



Institut suisse de droit comparé
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EU News: Click & Read

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European Documentation Centre

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This newsletter contains a selection of recent official documents of the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, legal professionals, as well as corporations with information about the latest legal developments in the European Union. Written in English or French, the newsletter offers links to documents in one of those languages.

We hope you will find this issue both useful and a pleasure to read.

Table of contents

1. EU-Swiss Relations	2
2. External Relations / Foreign Policy	2
3. Agriculture and Fisheries / Maritime Affairs	2
4. Audiovisual and Media and Information Society.....	2
5. Competition and State Aid	2
6. Customs	3
7. Economic and Monetary Affairs, Taxation, Enterprise	3
8. Education, Training, Youth, Culture, Research and Innovation	4
9. Employment and Social Affairs	5
10. Energy and Environment	5
11. Food Safety, Public Health and Consumers	6
12. Human Rights	7
13. Internal Market and Free Movement.....	8
14. Intellectual Property	8
15. Justice, Freedom and Security (incl. Judicial Cooperation)	8
16. Transport	9
17. Community Institutions, Principles and the Communities' own resources	9

Highlights

Case C-600/19. Judgment of the Court (Grand Chamber) of 17 May 2022. MA v Ibercaja Banco, SA. Request for a preliminary ruling from the Audiencia Provincial de Zaragoza.

Reference for a preliminary ruling – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Principle of equivalence – Principle of effectiveness – Mortgage enforcement proceedings – Unfairness of the term setting the nominal rate for default interest, and of the advanced repayment term in the loan agreement – **Force of res judicata and time-barring** – Loss of the possibility of relying on the unfairness of a contractual term before a court – **Power of review by the national court of its own motion.**

[EUR-Lex - 62019CJ0600](#)

Affaire C-644/20. Arrêt de la Cour (quatrième chambre) du 12 mai 2022. W. J. contre L. J. et J. J. reprezentowani przez przedstawicielkę ustawową A. P.

Renvoi préjudiciel – Coopération judiciaire en matière civile – **Compétence, loi applicable, reconnaissance et exécution des décisions en matière d'obligations alimentaires** – Détermination de la loi applicable – **Protocole de La Haye sur la loi applicable aux obligations alimentaires** – Article 3 – Résidence habituelle du créancier – Moment auquel déterminer la résidence habituelle – Non-retour illicite d'un enfant.

[EUR-Lex - 62020CJ0644](#)

Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726

[EUR-Lex - 32022R0850](#)

1. EU-Swiss Relations

Community Legislation

Regulation of the European Parliament and of the Council on the **European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 - notification from Switzerland**

[EUR-Lex - ST 15157 2019](#)

Regulation of the European Parliament and of the Council amending Regulations (EU) No 514/2014 laying down general **provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management**, (EU) No 516/2014 establishing the Asylum, Migration and Integration Fund and (EU) 2021/1147 establishing the Asylum, Migration and Integration Fund - notification from Switzerland

[EUR-Lex - ST 9396 2022](#)

2. External Relations / Foreign Policy

Community Legislation

Council Decision (CFSP) 2022/809 of 23 May 2022 amending Decision (CFSP) 2022/338 on an **assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force**

[EUR-Lex - 32022D0809](#)

3. Agriculture and Fisheries / Maritime Affairs

Nothing to report for the period under review.

4. Audiovisual and Media and Information Society

Nothing to report for the period under review.

5. Competition and State Aid

Community Legislation

Commission Regulation (EU) 2022/720 of 10 May 2022 on the **application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices**

[EUR-Lex - 32022R0720](#)

Case Law

Affaire C-377/20. Arrêt de la Cour (cinquième chambre) du 12 mai 2022. Servizio Elettrico Nazionale SpA e.a. contre Autorità Garante della Concorrenza e del Mercato e.a.

