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# EU News: Click & Read

184 – May 2024

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.

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## Highlights

**Case C-222/23. Judgment of the Court (Fourth Chamber) of 16 May 2024. Request for a preliminary ruling from the Sofiyski rayon sad.**

Reference for a preliminary ruling – Judicial cooperation in civil matters – **Regulation (EU) No 1215/2012** – Jurisdiction and the enforcement of judgments in civil and commercial matters – **Order for payment procedure – Concept of ‘domicile’** – National of a Member State having his or her permanent address in that Member State and his or her current address in another Member State – No possibility of changing or renouncing that permanent address.

[EUR-Lex - 62023CJ0222](#)

**Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management**, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013

[Regulation - EU - 2024/1351](#)

**Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence**

[Directive - EU - 2024/1385](#)

## 1. EU-Swiss Relations

### Community Legislation

**Council Implementing Decision on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council in respect of Ethiopia notification from Switzerland**

[EUR-Lex - ST\\_10641\\_2024\\_INIT](#)

**Council Decision (EU) 2024/1489 of 21 May 2024 authorising the opening of negotiations for the amendment of the Agreements concerning the automatic exchange of financial account information to improve international tax compliance between the European Union and the Swiss Confederation, the Principality of Liechtenstein, the Principality of Andorra, the Principality of Monaco and the Republic of San Marino, respectively**  
[Decision - EU - 2024/1489](#)

### Case Law

**Case C-627/22. Judgment of the Court (First Chamber) of 30 May 2024. AB v Finanzamt Köln-Süd.**

Reference for a preliminary ruling – **Agreement between the European Union and the Swiss Confederation on the free movement of persons – Worker from a Member State who has transferred his residence to Switzerland – Tax concessions** – Income tax – ‘Voluntary assessment’ mechanism – Taxpayers who may benefit therefrom – Restriction to partially taxable employed persons resident in a Member State or in a State party to the Agreement on the European Economic Area (EEA) – Equal treatment.

[EUR-Lex - 62022CJ0627](#)

## 2. External Relations / Foreign Policy

### Community Legislation

**Regulation (EU) 2024/1449 of the European Parliament and of the Council of 14 May 2024 on establishing the Reform and Growth Facility for the Western Balkans**

[Regulation - EU - 2024/1449](#)

**Council Regulation (EU) 2024/1338 of 14 May 2024 amending Regulation (EU) 2023/1529 concerning restrictive measures in view of Iran’s military support of Russia’s war of aggression against Ukraine**

[Regulation - EU - 2024/1338](#)

**Council Regulation (EU) 2024/1485 of 27 May 2024 concerning restrictive measures in view of the situation in Russia**

[Regulation - EU - 2024/1485](#)

## 3. Agriculture and Fisheries / Maritime Affairs

### Community Legislation

**Commission Regulation (EU) 2024/1487 of 29 May 2024 defining data requirements for the approval of safeners and synergists and establishing a work programme for the gradual review of safeners and synergists on the market in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council**

[Regulation - EU - 2024/1487](#)

## Case Law

**Case C-216/23. Judgment of the Court (Ninth Chamber) of 8 May 2024. Hauser Weinimport GmbH v Freistaat Bayern. Request for a preliminary ruling from the Bayerischer Verwaltungsgerichtshof.**

Reference for a preliminary ruling – Approximation of laws – Agriculture – **Definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products** – Regulation (EU) No 251/2014 – Article 3(4) – Aromatised wine-product cocktail – Definition – Concepts of ‘alcohol’ and of ‘flavouring foodstuffs’.

[EUR-Lex - 62023CJ0216](#)

## 4. Audiovisual and Media and Information Society

### Case Law

**Case C-665/22. Judgment of the Court (Second Chamber) of 30 May 2024. Amazon Services Europe Sàrl v Autorità per le Garanzie nelle Comunicazioni. Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – Providers of information society services – **Obligation to provide information on the economic situation of a provider of online intermediation services** – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.

[EUR-Lex - 62022CJ0665](#)

**Joined Cases C-664/22 and C-666/22. Judgment of the Court (Second Chamber) of 30 May 2024. Google Ireland Limited and Eg Vacation Rentals Ireland Limited v Autorità per le Garanzie nelle Comunicazioni. Requests for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – **Providers of information society services – Obligation to be entered in the register of communications operators** – Obligation to provide information on structure and organisation – Obligation to make a financial contribution – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.

