SEMINAR ORGANISED BY THE ITALIAN COUNCIL OF STATE IN
COLLABORATION WITH THE HELLENIC COUNCIL OF STATE AND ACA-EUROPE
Turin, 23-24 November 2026

Technological challenges, with particular attention being paid to the introduction of digital technology and artificial intelligence into the organisation of the administration and administrative justice

QUESTIONNAIRE

Responses from **The Supreme Court of Norway**

This questionnaire has been prepared in anticipation of the seminar to be held in Turin on 23 and 24 November 2026. In accordance with point 2 of the guiding principles adopted by the Hellenic Presidency of ACA-Europe, it aims to explore the current challenges facing administrative judges, particularly those related to technology, and more specifically the introduction of digitalisation and artificial intelligence into the organisation and functioning of the administration and administrative justice.

In order to gain an in-depth understanding of the various dimensions of these technological challenges, the survey is split into three parts:

Part A - The digitalisation of administrative proceedings, with a focus on the experience of various supreme administrative jurisdictions and the impact of this transformation on the organisation and conduct of judicial activity.

Part B - Automated administrative decision-making and judicial review by administrative courts, particularly issues of technical discretion, automation and the delimitation of judicial powers.

Part C - The role of the administrative judge and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, particularly in light of Regulation (EU) 2024/1689, known as the 'AI Act', as well as other European Union standards and regulations, such as Regulation (EU) 2016/679, known as the 'GDPR', Regulation (EU) 2022/2065, known as the 'DSA', and Regulation (EU) 2022/1925, known as the 'DMA'.

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Part A
The digitalisation of administrative proceedings and the use of artificial intelligence tools by the administrative justice system

A.I – Infrastructure and technological organisation

A.I.1 – Digital equipment and resources

1. What is the level of digital equipment available to judges and administrative staff?

☐ Non-existent
☐ Limited
☐ Intermediate
☐ High
☒ Complete
Please explain if necessary:

The case processing in the Norwegian Supreme Court is fully digital, and both judges and administrative staff have the necessary digital equipment for this purpose.

The judges are equipped with two laptops: one situated in the Supreme Court building, primarily for use in the office and in the courtroom, and another for use at home or when travelling. The latter is equipped with a SIM card to avoid the use of open networks. Administrative staff are equipped with a single laptop, which can be used both in the office and remotely.

The laptops are directly connected to the court's systems through VPN (Virtual Private Network) with MFA (Multi-Factor Authentication).

In addition, each judge has an iPad for use during court hearings, making it easier to read case documents in the courtroom.

2. Is the technological infrastructure (networks, servers, equipment, connectivity) suited to the day-to-day operational needs of the administrative jurisdictions?

☐ Strongly disagree
☐ Somewhat disagree
☐ Neither agree nor disagree
☐ Somewhat agree
☒ Strongly agree

Please explain if necessary:

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A.I.2 – Cloud solutions, remote access and interoperability

3. To what extent does your jurisdiction use cloud-based solutions for its information systems?

☐ Not at all
☐ To a limited extent
☒ Moderately
☐ Extensively
☐ Completely

Please explain, where applicable, and, in the absence of cloud solutions, specify the alternative infrastructure solutions implemented:

The Norwegian case management system is primarily hosted on on-premises servers in Norway but also uses a cloud-based solution for synchronising case documents, ensuring access to documents outside the core case management system.

The Supreme Court also makes use of the Microsoft 365 cloud service; however, as a general principle, case-related documents are not stored on that platform. Microsoft 365 is primarily used to support communication and administrative workflows.

3a. Do the adopted technical solutions enable judges and staff to perform their duties remotely using the institutional equipment made available to them? If so, please specify any limitations.

As a general rule, judges and staff are able to perform all tasks remotely using the institutional equipment provided to them, including access to case documents, drafting and circulating judgments, and signing decisions.

There is also, to some extent, a possibility to work offline, with automatic synchronisation of content once the connection is restored.

An exception applies to cases involving classified material. Such cases are handled on separate equipment without any connection to the internet, and the work must be carried out on-site at the Supreme Court. However, this concerns only a small number of cases each year.

Internal guidelines also impose certain restrictions on the use of the institutional equipment when travelling abroad, particularly when travelling outside the EU/EEA.