Renvoi préjudiciel – Concurrence – **Position dominante** – Exploitation abusive – Article 102 TFUE – Incidence d'une pratique sur le bien-être des consommateurs et sur la structure du marché – Pratique d'éviction abusive – Capacité de la pratique à produire un effet d'éviction – Recours à des moyens autres que ceux relevant d'une concurrence par les mérites – Impossibilité pour un hypothétique concurrent aussi efficace de répliquer la pratique – Existence d'une intention anticoncurrentielle – Ouverture à la concurrence du marché de la vente d'électricité – **Transfert d'informations commercialement sensibles au sein d'un groupe de sociétés aux fins de conserver sur un marché une position dominante héritée d'un monopole légal** – Imputabilité du comportement de la filiale à la société mère.

[EUR-Lex - 62020CJ0377](#)

6. Customs

Case Law

Case T-30/19. Judgment of the General Court (Tenth Chamber, Extended Composition) of 4 May 2022 (Extracts). China Rubber Industry Association (CRIA) and China Chamber of Commerce of Metals, Minerals & Chemicals Importers & Exporters (CCMC) v European Commission.

Dumping – Subsidies – **Imports of certain pneumatic tyres, new or retreaded, of rubber, of a kind used for buses or lorries, with a load index exceeding 121 originating in China – Definitive anti-dumping duty – Definitive countervailing duty** – Action for annulment – Locus standi – Direct concern – Individual concern – Regulatory act which does not entail implementing measures – Interest in bringing proceedings – Injury to the Union industry – Objective examination – Causal link – Calculation of the price undercutting and the injury margin – Fair comparison of prices – Constructed import prices – Prices charged to first independent buyers – Difference in the level of trade – Complex economic assessments – Intensity of judicial review – Injury indicators – Weighting of the data – Access to non-confidential investigation data – Rights of the defence.

[EUR-Lex - 62019TJ0030](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

Regulation (EU) 2022/858 of the European Parliament and of the Council of 30 May 2022 on a pilot regime for market infrastructures based on distributed ledger technology, and amending Regulations (EU) No 600/2014 and (EU) No 909/2014 and Directive 2014/65/EU

[EUR-Lex - 32022R0858](#)

Case Law

Affaire C-556/20. Arrêt de la Cour (deuxième chambre) du 12 mai 2022. Schneider Electric SA e.a. contre Premier ministre et Ministre de l'Economie, des Finances et de la Relance.

Renvoi préjudiciel – Rapprochement des législations – Directive 90/435/CEE – **Régime fiscal commun applicable aux sociétés mères et filiales d'États membres différents** – Article 4 et article 7, paragraphe 2 – **Prévention de la double imposition économique des dividendes.**

[EUR-Lex - 62020CJ0556](#)

Affaire T-913/16. Arrêt du Tribunal (deuxième chambre élargie) du 11 mai 2022. Finanziaria d'investimento Fininvest SpA (Fininvest) et Silvio Berlusconi contre Banque centrale européenne.

Politique économique et monétaire – **Surveillance prudentielle des établissements de crédit** – Missions spécifiques de surveillance confiées à la BCE – Évaluation d'acquisitions de participations qualifiées – **Opposition à l'acquisition d'une participation qualifiée** – Non-rétroactivité – Autorité de la chose jugée – Application des dispositions nationales de transposition – Droits de la défense – Droit d'accès au dossier – Droit d'être entendu – Moyen nouveau – Primauté du droit de l'Union – Droit à une protection juridictionnelle effective.

[EUR-Lex - 62016TJ0913](#)

Affaire T-151/20. Arrêt du Tribunal (sixième chambre) du 11 mai 2022. République tchèque contre Commission européenne.

Ressources propres de l'Union – **Responsabilité financière d'un État membre** – Droits à l'importation – **Versement à la Commission des montants correspondant à des ressources propres non recouvrées** – Recours fondé sur un enrichissement sans cause de l'Union – Obligations d'un État membre en matière de ressources propres – Obligation de garantie – Dispense de mise à disposition des montants correspondant aux droits constatés déclarés irrécouvrables.