[EUR-Lex - 62022CJ0664](#)

**Case C-663/22. Judgment of the Court (Second Chamber) of 30 May 2024. Expedia Inc. v Autorità per le Garanzie nelle Comunicazioni. Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Regulation (EU) 2019/1150 – Articles 1, 15, 16 and 18 – Objective – Application – Monitoring – Review – Measures adopted by a Member State – **Obligation to provide information on the economic situation of a provider of online intermediation services.**

[EUR-Lex - 62022CJ0663](#)

**Joined Cases C-662/22 and C-667/22. Judgment of the Court (Second Chamber) of 30 May 2024. Airbnb Ireland UC and Amazon Services Europe Sàrl v Autorità per le Garanzie nelle Comunicazioni. Requests for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – Providers of information society services – **Obligation to be entered in the register of communications operators – Obligation to provide information on structure and organisation** – Obligation to make a financial contribution – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.

[EUR-Lex - 62022CJ0662](#)

## 5. Competition and State Aid

Nothing to report for the period under review.

## 6. Customs

Nothing to report for the period under review.

## 7. Economic and Monetary Affairs, Taxation, Enterprise

### Case Law

**Case C-743/22. Judgment of the Court (Fifth Chamber) of 30 May 2024. DISA SUMINISTROS Y TRADING S.L.U. (DISA) v Agencia Estatal de la Administración Tributaria. Request for a preliminary ruling from the Tribunal Supremo.**

Reference for a preliminary ruling – **Taxation of energy products and electricity** – Directive 2003/96/EC – Article 5 – Excise duty on mineral oils – Regional rate of excise duties on mineral oils on top of the national rate – **Differentiated rates of excise duties in the territory of a Member State according to the region in which the product is consumed.**

[EUR-Lex - 62022CJ0743](#)

**Case C-706/22. Judgment of the Court (Second Chamber) of 16 May 2024. Konzernbetriebsrat der O SE & Co. KG v Vorstand der O Holding SE. Request for a preliminary ruling from the Bundesarbeitsgericht.**

Reference for a preliminary ruling – **European company** – Regulation (EC) No 2157/2001 – Article 12(2) – Involvement of employees – Registration of the European company – Conditions – **Prior implementation of the negotiation procedure on the involvement of employees referred to in Directive 2001/86/EC** – European company which was established and registered without employees but which became the parent company of subsidiaries employing employees – No obligation to conduct a negotiation procedure retrospectively – Article 11 – Misuse of a European company – Deprivation of the rights of employees to employee involvement – Prohibition.

[EUR-Lex - 62022CJ0706](#)

**Case C-746/22. Judgment of the Court (Second Chamber) of 16 May 2024. Slovenské Energetické Strojárne A.S. v Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága. Request for a preliminary ruling from the Fővárosi Törvényszék.**

Reference for a preliminary ruling – Common system of value added tax (VAT) – **Detailed rules for the refund of VAT to taxable persons not established in the Member State of refund** – Directive 2008/9/EC – Article 20 – Request for additional information made by the Member State of refund – Information to be provided within a one-month period – Discontinuation of the procedure on account of failure by the taxable person to provide additional information within that time limit – Article 23 – Refusal to take account of information provided for the first time in the appeal procedure – Principle of effectiveness – Principle of VAT neutrality – Principle of good administration.

[EUR-Lex - 62022CJ0746](#)

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

Nothing to report for the period under review.

## 9. Employment and Social Affairs

### Community Legislation

**Directive (EU) 2024/1500** of the European Parliament and of the Council of 14 May 2024 on **standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation**, and amending Directives 2006/54/EC and 2010/41/EU

[Directive - 2024/1500](#)

### Case Law

**Case C-27/23. Judgment of the Court (Third Chamber) of 16 May 2024. FV v Caisse pour l'avenir des enfants. Request for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg.**

Reference for a preliminary ruling – Article 45 TFEU – **Freedom of movement for workers** – Equal treatment – Social advantages – Regulation (EU) No 492/2011 – Article 7(2) – **Family allowance** – Worker having custody of a child placed with that worker by a court order – Resident worker and non-resident worker – Difference in treatment – No justification.