3b. Are the applications being used interoperable with other national or cross-border judicial IT systems? If so, please specify the extent of this interoperability.

The case management system "Lovisa", which is used by the Norwegian courts, is interoperable with a number of national judicial and administrative IT systems, including:

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- *"Aktørportalen": A web-based digital portal enabling secure electronic communication between lawyers and the courts in civil and criminal cases. Use of the portal is mandatory for lawyers in Norway.*

- *"Justishub": An integration point enabling electronic interaction with the prosecution authority's case management system, including the ability to send and receive cases and documents.*

- *Integration with national registers: Direct integration with the official Norwegian Population Register, the Business Register, and the Register of Attorneys*

- *Integration with legal information systems: Decisions are automatically transmitted for publication in relevant national legal information platforms.*

A.II – Digitalisation and dematerialisation of judicial administrative proceedings

A.II.1 – Dematerialised administrative proceedings

4. Is a dematerialised judicial administrative proceedings system in place within your jurisdiction?

☐ No
☐ Yes, at an initial stage
☐ Yes, at an intermediate stage
☐ Yes, at an advanced stage
☒ Yes, on a fully integrated basis
Please explain if necessary:

This development has taken place gradually over time. Case processing in the Supreme Court was partly digital for many years, but the transition accelerated when the new case management system "Lovisa" was introduced in 2018 and the Norwegian courts implemented the digital portal "Aktørportalen", which enabled fully digital interaction with lawyers.

However, it was during the Covid-19 pandemic in 2020-2021 that the Supreme Court fully discontinued the use of paper-based procedures. Among other things, legislative amendments and new technical solutions made it possible to both sign and serve decisions digitally.

4a. When this system exists at least at an initial stage, do judges and staff process and sign documents exclusively in digital format in their everyday working practice?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☒ Always

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Please explain if necessary:

The only exception is cases involving classified material, as mentioned above, but these constitute a very small proportion of the overall caseload.

4b. Percentage of paper files prior to the implementation of dematerialised administrative proceedings that have been digitised:

☐ 0–20%

☐ 20–40%

☐ 40–65%

☒ 60–80%

☐ 80–100%

A.II.2 – Digital services for members of the public, lawyers and public authorities

5. Are digital services available for filing documents, consulting files, notifications, payments or other related services? If so, please specify which ones.

As described under point 3b), the Norwegian courts provide a digital service for lawyers that enables the electronic filing and receipt of documents. Through this service, lawyers can also access an overview of their cases across different courts, including case documents, deadlines and scheduled hearings. The solution also allows the submission of legal aid fee claims.

The Norwegian courts also offer a digital service for the prosecution authority, enabling the electronic exchange of case documents in criminal proceedings.

The Norwegian Courts Administration is currently developing similar solutions for private parties, but no such service is available at present.

However, Norway offers a digital legal aid application service, launched in October 2025 and developed by the The Norwegian Civil Affairs Authority together with the Courts Administration, the National Insurance Court, and the County Governor services. The portal allows the public to apply online and automatically retrieves income and tax information from the Tax Administration to support efficient and accurate case processing.

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6. Do these digital services guarantee an adequate level of accessibility for people with disabilities?

☐ 0–20%

☐ 20–40%

☐ 40–65%

☒ 60–80%

☐ 80 - 100%

7. Are lawyers involved in the design, development and implementation of digital platforms and tools intended for their use?
If so, please specify the terms of this involvement.

We assume that the digital platform intended for lawyers was developed in close cooperation with the lawyers who were to use it. However, as the system was developed by the Norwegian Courts Administration and not by the Supreme Court itself, we do not have detailed knowledge of the specific terms of this involvement.

8. Are there any support and training measures in place for users outside the court system (lawyers, members of the public, government agencies) regarding the use of the digital tools available to them?
☒ YES
☐ NO

If so, please specify which ones

Regarding the collaboration portal for lawyers, the Norwegian Courts Administration provides user guides, instructional videos, and guidance materials on its website. The Norwegian Civil Affairs Authority offers similar support resources for the digital legal aid application portal, as described above.

A.III – Security of information systems and data protection

A.III.1 – Compliance with the regulatory framework

9. Do your jurisdiction's information systems comply with European and national standards on security, data protection and digital preservation?