[EUR-Lex - 62020TJ0151](#)

Case C-570/20. Judgment of the Court (First Chamber) of 5 May 2022. Criminal proceedings against Direction départementale des finances publiques de la Haute-Savoie. Request for a preliminary ruling from the Cour de cassation.

Reference for a preliminary ruling – **Value added tax (VAT)** – Directive 2006/112/EC – Fraudulent concealment of tax due – Penalties – **National legislation which provides for an administrative penalty and a criminal penalty for the same acts** – Charter of Fundamental Rights of the European Union – Article 49 – Article 50 – Principle ne bis in idem – Article 52(1) – Limitations to the principle ne bis in idem – Requirement to provide for clear and precise rules – Possibility of taking into account the interpretation of national legislation by national courts – Need to provide for rules ensuring the proportionality of all of the penalties imposed – Penalties of different kinds.

[EUR-Lex - 62020CJ0570](#)

Case C-218/21. Judgment of the Court (Sixth Chamber) of 5 May 2022. Autoridade Tributária e Aduaneira v DSR –Montagem e Manutenção de Ascensores e Escadas Rolantes SA. Request for a preliminary ruling from the Supremo Tribunal Administrativo.

Reference for a preliminary ruling – Taxation – Value added tax (VAT) – Directive 2006/112/EC – Rates – Temporary provisions for particular labour-intensive services – Point 2 of Annex IV – Renovation and repairing of private dwellings – **Application of a reduced rate of VAT to repair and maintenance services for lifts in residential buildings.**

[EUR-Lex - 62021CJ0218](#)

Affaire C-83/20. Arrêt de la Cour (première chambre) du 5 mai 2022. BPC Lux 2 Sàrl e.a. contre Banco de Portugal e.a. Demande de décision préjudicielle, introduite par le Supremo Tribunal Administrativo.

Renvoi préjudiciel – Directive 2014/59/UE – Union bancaire – **Redressement et résolution des établissements de crédit et des entreprises d'investissement** – Articles 36, 73 et 74 – Protection des actionnaires et des créanciers – Mise en œuvre partielle avant l'expiration du délai de transposition – Transposition par étapes – Charte des droits fondamentaux de l'Union européenne – Article 17, paragraphe 1 – **Droit de propriété.**

[EUR-Lex - 62020CJ0083](#)

8. Education, Training, Youth, Culture, Research and Innovation

Nothing to report for the period under review.

9. Employment and Social Affairs

Case Law

Case C-33/21. Judgment of the Court (Seventh Chamber) of 19 May 2022. Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (INAIL) and Istituto nazionale della previdenza sociale (INPS) v Ryanair DAC.

Reference for a preliminary ruling – Migrant workers – **Social security – Legislation applicable** – Regulation (EEC) No 1408/71 – Article 14(2)(a)(i) and (ii) – Regulation (EC) No 883/2004 – Article 11(5) – Article 13(1)(a) and (b) – **Concept of ‘operating base’ Flight and cabin crew** – Workers employed in the territory of two or more Member States – Connecting factors.

[EUR-Lex - 62021CJ0033](#)

Affaire C-426/20. Arrêt de la Cour (sixième chambre) du 12 mai 2022. GD et ES contre Luso Temp - Empresa de Trabalho Temporário SA.

Renvoi préjudiciel – Politique sociale – Directive 2008/104/CE – **Travail intérimaire** – Article 5, paragraphe 1 – **Principe d'égalité de traitement** – Article 3, paragraphe 1, sous f) – Notion de “conditions essentielles de travail et d'emploi des travailleurs intérimaires” – **Indemnité due au titre des jours de congés annuels payés non pris et de la prime de vacances correspondante en cas de cessation de la relation de travail.**

[EUR-Lex - 62020CJ0426](#)

Affaire C-405/20. Arrêt de la Cour (première chambre) du 5 mai 2022. EB e.a. contre Versicherungsanstalt öffentlich Bediensteter, Eisenbahnen und Bergbau (BVAEB). Demande de décision préjudicielle, introduite par le Verwaltungsgerichtshof.

