Re:

Request for a preliminary ruling — Komisia za zashtita ot diskriminatsia — Interpretation of Article 2(1)(a) and (b), Article 3(1)(h) and Article 8(1) of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ 2000 L 180, p. 22), Article 38 of the Charter of Fundamental Rights of the European Union, recital 29 in the preamble to, and Articles 1 and 13(1) of, Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006 on energy end-use efficiency and energy services and repealing Council Directive 93/76/EEC (OJ 2006 L 114, p. 64), Article 3(5) of Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC — Statements made with regard to decommissioning and waste management activities (OJ 2003 L 176, p. 37), Article 3(7) of Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ 2009 L 211, p. 55) — Administrative practice of granting an electricity distribution undertaking freedom to install in Roma districts electricity meters attached to electricity poles in the streets at a height which is not accessible to users, and which does not enable consumers living in those districts to read their meters, whereas electricity meters are installed at an accessible height outside of Roma districts — Right or interest of the final electricity user to regularly check the electricity meeting reading — Burden of proof in discrimination cases.

Operative part of the judgment

The Court of Justice of the European Union does not have jurisdiction to answer the questions referred by the Komisia za zashtita ot diskriminatsia in its order for reference of 19 July 2011.

([1]) OJ C 298, 8.10.2011.

Judgment of the Court (Grand Chamber) of 29 January 2013 (request for a preliminary ruling from the Curtea de Apel Constanța — Romania) — Ministerul Public — Parchetul de pe lângă Curtea de Apel Constanța — Execution of European arrest warrants issued against Ciprian Vasile Radu

(Case C-396/11) ([1])

(Police and judicial cooperation in criminal matters — Framework Decision 2002/584/JHA — European arrest warrant and surrender procedures between Member States — European arrest warrant issued for the purposes of prosecution — Grounds for refusing execution)

(2013/C 86/07)

Language of the case: Romanian

Referring court

Curte de Apel Constanța

Parties to the main proceedings

Applicant: Ciprian Vasile Radu

Re:

Request for a preliminary ruling — Curtea de Apel Constanța — Interpretation of Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (OJ 2002 L 190, p. 1), and of Article 6 TEU and the Charter of Fundamental Rights of the European Union, in particular Articles 6, 48 and 52 thereof — European arrest warrant issued for prosecution purposes — Possibility for the Member State responsible for executing the warrant to refuse the request for surrender of the person sought on grounds of failure to comply with the Convention for the Protection of Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the European Union, and also because the Member State which issued the warrant has failed, in whole or in part, to transpose Framework Decision 2002/584/JHA into national law

Operative part of the judgment

Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, must be interpreted as meaning that the executing judicial authorities cannot refuse to execute a European arrest warrant issued for the purposes of conducting a criminal prosecution on the ground that the requested person was not heard in the issuing Member State before that arrest warrant was issued.

([1]) OJ C 282, 24.9.2011.

Judgment of the Court (Third Chamber) of 31 January 2013 (request for a preliminary ruling from the Administrativen sad Varna — Bulgaria) — Stroy trans EOOD v Direktor na Direktsia 'Obzhalvane i upravlenie na izpalnenieto' — Varna pri Tsentralno upravlenie na Natsionalnata agentsia za prihodite

(Case C-642/11) ([1])

(Taxation — VAT — Directive 2006/112/EC — Principle of fiscal neutrality — Right of deduction — Refusal — Article 203 — Entry of the VAT on the invoice — Chargeability — Existence of a taxable transaction — Identical determination in respect of the issuer of the invoice and its recipient — Necessity)

(2013/C 86/08)

Language of the case: Bulgarian

Referring court

Administrativen sad Varna