- **Lithuania:** the judgment of the *Konstitucinis Teismas* (Constitutional Court) of 9.10.2025, which establishes the constitutional legitimacy of Article 30 of the “Law on Citizenship” insofar as it provides for the loss of citizenship in cases where a person who has acquired it on an exceptional basis expresses public support for a State that poses a threat to the security interests of Lithuania, of an EU Member State, or their allies, also referring to the case-law of the Court of Justice and to the European Council’s conclusions; the judgment of 3.7.2025, which upheld the constitutional legitimacy of the law regulating lobbying activities, also referring to the recommendations of the Committee of Ministers of the Council of Europe; and the judgment of 17.4.2025, which, analysing the provisions of the EU Charter of Fundamental Rights, the acts of the Council of Europe and the case-law of the Courts of Strasbourg and Luxembourg, declared the unconstitutionality of Article 28 – which had remained unapplied for 24 years – of the Law on the Adoption, Entry into Force and Implementation of the Civil Code, which had made the entry into force of Chapter XV of Book Three of the Civil Code on cohabitation outside marriage conditional on the adoption of a law regulating the registration procedure for partnerships, and also declared unconstitutional Article 3.229 of the Civil Code insofar as it provided that partnerships could only be established between a man and a woman;
- **Poland:** the judgment of the *Sąd Najwyższy* (Supreme Court) of 9.7.2025, concerning the analysis of the requirements of judicial independence and impartiality, also in light of the case-law of the Court of Justice;
- **Portugal:** the judgment of the *Tribunal Constitucional* n. 785/2025 of 8.8.2025, declaring the unconstitutionality of certain provisions of Law 23/2007, as amended by Decree n. 6/XVII of Parliament introducing changes to the legal regime on the entry, stay, exit and removal of foreigners in relation to family reunification, in light of the EU Charter of Fundamental Rights, the ECHR and Directive 2003/86/EC, and the case-law of the Courts of Strasbourg and Luxembourg; the judgment n. 329/2025 of 30.4.2025, on the principle of legality and limitation periods, referring to Article 49 of the EU Charter of Fundamental Rights and the case-law of the Courts of Strasbourg and Luxembourg; and the judgment n. 307/2025 of 22.4.2025, which, when called upon to rule on the constitutional legitimacy of almost all the provisions of Law n. 22/2023 on Medically Assisted Death, declared the unconstitutionality of certain provisions, also referring to the provisions of the Oviedo Convention of the Council of Europe and the case-law of the Court of Strasbourg;
- **Romania:** the judgment of the *Curtea Constituțională* (Constitutional Court) of 10.6.2025, which, also referring to the case law of the Court of Strasbourg, dismissed the challenge brought against the amendment law to Government Emergency Ordinance n. 31/2002 “on the prohibition of fascist, legionary, racist or xenophobic organisations, symbols and acts and the promotion of the cult of persons guilty of crimes of genocide, crimes against humanity and war crimes”, and to Law n. 157/2018 “on certain measures to prevent and combat antisemitism”, thereby confirming their constitutional legitimacy;
- **Slovenia:** the judgment of the *Ustavno Sodišče* (Constitutional Court) of 2.4.2025, which was called upon to rule on the constitutional legitimacy of Article 10A of the “Foreigners Act”, aimed at introducing the concept of a “complex migration crisis” and outlining the procedures to establish the existence of such a situation, and of Article 10B, which set out a specific legal regime in case of a complex migration crisis: the Court declared the first constitutional and the second unconstitutional, on the grounds of a violation of the principle of non-refoulement and the prohibition of collective expulsions, applying the provisions of the EU Charter of Fundamental Rights and the ECHR, the relevant EU legislation, and the case law of the Courts of Strasbourg and Luxembourg;
- **Spain:** the judgment of the *Tribunal Constitucional* of 6.10.2025, concerning the violation of the right to an effective remedy in relation to the right to life, due to the lack of an effective investigation into the suspicious death of a person whose disappearance had previously been reported, also referring to the provisions of the