Renvoi préjudiciel – Politique sociale – Article 157 TFUE – Protocole (no 33) – Égalité de traitement entre hommes et femmes en matière d'emploi et de travail – Directive 2006/54/CE – Article 5, sous c), et article 12 – **Interdiction de discrimination indirecte fondée sur le sexe** – Régime professionnel de sécurité sociale applicable postérieurement à la date visée par ce protocole et cet article 12 – Pensions de retraite des fonctionnaires – **Réglementation nationale prévoyant une adaptation annuelle des pensions de retraite** – Adaptation dégressive en fonction de l'importance du montant de la pension de retraite avec absence totale d'adaptation au-delà d'un certain montant – Justifications.

[EUR-Lex - 62020CJ0405](#)

Case C-101/21. Judgment of the Court (Seventh Chamber) of 5 May 2022. HJ v Ministerstvo práce a sociálních věcí. Request for a preliminary ruling from the Nejvyšší správní soud.

Reference for a preliminary ruling – Social policy – Directive 2008/94/EC – **Protection of employees in the event of their employer's insolvency** – Article 2(2) – **Concept of ‘employee’** – Article 12(a) and (c) – Limitations on the responsibility of the guarantee institutions – Person exercising, on the basis of a contract of employment entered into with a trading company, the functions of a management board member and chief executive officer of that company – Concurrent exercise of functions – National case-law refusing that person the benefit of the guarantees laid down by that directive.

[EUR-Lex - 62021CJ0101](#)

Affaire C-265/20. Arrêt de la Cour (septième chambre) du 5 mai 2022. FN contre Universiteit Antwerpen e.a. Demande de décision préjudicielle, introduite par le hof van beroep te Antwerpen.

Renvoi préjudiciel – Politique sociale – Travail à temps partiel – Directive 97/81/CE – **Accord-cadre CES, UNICE et CEEP sur le travail à temps partiel** – Clause 4, point 1 – Principe de non-discrimination – Personnel académique à temps partiel – **Nomination à titre définitif automatique réservée aux membres du personnel académique exerçant une charge d'enseignement à temps plein** – Calcul du pourcentage d'une charge de travail à temps plein auquel correspond une charge de travail à temps partiel – Absence d'exigences».

[EUR-Lex - 62020CJ0265](#)

10. Energy and Environment

Case Law

Affaire C-377/20. Arrêt de la Cour (cinquième chambre) du 12 mai 2022. Servizio Elettrico Nazionale SpA e.a. contre Autorità Garante della Concorrenza e del Mercato e.a.

Renvoi préjudiciel – Concurrence – **Position dominante** – Exploitation abusive – Article 102 TFUE – Incidence d’une pratique sur le bien-être des consommateurs et sur la structure du marché – Pratique d’éviction abusive – Capacité de la pratique à produire un effet d’éviction – Recours à des moyens autres que ceux relevant d’une concurrence par les mérites – Impossibilité pour un hypothétique concurrent aussi efficace de répliquer la pratique – Existence d’une intention anticoncurrentielle – **Ouverture à la concurrence du marché de la vente d’électricité – Transfert d’informations commercialement sensibles au sein d’un groupe de sociétés aux fins de conserver sur un marché une position dominante héritée d’un monopole légal** – Imputabilité du comportement de la filiale à la société mère.

[EUR-Lex - 62020CJ0377](#)

Affaire C-525/20. Arrêt de la Cour (deuxième chambre) du 5 mai 2022. Association France Nature Environnement contre Premier ministre et Ministre de la Transition écologique et solidaire. Demande de décision préjudicielle, introduite par le Conseil d’État (France).