[EUR-Lex - 62023CJ0027](#)

**Case C-673/22. Judgment of the Court (Seventh Chamber) of 16 May 2024. CCC v Tesorería General de la Seguridad Social (TGSS) and Instituto Nacional de la Seguridad Social (INSS). Request for a preliminary ruling from the Juzgado de lo Social - Sevilla.**

Reference for a preliminary ruling – Social policy – Directive (EU) 2019/1158 – **Balance between working life and private life of parents – Single-parent family – Equal treatment with two-parent families** – Extension of maternity leave – Article 5 – Parental leave – **Inadmissibility of the request for a preliminary ruling.**

[EUR-Lex - 62022CJ0673](#)

## 10. Energy and Environment

### Case Law

**Case C-743/22. Judgment of the Court (Fifth Chamber) of 30 May 2024. DISA SUMINISTROS Y TRADING S.L.U. (DISA) v Agencia Estatal de la Administración Tributaria. Request for a preliminary ruling from the Tribunal Supremo.**

Reference for a preliminary ruling – **Taxation of energy products and electricity** – Directive 2003/96/EC – Article 5 – Excise duty on mineral oils – Regional rate of excise duties on mineral oils on top of the national rate – Differentiated rates of excise duties in the territory of a Member State according to the region in which the product is consumed.

[EUR-Lex - 62022CJ0743](#)

## 11. Food Safety, Public Health and Consumers

### Case Law

**Case C-400/22. Judgment of the Court (Fifth Chamber) of 30 May 2024. VT and UR v Conny GmbH. Request for a preliminary ruling from the Landgericht Berlin.**

Reference for a preliminary ruling – Consumer protection – Directive 2011/83/EU – Article 8(2) – **Distance contracts concluded by electronic means** – Information requirements for the trader – Order implying an obligation to pay – Order placed by activating a button or similar function on a website – **Obligation on the trader to label that button or similar function with the words 'order with obligation to pay' or a corresponding formulation** – Conditional payment obligation.

[EUR-Lex - 62022CJ0400](#)

**Case C-176/23. Judgment of the Court (Eighth Chamber) of 30 May 2024. UG v SC Raiffeisen Bank SA. Request for a preliminary ruling from the Tribunalul Specializat Mureş.**

Reference for a preliminary ruling – Directive 93/13/EEC – Unfair terms in consumer contracts – Article 1(2) – Scope – Exclusion of contractual terms reflecting mandatory statutory or regulatory provisions – **Supplementary agreement to a credit agreement notified by the seller or supplier to the consumer for the purpose of complying with national legislation** – Article 3(2) – Contractual term which has not been individually negotiated – Failure of the consumer to sign the supplementary agreement – Presumption of tacit acceptance of that supplementary agreement – **National case-law precluding the courts from reviewing whether a contractual term contained in such a supplementary agreement is unfair.**

[EUR-Lex - 62023CJ0176](#)

**Case C-405/23. Judgment of the Court (Ninth Chamber) of 16 May 2024. Touristic Aviation Services Limited v Flightright GmbH. Request for a preliminary ruling from the Landgericht Köln.**

Reference for a preliminary ruling – Air transport – Regulation (EC) No 261/2004 – **Compensation for air passengers in the event of long delay of flights** – Article 5(3) – Exemption from the obligation to pay compensation – Extraordinary circumstances – Shortage of staff of the airport operator providing baggage loading services.

[EUR-Lex - 62023CJ0405](#)

## 12. Human Rights

### Community Legislation

**Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence**

[Directive - EU - 2024/1385](#)

**Council Directive (EU) 2024/1499 of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC**

[Directive - EU - 2024/1499](#)

### Case Law

**Case C-15/24 PPU. Judgment of the Court (First Chamber) of 14 May 2024. Criminal proceedings against Sofyiska rayonna prokuratura. Request for a preliminary ruling from the Sofiyski rayonen sad.**

Reference for a preliminary ruling – Judicial cooperation in criminal matters – Directive 2013/48/EU – The right of access to a lawyer in criminal proceedings – Article 3(6)(b) – Temporary derogation from the right of access to a lawyer in exceptional circumstances – Article 9 – Waiver of the presence or assistance of a lawyer – Conditions – Article 12(2) – **Respect for the rights of the defence and the fairness of the proceedings** – Admissibility of evidence – Article 47 of the Charter of Fundamental Rights of the European Union – **Written waiver of an illiterate suspect's right of access to a lawyer** – No explanation as to the possible consequences of waiving that right – Implications for subsequent investigative acts – Decision on an appropriate restraint measure – Assessment of evidence obtained in breach of the right of access to a lawyer.