☐ Strongly disagree
☐ Agree only slightly
☐ Indifferent
☐ Somewhat agree
☒ Strongly agree

Please explain if necessary:

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A.III.2 – Incident management and business continuity

10. Are IT security incidents dealt with promptly and effectively?
☐ Never
☐ Rarely
☐ Occasionally
☒ Frequently
☐ Always

11. Are business continuity and disaster recovery plans regularly updated and tested?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☐ Always

Responsibility for business continuity and disaster recovery plans lies with the Norwegian Courts Administration. We do not have further information about how these plans are updated and testet.

A.III.3 – Publicity and dissemination of court decisions

12. Are court decisions available online in their entirety?

☐ Never
☐ Rarely (only for the most significant decisions)
☐ Occasionally
☒ Frequently
☐ Always

Please add any additional information and explain if necessary:

As a general rule, all decisions rendered by the Supreme Court are published on the Supreme Court's website, after being anonymised. In addition, all decisions are transmitted to several legal information systems for publication through those channels.

When we nevertheless indicate "frequently", this is because the Supreme Court also has an Appeals Selection Committee that issues a number of decisions without a written reasoning. These are normally not published. (All cases brought before the Supreme Court must first be considered by the Appeals Selection Committee. In addition to deciding appeals against orders, the Committee functions as a filter for appeals against judgments. An appeal cannot proceed to the Supreme Court without the Committee's leave.)

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13. Where a system for publishing decisions online is in place, is there an internal policy to ensure the protection of personal data and respect for the right to be forgotten?

☐ No
☐ No formalised policy; anonymisation is carried out by the registry services on a case-by-case basis
☐ No formalised policy; anonymisation is decided on a case-by-case basis on the instructions of judges
☐ Yes, personal data are systematically anonymised
☒ Yes, personal data are anonymised in accordance with an internal policy providing for targeted exceptions
☐ Other (please specify)

A.IV – Training and digital skills

14. Does your jurisdiction offer structured and regularly updated digital technology training courses for judges and staff?

If so, please specify which ones.

Training for new employees in the courts' digital case management system is generally provided locally within each court. However, the Norwegian Courts Administration regularly offers courses for staff across the Norwegian court system, both on existing digital tools and on newly developed solutions. Training is also provided on information security and the use of AI.

At the Supreme Court, employees are additionally offered regular courses on the use of external legal information systems.

A.V – Involvement of judges in digital transformation

15. To what extent are judges involved in decision-making and design processes relating to technological innovation and digital transformation in the judiciary? If applicable, please provide details.

In Norway, the Norwegian Courts Administration has the primary responsibility for technological innovation and digital transformation within the court system. In this work, the courts — including judges — are consistently involved in development,

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prioritization, and piloting. The structure for involving the courts has varied over time. Today, selected courts across all three instances are designated to participate in this work, and the Supreme Court is one of them.

A.VI – Use of AI systems in administrative justice

A.VI.1 – Tools and level of deployment

16. Are artificial intelligence systems currently used to assist in judicial or administrative activities?

Norwegian courts have access to Microsoft's AI agent, Copilot. The AI agent is intended to support both judicial and administrative activities, but its use is still in an early phase, and final guidelines have not yet been established.

External legal information systems also offer AI-based search functions to support legal research. These tools are used to some extent today, but they are likewise in an early stage of adoption.

16a. If so, which ones are used? (Please tick all that apply)

☐ Chatbots
☒ Semantic search tools
☐ Automated anonymisation of decisions
☒ Text analysis and assistance with legal research
☐ Tools to assist with organisation and court management
☐ Other (please specify)

16b. Overall level of internal deployment of AI systems:

☐ Occasional or isolated use
☐ Trial phase
☒ Development phase
☐ Widespread use
☐ Full integration

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Please explain if necessary:

A.VII – Governance, regulation and ethical framework for AI

A.VII.1 – Internal guidelines and regulatory compliance

17. Has your jurisdiction adopted any internal guidelines, charters or policies governing the use of AI systems, in particular in application of Regulation (EU) 2024/1689 (the AI Act), the GDPR and other relevant European instruments?

☒ YES

☐ NO

If so, please specify which ones.

