



C/2025/239

20.1.2025

Order of the Court (Sixth Chamber) of 4 October 2024 (request for a preliminary ruling from the Nejvyšší správní soud – Czech Republic) – N.V.N. v Komise pro rozhodování ve věcech pobytu cizinců

(Case C-761/23, ⁽¹⁾ Komise pro rozhodování ve věcech pobytu cizinců)

(Reference for a preliminary ruling – Article 99 of the Rules of Procedure of the Court of Justice – Questions the answer to which may be clearly deduced from the Court’s existing case-law – Directive 2011/98/EU – Issuance of a single permit for third-country nationals to reside and work in the territory of a Member State – Principle of equivalence – Article 47 of the Charter of Fundamental Rights of the European Union – Classified information – Access to the file)

(C/2025/239)

Language of the case: Czech

Referring court

Nejvyšší správní soud

Parties to the main proceedings

Applicant: N.V.N.

Defendant: Komise pro rozhodování ve věcech pobytu cizinců

Operative part of the order

Articles 41 and 47 of the Charter of Fundamental Rights of the European Union, read in conjunction with the principle of equivalence, must be interpreted as not precluding national legislation which prohibits a national court that is reviewing the lawfulness of a residence decision, taken pursuant to Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State and which is based on classified information, from itself permitting the person concerned to have access to that information, where the court in question considers that not communicating that information to that person does not appear to be justified, even though it has such power in actions not concerned with proceedings on the right of residence of foreign nationals.

⁽¹⁾ OJ C C/2024/2723.