[EUR-Lex - 62024CJ0015](#)

## 13. Internal Market and Free Movement

### Case Law

**Case C-665/22. Judgment of the Court (Second Chamber) of 30 May 2024. Amazon Services Europe Sàrl v Autorità per le Garanzie nelle Comunicazioni. Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – Providers of information society services – **Obligation to provide information on the economic situation of a provider of online intermediation services** – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.  
[EUR-Lex - 62022CJ0665](#)

**Joined Cases C-664/22 and C-666/22. Judgment of the Court (Second Chamber) of 30 May 2024. Google Ireland Limited and Eg Vacation Rentals Ireland Limited v Autorità per le Garanzie nelle Comunicazioni. Requests for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – **Providers of information society services – Obligation to be entered in the register of communications operators** – Obligation to provide information on structure and organisation – Obligation to make a financial contribution – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.  
[EUR-Lex - 62022CJ0664](#)

**Joined Cases C-662/22 and C-667/22. Judgment of the Court (Second Chamber) of 30 May 2024. Airbnb Ireland UC and Amazon Services Europe Sàrl v Autorità per le Garanzie nelle Comunicazioni. Requests for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio.**

Reference for a preliminary ruling – Freedom to provide services – Providers of information society services – **Obligation to be entered in the register of communications operators – Obligation to provide information on structure and organisation** – Obligation to make a financial contribution – Directive 2000/31/EC – Coordinated field – Principle of control in the home Member State – Exemptions – Concept of measures ‘taken against a given information society service’ – Regulation (EU) 2019/1150 – Objective.  
[EUR-Lex - 62022CJ0662](#)

**Case C-695/22. Judgment of the Court (Fifth Chamber) of 16 May 2024. Fondée a.s. v Česká národní banka. Request for a preliminary ruling from the Městský soud v Praze.**

Reference for a preliminary ruling – Freedom to provide services – **Markets in financial instruments** – Directive 2014/65/EU – Article 3 – Exemption from the application of Directive 2014/65/EU – Exempted investment intermediary – **Legislation of a Member State prohibiting that intermediary from transmitting clients’ orders to an investment firm established in another Member State.**  
[EUR-Lex - 62022CJ0695](#)

**Case C-27/23. Judgment of the Court (Third Chamber) of 16 May 2024. FV v Caisse pour l'avenir des enfants. Request for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg.**

Reference for a preliminary ruling – Article 45 TFEU – **Freedom of movement for workers** – Equal treatment – Social advantages – Regulation (EU) No 492/2011 – Article 7(2) – **Family allowance** – Worker having custody of a child placed with that worker by a court order – Resident worker and non-resident worker – Difference in treatment – No justification.  
[EUR-Lex - 62023CJ0027](#)

## 14. Intellectual Property

Nothing to report for the period under review.



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

### Community Legislation

**Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection**

[Directive - EU - 2024/1346](#)

**Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence**

[Directive - EU - 2024/1385](#)

**Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders** and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817

[Regulation - EU - 2024/1356](#)

**Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management**, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013

[Regulation - EU - 2024/1351](#)

**Regulation (EU) 2024/1350 of the European Parliament and of the Council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework**, and amending Regulation (EU) 2021/1147

[Regulation - EU - 2024/1350](#)

**Regulation (EU) 2024/1352 of the European Parliament and of the Council of 14 May 2024 amending Regulations (EU) 2019/816 and (EU) 2019/818 for the purpose of introducing the screening of third-country nationals at the external borders**

[Regulation - EU - 2024/1352](#)

**Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum** and amending Regulation (EU) 2021/1147

[Regulation - EU - 2024/1359](#)

**Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted**, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council

[Regulation - EU - 2024/1347](#)

**Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure**, and amending Regulation (EU) 2021/1148

[Regulation - EU - 2024/1349](#)

**Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union** and repealing Directive 2013/32/EU

[Regulation - EU - 2024/1348](#)

**Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data** in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the



**comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes**, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council  
[Regulation - EU - 2024/1358](#)

## Case Law

**Case C-15/24 PPU. Judgment of the Court (First Chamber) of 14 May 2024. Criminal proceedings against Sofyiska rayonna prokuratura. Request for a preliminary ruling from the Sofiyski rayonen sad.**

Reference for a preliminary ruling – Judicial cooperation in criminal matters – Directive 2013/48/EU – The right of access to a lawyer in criminal proceedings – Article 3(6)(b) – Temporary derogation from the right of access to a lawyer in exceptional circumstances – Article 9 – Waiver of the presence or assistance of a lawyer – Conditions – Article 12(2) – **Respect for the rights of the defence and the fairness of the proceedings** – Admissibility of evidence – Article 47 of the Charter of Fundamental Rights of the European Union – **Written waiver of an illiterate suspect's right of access to a lawyer** – No explanation as to the possible consequences of waiving that right – Implications for subsequent investigative acts – Decision on an appropriate restraint measure – Assessment of evidence obtained in breach of the right of access to a lawyer.

