

Questions for written answers*

(no later than 10 March 2021, including term due to distance - max. 6 pages)

1. In order to establish the legal status of ISO standards, the content of which has not been published in the *Official Journal of the European Union*, in Union law, **parties and interested parties** are invited to comment on the relevance of the judgments of 27 October 2016, James Elliott Construction (C-613/14, EU: C: 2016: 821), and 22 February 2018, SAKSA (C-185/17, EU: C: 2018: 108), in particular on the relevance of the points 40 and 43 and point 39 respectively thereof. In doing so, due account should be taken of the fact that those judgments do not concern ISO standards or Article 297 (1) TFEU.

2. **Parties and interested parties** are invited to comment on whether it can be inferred from Article 10 (6) of Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardization, amending of Council Directives 89/686 / EEC and 93/15 / EEC as well as Directives 94/9 / EC, 94/25 / EC, 95/16 / EC, 97/23 / EC, 98/34 / EC, 2004/22 / EC, 2007/23 / EC, 2009/23 / EC and 2009/105 / EC of the European Parliament and of the Council and repealing Council Decision 87/95 / EEC and Decision No 1673/2006 / EC of the European Parliament and of the Council (OJ 2012 L316, p. 12), in essence, that Union law does not require the full publication of standards quoted in harmonization legislation.

3. **VSK, the Netherlands Government, the Parliament, the Council and the Commission** are invited to comment on the argument put forward by the applicants in paragraph 18 of their observations, and in particular on the question whether the conditions connected to getting access to the content of ISO standards may prejudice the general principles and rights set out in Article 15 TFEU and Article 42 of the Charter of Fundamental Rights of the European Union.

* this is not an official translation