Renvoi préjudiciel – Environnement – Directive 2000/60/CE – Cadre pour une politique de l’Union européenne dans le domaine de l’eau – Article 4, paragraphe 1, sous a) – Objectifs environnementaux relatifs aux eaux de surface – **Obligation des États membres de ne pas autoriser un programme ou un projet susceptible de provoquer une détérioration de l’état d’une masse d’eau de surface** – Notion de “détérioration” de l’état d’une masse d’eau de surface – Article 4, paragraphes 6 et 7 – Dérogations à l’interdiction de détérioration – Conditions Programme ou projet ayant des impacts temporaires de courte durée et sans conséquences de long terme sur l’état d’une masse d’eau de surface.

[EUR-Lex - 62020CJ0525](#)

Case C-61/21 JP v Ministre de la Transition écologique, Premier ministre. Opinion of Advocate General Kokott delivered on 5 May 2022. Request for a preliminary ruling from the Cour administrative d’appel de Versailles (Administrative Court of Appeal, Versailles, France)

Request for a preliminary ruling – Directive 2008/50/EC – **Ambient air quality – Limit values for the protection of human health** – Exceedance – Air quality plans – State liability – **Right of an individual to obtain compensation for damage to health resulting from an infringement of EU law** – Serious infringement – Direct causal link – Time at which the infringement is to be assessed.

[EUR-Lex - 62021CC0061](#)

11. Food Safety, Public Health and Consumers

Case Law

Case C-725/19. Judgment of the Court (Grand Chamber) of 17 May 2022. IO v Impuls Leasing România IFN SA. Request for a preliminary ruling from the Judecătoria Sector 2 București.

Reference for a preliminary ruling – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Principle of equivalence – Principle of effectiveness – Enforcement proceedings in respect of a leasing contract constituting an enforceable instrument – Objection to enforcement – National legislation not allowing the court hearing that objection to determine whether the terms of an enforceable instrument are unfair – **Power of the court hearing the enforcement proceedings to examine of its own motion whether a term is unfair** – Existence of an action under ordinary law allowing the review of whether those terms were unfair – Requirement of a security in order to suspend the enforcement proceedings.

[EUR-Lex - 62019CJ0725](#)

Joined Cases C-693/19 and C-831/19. Judgment of the Court (Grand Chamber) of 17 May 2022. SPV Project 1503 Srl and Others v YB and Others. Requests for a preliminary ruling from the Tribunale di Milano.

Reference for a preliminary ruling – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Principle of equivalence – Principle of effectiveness – Payment order and attachment proceedings against third parties – **Force of res judicata implicitly covering the validity of the terms of an enforceable instrument** – Power of the court hearing the enforcement proceedings to examine of its own motion the potential unfairness of a term.

[EUR-Lex - 62019CJ0693](#)

Case C-600/19. Judgment of the Court (Grand Chamber) of 17 May 2022. MA v Ibercaja Banco, SA. Request for a preliminary ruling from the Audiencia Provincial de Zaragoza.

Reference for a preliminary ruling – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Principle of equivalence – Principle of effectiveness – Mortgage enforcement proceedings – Unfairness of the term setting the nominal rate for default interest, and of the advanced repayment term in the loan agreement – **Force of res judicata and time-barring** – Loss of the possibility of relying on the unfairness of a contractual term before a court – **Power of review by the national court of its own motion.**

[EUR-Lex - 62019CJ0600](#)

Case C-869/19. Judgment of the Court (Grand Chamber) of 17 May 2022. L v Unicaja Banco SA ,anciennement Banco de Caja España de Inversiones, Salamanca y Soria, S.A.U. Request for a preliminary ruling from the Tribunal Supremo.