[EUR-Lex - 62024CJ0015](#)

**Case C-222/23. Judgment of the Court (Fourth Chamber) of 16 May 2024. Request for a preliminary ruling from the Sofiyski rayonen sad.**

Reference for a preliminary ruling – Judicial cooperation in civil matters – **Regulation (EU) No 1215/2012** – Jurisdiction and the enforcement of judgments in civil and commercial matters – **Order for payment procedure – Concept of 'domicile'** – National of a Member State having his or her permanent address in that Member State and his or her current address in another Member State – No possibility of changing or renouncing that permanent address.

[EUR-Lex - 62023CJ0222](#)

**Case C-20/23. Judgment of the Court (Second Chamber) of 8 May 2024. SF v MV and Others. Request for a preliminary ruling from the Tribunal da Relação do Porto.**

Reference for a preliminary ruling – Judicial cooperation in civil matters – Directive (EU) 2019/1023 – **Procedures concerning restructuring, insolvency and discharge of debt** – Article 20 – Access to discharge – Article 23 – Derogations – Article 23(4) – Exclusion of specific categories of debt from discharge of debt – **National legislation excluding tax and social security debts from the discharge of debt** – Duly justified nature of such an exclusion.

[EUR-Lex - 62023CJ0020](#)

## 16. Transport

### Case Law

**Case C-405/23. Judgment of the Court (Ninth Chamber) of 16 May 2024. Touristic Aviation Services Limited v Flightright GmbH. Request for a preliminary ruling from the Landgericht Köln.**

Reference for a preliminary ruling – Air transport – Regulation (EC) No 261/2004 – **Compensation for air passengers in the event of long delay of flights** – Article 5(3) – Exemption from the obligation to pay compensation – Extraordinary circumstances – Shortage of staff of the airport operator providing baggage loading services.

[EUR-Lex - 62023CJ0405](#)

## 17. Community Institutions, Principles and the Communities' own Resources

### Case Law

**Case C-53/23. Judgment of the Court (First Chamber) of 8 May 2024. Asociația “Forumul Judecătorilor din România” and Asociația “Mișcarea pentru Apărarea Statutului Procurorilor” v Parchetul de pe lângă Înalta Curte de Casație și Justiție – Procurorul General al României. Request for a preliminary ruling from the Curtea de Apel Pitești.**

Reference for a preliminary ruling – Rule of law – Judicial independence – Article 19(1) TEU – **Cooperation and Verification Mechanism** – Benchmarks subscribed to by Romania – **Fight against corruption – Investigations of offences committed within the Judiciary** – Action challenging the nomination of prosecutors with competence to conduct those investigations – Standing of professional associations of judges to bring proceedings.

[EUR-Lex - 62023CJ0053](#)

**Case C-734/22. Judgment of the Court (Eighth Chamber) of 8 May 2024. Republik Österreich v GM. Request for a preliminary ruling from the Oberster Gerichtshof.**

Reference for a preliminary ruling – Own resources of the European Union – **National programme co-financed by the European Agricultural Fund for Rural Development (EAFRD)** – Aid granted by contract pursuant to that programme – Protection of the European Union's financial interests – Regulation (EC) No 2988/95 – Scope – Proceedings concerning irregularities – Article 3 – Limitation period for proceedings – Concept of ‘act interrupting the limitation period’ – Principle of proportionality – **Claims for repayment of aid wrongly paid, based on the private law of a Member State.**

[EUR-Lex - 62022CJ0734](#)

**Case C-115/22. Judgment of the Court (Grand Chamber) of 7 May 2024. SO v Nationale Anti-Doping Agentur Austria GmbH (NADA) and Others. Request for a preliminary ruling from the Unabhängige Schiedskommission Wien.**

Reference for a preliminary ruling – Admissibility – Article 267 TFEU – **Concept of ‘court or tribunal’ – National arbitration committee competent to combat doping in sport** – Criteria – Independence of the body making the reference – Principle of effective judicial protection – Inadmissibility of the request for a preliminary ruling.

[EUR-Lex - 62022CJ0115](#)