The Norwegian Courts Administration has developed some preliminary guidelines for the use of AI in the Norwegian courts, taking into account the aforementioned regulatory framework. However, more detailed guidelines for the use of AI in judicial work are still under development.

18. Are AI systems subject to prior risk assessments?

☒ YES

☐ NO

If so, please specify the terms of these assessments

The Norwegian Courts Administration has conducted several risk and vulnerability assessments, both in connection with the introduction of Copilot and now as part of the development of more detailed guidelines for its use.

19. Are there specific requirements in terms of transparency for the use of AI systems? If so, please provide details.

The guidelines are still under development.

20. Is the use of AI systems accompanied by human oversight mechanisms?

☐ YES

☐ NO

If so, please provide details

We are not familiar with the details on the specific human oversight mechanisms implemented in our systems. However, regarding the responsibility of each individual

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user, it is a fundamental precondition for the use of AI in the courts that it may only be used in areas where the user has sufficient expertise to assess and quality-assure the output. AI can neither replace nor substitute human judgement. It is intended solely as decision support, never as a decision-maker. This follows from the current guidelines for the use of AI in the courts

21. Are specific methodologies implemented during the design, development and deployment of AI systems to ensure their traceability, reliability, integrity and accuracy? If so, please provide details.

As above.

A.VIII – Innovation, prospects and future needs

A.VIII.1 – Current innovation projects

22. Are there any innovation projects currently under way in the following areas? (please tick all that apply)

☐ Process automation
☐ System interoperability
☒ Modernisation of existing systems
☒ Advanced digital services for external users
☒ AI systems
☐ Other (please specify)

A.VIII.2 – Barriers to digital transformation

23 What do you consider to be the main barriers to the digital transformation of administrative justice? (please tick all that apply)

☐ Complexity of the regulatory framework
☒ Insufficient financial resources
☐ Lack of specialised human resources
☐ Organisational complexity
☐ Resistance to change and digital skills gap
☒ Cybersecurity risks and challenges

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☐ Other (please specify)

A.VIII.3 – Investment priorities

24. What do you think should be the priority areas for investment over the next few years? (please tick all that apply)

☒ Modernisation of infrastructure
☐ Cybersecurity
☐ Training and skills development
☒ Deployment of AI systems
☐ Interoperability at European level
☐ Complete digitalisation of administrative procedures
☐ Other (please specify)

25. Please describe one or more good practices in digitalisation that have been implemented or are planned within your jurisdiction.

The introduction of the 'Aktørportalen' in 2018, a digital platform for lawyers, has been highly successful for both the courts and the legal profession. As noted in point 3b, Aktørportalen is a web-based solution that allows lawyers to communicate securely with the courts in both civil and criminal cases. The solution is fully integrated with the courts' case management system. It ensures rapid and simultaneous distribution of information to all parties, as well as automatic archiving of all correspondence in the correct case file. An important factor in its success is that the use of the system is mandated by regulation for all lawyers.

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Part B
Automated administrative decisions and judicial review

B.I – Automated administrative decisions: substantive legality and procedure

1. Are there provisions in your legal system that authorise public administrations to use digital or algorithmic technologies in the exercise of their powers?

☒ YES

☐ NO

The current Norwegian Public Administration Act contains neither general rules on automated case processing nor rules governing the administration's use of automated decisions. Nor does the Act include specific provisions regulating the development, content, use, or documentation of the data systems employed by the administration in automated case processing. However, the absence of specific rules on automated case processing does not mean that this form of case handling has been unregulated. An administrative body that automates its case processing must, as in all other cases, comply with the general procedural requirements set out in the Public Administration Act and the rest of the legal framework.

In June 2025, the Norwegian Parliament adopted a new Public Administration Act. This Act contains provisions on the automation of case processing within the public administration. The Act has not yet entered into force, but the answers below are nevertheless based on the new statutory provisions.

If so:

1.a. According to these provisions, what are the authorised tools and the objectives pursued by their use?

Section 11 of the new Public Administration Act states that an administrative body may automate case processing, including automatic decision making, provided that the requirements otherwise set for case processing are met. The Act does therefore not state which tools that are authorised, or the objectives pursued by their use.