Reference for a preliminary ruling – Directive 93/13/EEC – Unfair terms in consumer contracts – Principle of equivalence – Principle of effectiveness – **Mortgage agreement – Unfairness of the ‘floor clause’ in the agreement** – National rules concerning the judicial appeal procedure – Limitation of the temporal effects of the declaration that an unfair term is void – Restitution – **Power of review by the national appeal court of its own motion.**

[EUR-Lex - 62019CJ0869](#)

Case C-179/21. Judgment of the Court (Third Chamber) of 5 May 2022. absoluts-bikes and more- GmbH & Co. KG v the-trading-company GmbH. Request for a preliminary ruling from the Bundesgerichtshof.

Reference for a preliminary ruling – Consumer protection – Directive 2011/83/EU – Article 6(1)(m) – **Distance contract between a consumer and a trader – Obligation of the trader to inform the consumer of the existence and the conditions of a manufacturer’s commercial guarantee** – Conditions under which such an obligation arises – Content of the information to be provided to the consumer about the manufacturer’s commercial guarantee – Impact of Article 6(2) of Directive 1999/44/EC.

[EUR-Lex - 62021CJ0179](#)

12. Human Rights

Case Law

Case C-570/20. Judgment of the Court (First Chamber) of 5 May 2022. Criminal proceedings against Direction départementale des finances publiques de la Haute-Savoie. Request for a preliminary ruling from the Cour de cassation.

Reference for a preliminary ruling – **Value added tax (VAT)** – Directive 2006/112/EC – Fraudulent concealment of tax due – Penalties – **National legislation which provides for an administrative penalty and a criminal penalty for the same acts** – Charter of Fundamental Rights of the European Union – Article 49 – Article 50 – Principle ne bis in idem – Article 52(1) – Limitations to the principle ne bis in idem – Requirement to provide for clear and precise rules – Possibility of taking into account the interpretation of national legislation by national courts – Need to provide for rules ensuring the proportionality of all of the penalties imposed – Penalties of different kinds.

[EUR-Lex - 62020CJ0570](#)

Affaire C-83/20. Arrêt de la Cour (première chambre) du 5 mai 2022. BPC Lux 2 Sàrl e.a. contre Banco de Portugal e.a. Demande de décision préjudicielle, introduite par le Supremo Tribunal Administrativo.

Renvoi préjudiciel – Directive 2014/59/UE – Union bancaire – **Redressement et résolution des établissements de crédit et des entreprises d’investissement** – Articles 36, 73 et 74 – Protection des actionnaires et des créanciers – Mise en œuvre partielle avant l’expiration du délai de transposition – Transposition par étapes – Charte des droits fondamentaux de l’Union européenne – Article 17, paragraphe 1 – **Droit de propriété.**

[EUR-Lex - 62020CJ0083](#)

13. Internal Market and Free Movement

Case Law

Joined Cases C-451/19 and C-532/19. Judgment of the Court (Fourth Chamber) of 5 May 2022. Subdelegación del Gobierno en Toledo v XU and QP.

Reference for a preliminary ruling – Article 20 TFEU – Union citizenship – **Union citizen who has never exercised his or her right of freedom of movement – Application for a residence card for his or her family member who is a third-country national** – Refusal – Obligation for the Union citizen to have sufficient resources – Obligation for spouses to live together – Minor child who is a Union citizen – National legislation and practice – Genuine enjoyment of the substance of the rights conferred on EU nationals – Deprivation.

[EUR-Lex - 62019CJ0451](#)

14. Intellectual Property

Case Law

Case C-466/20. Judgment of the Court (Fourth Chamber) of 19 May 2022. HEITEC AG v HEITECH Promotion GmbH and RW.

Reference for a preliminary ruling – **Trade marks** – Directive 2008/95/EC – Article 9 – Regulation (EC) No 207/2009 – Articles 54, 110 and 111 – Limitation in consequence of acquiescence – Concept of ‘acquiescence’ – **Interruption of the period of limitation in consequence of acquiescence** – Sending of a warning letter – Date of interruption of the period of limitation in the event of a court action being initiated – Effects of limitation – Application for damages, the provision of information and destruction of goods.

