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Internationale Juristenvereinigung Osnabrück e.V.

c/o European Legal Studies Institute, Universität Osnabrück

Süsterstraße 28 D-49069 Osnabrück

Telefon: 0541 969 4464  IJVO e.V.

<https://www.elsi.uni-osnabrueck.de/aktuelles/ijvo.html>

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# Visit of the European Court of Justice in Luxembourg

von

**Wiss. Mit. Egil Nordqvist, LL.M.**

In the beginning of December 2017 a visit to the European Court of Justice in Luxembourg (ECJ) was on the agenda. After a few hours by car or train we arrived full of expectations to the capital of the Grand Duchy of Luxembourg. The accommodation was (for some of us) an Airbnb apartment in three narrow floors. Already the meeting with our host provided the opportunity to test the dormant skills in French, which besides German and Luxembourgish are the official languages. The evening of arrival was spent by a walk through the lower city, “Grund”, and up on the mountain to the historical parts. Some interesting facts: Luxembourg is one of the richest countries in the world in income per capita, almost half of the people working in Luxembourg live in another country, and the capital can also brag with the restaurant with the most extensive wine list in the world.

Well rested and strengthened by coffee and croissants from the local bakery, we climbed the steep pedestrian path up on Kirchberg where the ECJ is located. Suitably dressed for the visit, but not for hiking, we arrived out of breath at the entrance. The access to the court is surveilled by rigorous security arrangements, for guests as well as for the over 2 000 employees. ECJ was established in year 1952 and consists since year 2008 of a lower main building - containing the courtrooms -, connecting the two one hundred meter tall golden towers - hosting legal officers and translators working in 24 languages.

Responsible for the new appearance of the court building is the French architect *Dominique Perrault*, involved in every single detail from the impressive and symbolic lightings in the main entrance hall to the comfortable seats in the courtrooms. According to Perrault’s vision: “It’s not a place concerned with prisons and punishment. It’s to do with relations between European countries. And anyway, I thought the sky over Luxembourg is often so sad that it would be nice, somehow, to catch the sun and bring it here.”

Successfully inside the court we were greeted by a friendly and humorous guide. IJVO board member *Aneta Wiewiorowska-Domagalska* had arranged for appointments with Polish representatives at the court. Our first meeting was with ECJ-judge *Marek Safian*, who is an experienced judge and professor of law. Mr. *Safian* shared with contagious enthusiasm, and very generously, information about some specific cases, as well as the distribution of

tasks, the working climate at the court and the choice of language in the procedures. In direct actions and in cases where the defendant is a Member State the applicants can choose one of the 24 official languages. But the language to conduct the deliberations is by custom French. All the documents supplied by the parties in the case are therefore translated into French as part of the internal working file.

*Przemyslaw Miklaszewicz*, legal secretary at the court, elaborated on the work behind the composing of the written rulings, the legal difficulties and the stakes of the outcomes.

After a short coffee break, the next meeting took place with the Advocate General *Maciej Szpunar*, who kindly and initiated provided the supplementing picture of his role in the procedures. There was also room to ask everything you ever wanted to know about the ECJ. A curiosity which gradually appeared after beginning to understand the functioning of the machinery that produces the end products that most European legal practitioners in one way or another come in contact with; and that in a direct or indirect way influence most EU-citizens. The conversation continued over lunch in the local canteen, offering a big variation of dishes and a French inspired dessert selection.

The afternoon started with a tour of the building. The court is anything but a grey administrative complex. It contains a library and various small boutiques, reminding of an airport lounge. And if there is one area that the architect *Dominique Perrault* does not have his fingers in, it is the art embellishing the court. The Member States have donated works from some of their most prominent artists, therefore Belgian modernist paintings share the space with classical Dutch painting and Czech contemporary installations. To add to the mixture, there is a gallery with portraits of all former judges of the court, and an area dedicated to extravagant gifts pertaining to state visits from all corners of the world.

The visit ended with a hearing in the main courtroom. After having taking in the small golden table lamps, the velvety seats and the dimmed interpreter rooms on the second floor, the attention moved to the case of the day: A litigation regarding registered trademarks; the legal outcome seemed predictable, but the profit was the elegant maneuvering of the case by the British attorney.

Luxembourg must be one of the most restaurant dense places in the world. Our cicerone of the evening, Mr. *Miklaszewicz*, suggested an Italian restaurant, where we finished off a long day with pasta. The next day, full of new impressions, we set our way back to Osnabrück. A sincere thank you to *Aneta Wiewiórowska-Domagalska* and *Jasmine Aumeer* for arranging this memorable trip.



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