

IN THE COURT OF JUSTICE OF THE EUROPEAN UNION

GENERAL COURT

CASE T-185/19

BETWEEN:

(1) PUBLIC.RESOURCE.ORG INC.

(2) RIGHT TO KNOW CLG

Applicants

and

THE EUROPEAN COMMISSION

Defendant

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REQUEST FOR AN ORAL HEARING

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(Lodged on behalf of the Applicants on 20 MARCH 2020)



## **Request for Oral Hearing**

1. The Applicants request an oral hearing in the case at hand under Art 106 of the Rules of Procedure of the General Court.
2. As the Applicants explained in their previous submissions, the case at hand concerns a fundamental issue of the EU, namely the free access to the law following from the rule of law as one of the common values on which the EU is founded (cf. Art. 2 TEU) and the consequences for harmonised (technical) standards as a result of the ECJ's judgment in *James Elliot* (case C-613/14) according to which harmonised standards "*form part of EU law*".
3. Advocate General Campos Sánchez-Bordona in his opinion in *James Elliot* confirmed the importance and significance of these questions. He concluded that it is an "**important question** *whether the complete publication of standards is necessary in order for those standards to have legal effect and for the principle of publication of legislation to be observed.*"<sup>1</sup>
4. The importance of the case at hand is further supported by the fact that CEN and 14 national standardisation bodies intervened in this proceeding.
5. The Court should deal with these fundamental questions not only in writing, but also during an oral hearing. This is – in the Applicants' view – necessary to fully understand the facts of the case and the Applicants' arguments including the importance of the case for the public as well as the corresponding free access to all rules having legal effects.

[Deemed to be signed via eCuria]

Dr Fred Logue

Dr. Jens Hackl

Christoph Nüßing

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<sup>1</sup> Opinion of Advocate General Sánchez Bordona of 28 January 2016, *James Elliot Construction*, Case C-613/14, ECLI:EU:C:2016:63, paragraph 51