[EUR-Lex - 62020CJ0466](#)

15. Justice, Freedom and Security (incl. Judicial Cooperation)

Community Legislation

Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726

[EUR-Lex - 32022R0850](#)

Regulation (EU) 2022/838 of the European Parliament and of the Council of 30 May 2022 amending Regulation (EU) 2018/1727 as regards the preservation, analysis and storage at Eurojust of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences

[EUR-Lex - 32022R0838](#)

Case Law

Case C-569/20. Judgment of the Court (Fourth Chamber) of 19 May 2022. IR v Spetsializirana prokuratura.

Reference for a preliminary ruling – **Judicial cooperation in criminal matters** – Directive (EU) 2016/343 – Article 8 – **Right to be present at the trial** – Information regarding the holding of the trial – Inability to locate the accused person notwithstanding the reasonable efforts of the competent authorities – Possibility of a trial and a conviction in absentia – Article 9 – Right to a new trial, or to another legal remedy, which allows a fresh determination of the merits of the case.

[EUR-Lex - 62020CJ0569](#)

Affaire C-644/20. Arrêt de la Cour (quatrième chambre) du 12 mai 2022. W. J. contre L. J. et J. J. reprezentowani przez przedstawicielkę ustawową A. P.

Renvoi préjudiciel – Coopération judiciaire en matière civile – **Compétence, loi applicable, reconnaissance et exécution des décisions en matière d’obligations alimentaires** – Détermination de la loi applicable – **Protocole de La Haye sur la loi applicable aux obligations alimentaires** – Article 3 – Résidence habituelle du créancier – Moment auquel déterminer la résidence habituelle – Non-retour illicite d’un enfant.

[EUR-Lex - 62020CJ0644](#)

Case C-700/20 The London Steam-Ship Owners’ Mutual Insurance Association Limited v Kingdom of Spain Opinion of Advocate General Collins delivered on 5 May 2022. Request for a preliminary ruling from the High Court of Justice (England & Wales), Queen’s Bench Division (Commercial Court) (United Kingdom).

Reference for a preliminary ruling – Judicial cooperation in civil and commercial matters – **Regulation (EC) No 44/2001** – Article 1(2)(d) – Article 34(1) and (3) – Recognition of a judgment given in another Member State – **Judgment irreconcilable with a judgment incorporating an arbitral award given between the same parties in the Member State in which recognition is sought.**

[EUR-Lex - 62020CC0700](#)

16. Transport

Case Law

Case C-33/21. Judgment of the Court (Seventh Chamber) of 19 May 2022. Istituto nazionale per l’assicurazione contro gli infortuni sul lavoro (INAIL) and Istituto nazionale della previdenza sociale (INPS) v Ryanair DAC.

Reference for a preliminary ruling – Migrant workers – **Social security – Legislation applicable** – Regulation (EEC) No 1408/71 – Article 14(2)(a)(i) and (ii) – Regulation (EC) No 883/2004 – Article 11(5) – Article 13(1)(a) and (b) – **Concept of ‘operating base’ Flight and cabin crew** – Workers employed in the territory of two or more Member States – Connecting factors.

[EUR-Lex - 62021CJ0033](#)

17. Community Institutions, Principles and the Communities’ own Resources

Case Law

Affaire T-151/20. Arrêt du Tribunal (sixième chambre) du 11 mai 2022. République tchèque contre Commission européenne.

Ressources propres de l’Union – Responsabilité financière d’un État membre – **Droits à l’importation – Versement à la Commission des montants correspondant à des ressources propres non recouvrées – Recours fondé sur un enrichissement sans cause de l’Union** – Obligations d’un État membre en matière de ressources propres – Obligation de garantie – Dispense de mise à disposition des montants correspondant aux droits constatés déclarés irrécouvrables.

[EUR-Lex - 62020TJ0151](#)