- ECHR and the case-law of the Strasbourg Court; again a judgment of 6.10.2025, in the field of State aid and the right to an effective remedy, referring to the relevant EU legislation and the case-law of the Court of Justice; the judgment n. 137/2025 of 26.6.2025, which ruled on the constitutional challenge brought against Organic Law 1/2024 *de amnistía para la normalización institucional, política y social en Cataluña* ("Amnesty Law"), also referring to the provisions of the ECHR and the case law of the Court of Strasbourg; the judgment n. 126/2025 of 9.6.2025, concerning the right to effective judicial protection in relation to the duty of the authorities to carry out adequate investigations regarding a possible homicide, in light of the case law of the Court of Strasbourg under Articles 2 and 3 ECHR; and the judgment n. 119/2025 of 26.5.2025, which dismissed the challenge brought against lower court decisions attributing the exercise of parental responsibility over the minor child exclusively to the mother due to parental disagreement over the child's religious upbringing, also applying the case law of the Court of Strasbourg; the judgment of the *Tribunal Supremo* of 16.7.2025, which dismissed an appeal brought under Article 24 of the European Social Charter and Article 10 of ILO Convention n. 158 against the amount of compensation awarded for unlawful dismissal, considered inadequate by the appellant: according to the Court, both Article 10 of the ILO Convention and Article 24 of the European Social Charter represent principles not directly applicable to determine a specific monetary amount, and likewise, the decisions of the European Committee of Social Rights, unlike the rulings of the European Court of Human Rights and the EU Court of Justice, are not enforceable and cannot produce effects between private parties; the judgment of 25.6.2025, which, applying the *Melbán* judgment of the Court of Justice (joined cases C-623/23 and C-626/23), held that the pension supplement for the reduction of the gender gap (*Complemento de pensiones contributivas para la reducción de la brecha de género*), provided under Article 60 of the *Ley General de la Seguridad Social* for women who have had one or more children, must also be recognised under the same conditions to men; the judgment of 16.6.2025, which analysed the validity of two clauses on the opening commission of a mortgage loan in light of the case law of the Court of Justice; and the order of 29.4.2025, concerning compensation for victims resulting from the use of a motor vehicle, which made a reference for a preliminary ruling to the Court of Justice regarding the interpretation of Directive 2009/103/EC concerning motor vehicle liability insurance and the control of the obligation to insure such liability;
- **The Netherlands:** the judgment of the *Raad van State* (Council of State) of 23.7.2025, according to which national authorities can no longer rely on the principle of mutual trust between States in the case of the transfer of asylum seekers – in particular single non-vulnerable men – to Belgium, due to the material reception conditions in that country, which could lead to situations in violation of Article 4 of the EU Charter of Fundamental Rights and Article 3 of the ECHR; the judgment of the *Gerechtshof Den Haag* (The Hague Court of Appeal) of 30.9.2025, which makes a reference for a preliminary ruling to the Court of Justice concerning the balance between the freedom to provide services and the social rights arising from a collective agreement; the judgment of the *Rechtbank Amsterdam* (Amsterdam District Court) of 2.10.2025, which ordered Meta Ireland to amend the current history settings of Facebook and Instagram, considering them non-compliant with the Digital Services Act (DSA) and with users' right to freedom of expression; and the two judgments of the *Rechtbank Den Haag* (District Court of The Hague) of 20.3.2025, which, in relation to the case of foreigners who had applied for asylum at Schiphol airport and were placed in border detention, made a reference for a preliminary ruling to the Court of Justice on the interpretation of Articles 10 of the "Reception Conditions Directive" and 16 of the "Return Directive", regarding the nature and standards of border detention centres.

For what concerns **comments**, we have included the following texts:

Articles:

[Roberto Conti](#), "The Tree of Truth"

[Roberto Conti](#), "Political Act vs. 'Political' Justice: What Balance with Fundamental Rights?"

[Valeria Piccone](#), "The Method of the Court of Justice in the Evolution of labour law: beyond dichotomies, towards a multidirectional approach"

Notes and comments:

[Anna Adamska-Gallant](#) "The Judiciary in the Age of Populism"

[Court of Cassation \(by\)](#) "Comment on ECHR, First Section, Isaia and others v. Italy, 25 September 2025, concerning preventive confiscation"

[Giuseppe Bronzini](#) "European citizenship as the basis and engine of supranational democracy. The meaning and significance of the recent judgment of the Court of Justice"

[Giada Cascio](#) "Intended parenthood and the positive obligation to protect the child's identity: note on the ECHR Judgment of 9 October 2025"

[Elisabetta Grande](#) "The judiciary under attack in the United States and in Italy: from the rule of law to the rule by law"

[Marcella Ferri](#) "The Commission's proposals on countries of origin and safe third countries: expansion of mechanisms and further lowering of protection standards for applicants"

Documents:

[The 2025 Global Multidimensional Poverty Index \(MPI\)](#), produced in partnership with the Oxford Poverty and Human Development Initiative (OPHI) and the United Nations Development Programme (UNDP), "Overlapping Hardships: Poverty and Climate Hazards", of 17 October 2025.

[The World Press Freedom Index 2025](#) by Reporters Without Borders (RSF), of 2 May 2025.