According to the preparatory works of the Act, the main purpose of automatic case processing is to handle cases faster and with less resources, which can provide significant efficiency gains.

1.b. What types of acts can be adopted using these technologies?

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In particular, is the use of algorithms permitted for the adoption of administrative decisions involving discretionary powers?

The new Public Administration Act does not directly state what types of decisions that can be adopted using technological tools. However, according to section 11 subparagraph 2 and 3 of the Act, a decision cannot be made automatic if the legal basis for the decision prevents it, or if the automatic decision is covered by article 22 of the GDPR [regulation (EU) 2016/679], provided that the administrative body does not have a specific legal basis for making such automatic decisions.

Within these limits, it is permitted to use algorithms for the adoption of administrative decisions involving discretionary powers.

2. Are there provisions in your legal system governing the design, deployment and use of artificial intelligence systems employed by public administrations?

☐ YES

☒ NO

The rules in the new Public Administration Act are mostly technology-neutral and will also apply where AI systems are used by public administrations. The EU AI Act [Regulation (EU) 2024/1689], is not yet incorporated into the EEA Agreement, and therefore not implemented in Norway. The AI Act regulates the use and development of artificial intelligence across sectors, and it also applies to the administration's use of artificial intelligence. A proposal for a new law implementing the AI Act ("lov om kunstig intelligens") was presented for consultation on 30 June 2025. The consultation process ended on 30 September 2025. It is currently not clear when the AI Act will be incorporated into the EEA Agreement, or when the new law will come into effect.

If so,

2.a. what type of implementation measures are these? (for example, legislative or soft law):

The use of AI systems employed by public administrations will be regulated by the new Public Administration Act and the new AI Act, as mentioned above. According to these laws, the ministry may adopt regulations regarding specific topics. For example, section 11 subparagraph 4 of the new Public Administration Act states that the ministry may adopt regulations on the development and use of systems for automated case processing and on the content of such systems, which may include AI systems.

2.b. Is there an obligation for public administrations to inform the public or individuals about the use of AI systems?

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No, it is no such general obligation in the new Public Administration Act. However, if an automatic decision covered by GDPR article 22 is made, the administrative body shall provide the private party concerned (the data subject) an explanation of the automatic decision and inform about the right to manual review as soon as possible after the decision has been taken.

2.c. Are any authorities or bodies responsible for developing general rules or standards for the use of artificial intelligence within public administrations?

Currently, no. Such responsibility may possibly be placed in connection with the upcoming implementation of the AI Act.

3. What conditions must be met to ensure the legality of administrative procedures involving the use of artificial intelligence systems?

The new Public Administration Act does not stipulate any specific conditions for the use of artificial intelligence systems; such requirements may be subject to regulation in secondary legislation. Furthermore, the general obligations governing administrative procedures will apply.

In particular:

3.a. Is the decision-making administration required to indicate the type of algorithmic system used and its principal characteristics?

3.b. At what stage of the procedure must the administration provide information about the use of an algorithmic system and its characteristics?

3.c. Does the interested party have the opportunity to comment on or challenge the use or operation of the AI system before the final decision is made?

4. Are specific areas of administrative law in your country subject to express authorisation for the use of administrative decisions based on artificial intelligence systems?

No, that is currently not the case.

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5. Are there specific areas of administrative law in which the use of artificial intelligence systems for issuing administrative decisions is expressly prohibited?

No, that is currently not the case.

B.II – Judicial review of automated administrative decisions

6. Does national case-law recognise the legality of automated administrative decisions?

☐ YES

☐ NO

Please explain if necessary:

As far as we are aware, there is not yet any national case-law regarding judicial review of automated administrative decisions. Therefore, we are not able to answer the questions regarding national case law below.

If so:

6.a. What principles and conditions have been identified by national case-law as necessary for these decisions to be legally valid?

6.b. Have any limitations been identified with regard to the possibility of delegating the administration's decision-making power to algorithmic systems?

6.c. In particular, which of the following principles must be respected, according to national case-law, when adopting an automated administrative decision? (Please tick all that apply)

☐ Principle of transparency
☐ Principle of non-exclusivity of human intervention ('human in the loop')
☐ Principle of non-discrimination
☐ Principle of knowledge and comprehensibility of algorithmic functioning
☐ Principle of attributing the decision to an authority vested with power
☐ Other (please specify)

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7. Has national case-law ruled on the nature and legal classification of the algorithm or AI system used for administrative decision-making?

8. What are the limits of the judicial review that administrative judges can exercise over automated administrative decisions?

9. According to national case-law, is the right of access to the algorithmic process that led to the automated administrative decision recognised?

☐ YES
☐ NO

If so:
9.a. What information relating to the AI system (data, logic, key parameters) must be made available to the party concerned?

Part C
Administrative judges and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, in light of Regulation (EU) 2024/1689 (the 'AI Act') and other European Union standards and regulations, such as the GDPR, the DSA, the DMA, etc.

1. Does your country recognise, at constitutional level, principles that expressly refer to the use of artificial intelligence in the performance of judicial functions?

☐ YES

☒ NO

If so, please specify which ones

2. Has your country adopted or is it in the process of adopting national measures to implement Regulation (EU) 2024/1689 (the AI Act) concerning the use of artificial intelligence to support judicial decision-making, which is classified as a 'high-risk' activity (Annex III, point 8(a))?

☒ YES

☐ NO

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As the implementation of the EU AI Act still is in quite early stages, it is too early to say whether the Norwegian implementations will include such regulations. We are therefore not able to answer the sub-questions below.

If so:

2.a. What is the nature of these measures (legislative, regulatory, guidelines, soft-law instruments)?

2.b. For what purposes is the use of AI permitted? (Please tick all that apply)

☐ Research and interpretation of the law

☐ Research and assessment of the facts

☐ Application of the law to a specific factual situation

☐ Administrative activities that are purely ancillary (recital 61 of Regulation (EU) 2024/1689)

Please explain if necessary:

2.c. What measures are taken to ensure human oversight (Article 14 of Regulation (EU) 2024/1689)? In particular, under what conditions is the user able to ignore, cancel or override the result produced by the artificial intelligence system (Article 14(4)(d) of the AI Act), or to suspend or interrupt its use (Article 14(4)(d) of the AI Act)?

2.d. What regulatory measures have been adopted to ensure the transparency, accuracy and robustness of the artificial intelligence system used (Articles 13 and 15 of Regulation (EU) 2024/1689 – the AI Act)?

3. Are there any official forms of testing or use of artificial intelligence systems for decision-making or generating judicial decisions currently in place in your country?

☐ YES

☒ NO

Please explain if necessary:

If so:

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3.a What do they consist of?

3.b. What data sets are used?

3.c. Is the software used publicly owned or provided by private operators?

3.d. Have any biases been identified in its operation? If so, what kind?

4. Are measures planned in your country to ensure a sufficient level of artificial intelligence literacy specifically for judges (Article 4 of Regulation (EU) 2024/1689)?

☐ YES

☐ NO

If so:

4.a. What do these measures consist of?

4.b. Is specific training planned to prevent or limit the phenomenon known as 'automation bias' (Article 14(4)(b) of the AI Act)?

☐ YES

☐ NO

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Please explain if necessary:

5. Is the use of generative or agentic artificial intelligence systems permitted in your country to assist in the drafting of procedural documents or court decisions?

There are currently no laws or regulations that prohibit the use of generative or agentic artificial intelligence systems to assist in the drafting of procedural documents or court decisions. However, both The Norwegian Courts Administration and the Supreme Court are in the process of developing internal guidelines regarding limitations on such use, as mentioned in part A of this questionnaire.

To help you understand the question better: **generative artificial intelligence (AI)** is a category of AI models which, thanks to machine learning and training on vast amounts of data, are capable of creating original content (text, images, videos, music, etc.). **Agentic AI** is described as a system capable of autonomously planning, making decisions and executing complex tasks with minimal human intervention to achieve a defined objective [source: OECD].

6. Has the national case law of your country addressed issues concerning the interpretation and application of EU Regulation 2024/1689?

☐ YES

☒ NO

Please explain if necessary:

6.a. If yes, which principles have been established?

7. Have national courts of your country submitted preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689?

☐ YES

☒ NO

Please explain if necessary:

7.a. If yes, which questions were referred? What answers has the Court of Justice of the European Union provided?

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