



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.

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Highlights

Case C-697/23. Judgment of the Court (Ninth Chamber) of 8 May 2025. HUK-COBURG Haftpflicht-Unterstützungs-Kasse kraftfahrender Beamter Deutschlands a.G. in Coburg v Check24 Vergleichsportal GmbH and Others. Request for a preliminary ruling from the Landgericht München I.

Reference for a preliminary ruling – Directive 2006/114/EC – **Misleading and comparative advertising** – Article 4(c) – Permitted comparative advertising – **Website offering an online insurance comparison service** – Comparison by a third party by means of a grading or points system – Article 2(c) – No identification of a ‘competitor’.

[EUR-Lex - 62023CJ0697](#)

Case C-324/23. Judgment of the Court (Third Chamber) of 8 May 2025. OF and Others v M.K., en qualité de mandataire liquidateur de Getin Noble Bank S.A. en liquidation (anciennement Getin Noble Bank S.A.). Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.

Reference for a preliminary ruling – Consumer protection – Unfair terms in consumer contracts – Directive 93/13/EEC – Article 6(1) and Article 7(1) – **Mortgage loan agreement indexed to a foreign currency** – Legal action brought by the consumer seeking a declaration that the agreement is null and void – Application for the grant of protective measures suspending performance of the agreement – Directive 2014/59/EU – Recovery and resolution of credit institutions – Bank under resolution – Article 1(2) – **Member States’ power to adopt rules that are stricter than or additional to those in that directive** – **National rule requiring applications for protective measures directed against institutions under ongoing resolution to be dismissed.**

[EUR-Lex - 62023CJ0324](#)

Case C-130/24. Judgment of the Court (Tenth Chamber) of 8 May 2025. YC v Stadt Wuppertal. Request for a preliminary ruling from the Verwaltungsgericht Düsseldorf.

Reference for a preliminary ruling – Citizenship of the Union – Article 20 TFEU – Right to move and reside freely in the territory of the Member States – **Derived right of residence of a third-country national who has a dependent minor child with status of citizen of the Union** – Relationship of dependency – Nature of a derived right of residence – **Point at which the derived right of residence arises** – Obligation to obtain a visa subsequently in a third country.

[EUR-Lex - 62024CJ0130](#)

1. EU-Swiss Relations

Community Legislation

Commission Implementing Decision (EU) 2025/1039 of 16 May 2025 on the inconsistency of certain performance targets included in the draft performance plan submitted by Switzerland pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the fourth reference period of the Single European Sky performance and charging scheme (notified under document C(2025) 2923)

[Implementing decision - 2025/1039](#)

Council Decision (CFSP) 2025/967 of 20 May 2025 on the participation of Switzerland in the PESCO project Cyber Ranges Federations

[Decision - CFSP - 2025/967](#)

2. External Relations / Foreign Policy

Community Legislation

Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument

[Regulation - EU - 2025/1106](#)

Council Regulation (EU) 2025/1098 of 27 May 2025 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

[Regulation - EU - 2025/1098](#)

Council Regulation (EU) 2025/964 of 20 May 2025 amending Regulation (EU) 2024/2642 concerning restrictive measures in view of Russia's destabilizing activities

[Regulation - EU - 2025/964](#)

Notice concerning the date of entry into force of the Voluntary Partnership Agreement between the European Union and the Republic of Côte d'Ivoire on forest law enforcement, governance and trade in timber and timber products to the European Union (FLEGT) [2025/865]

[EUR-Lex - 22025X00865](#)

3. Agriculture and Fisheries / Maritime Affairs

Nothing to report for the period under review.

4. Audiovisual and Media and Information Society

Case Law

Case C-100/24. Judgment of the Court (Second Chamber) of 15 May 2025. Verbraucherzentrale Hamburg e.V. v bonprix Handelsgesellschaft mbH. Request for a preliminary ruling from the Bundesgerichtshof.

Reference for a preliminary ruling – **Electronic commerce** – Directive 2000/31/EC – Commercial communications – Article 6(c) – **Concept of 'promotional offers'** – **Online advertising setting out a specific payment arrangement** – Purchase on invoice involving a deferral of payment of the sales price – Information on the need for a prior assessment of the consumer's creditworthiness only during the online ordering process.

[EUR-Lex - 62024CJ0100](#)

5. Competition and State Aid

Case Law

Case C-428/23 ROGON GmbH & Co. KG, MVI Management GmbH, DC v Deutscher Fußballbund e. V. (DFB) Opinion of Advocate General Emiliou delivered on 15 May 2025. (Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany))

(Reference for a preliminary ruling – Competition – Article 101 TFEU – Meca-Medina case-law – **Regulations of a sports association** – Professional football – **Players’ agents’ activities**)

[EUR-Lex - 62023CC0428](#)

Case C-581/23. Judgment of the Court (Second Chamber) of 8 May 2025. Beevers Kaas BV v Albert Heijn België NV and Others. Request for a preliminary ruling from the Hof van beroep te Antwerpen.

Reference for a preliminary ruling – **Competition** – Agreements, decisions and concerted practices – Prohibition – Vertical agreements – Article 101(3) TFEU – Regulation (EU) No 330/2010 – Block exemption – Article 4(b)(i) – **Hardcore restriction that removes the benefit of that exemption** – Exception – **Exclusive distribution agreements** – **Restriction of active sales in an exclusive territory** – Concept of ‘agreement’ – Concurrence of wills between the supplier and its buyers – Proof – Exclusive territory allocated to a buyer – Absence of active sales by other buyers in that territory.

[EUR-Lex - 62023CJ0581](#)

6. Customs

Case Law

Case C-782/23. Judgment of the Court (Third Chamber) of 15 May 2025. „Tauritus“ UAB v Muitinės departamentas prie Lietuvos Respublikos finansų ministerijos. Request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas.

Reference for a preliminary ruling – Customs union – Union Customs Code – **Method for determining the customs value** – Article 70 – Transaction value – **Goods imported on the basis of a provisional purchase price** – Definitive price dependent on various factors not known on the date of acceptance of the customs declaration.

[EUR-Lex - 62023CJ0782](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Case Law

Case C-405/24. Judgment of the Court (Eighth Chamber) of 8 May 2025. L. s.c. v Dyrektor Krajowej Informacji Skarbowej. Request for a preliminary ruling from the Naczelny Sąd Administracyjny.

Reference for a preliminary ruling – Taxation – **Common system of value added tax (VAT)** – Directive 2006/112/EC – Article 143(1)(b) – Exemptions on importation – Directive 2006/79/EC – **Small consignments of goods of a non-commercial character from third countries** – Consignee residing in a Member State other than the Member State of importation.

[EUR-Lex - 62024CJ0405](#)

Case C-615/23. Judgment of the Court (First Chamber) of 8 May 2025. Dyrektor Krajowej Informacji Skarbowej v P. S.A. Request for a preliminary ruling from the Naczelny Sąd Administracyjny.

Reference for a preliminary ruling – Taxation – **Common system of value added tax (VAT)** – Directive 2006/112/EC – Article 73 – Taxable amount – Consideration – Subsidies directly linked to the price of a taxable transaction – **Collective public transport services** – **Compensation paid by a local authority to the service provider to cover the costs incurred** – Direct link between the compensation and the services provided.

[EUR-Lex - 62023CJ0615](#)

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

Nothing to report for the period under review.

9. Employment and Social Affairs

Community Legislation

Regulation (EU) 2025/941 of the European Parliament and of the Council of 7 May 2025 on European Union labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council

[Regulation - EU - 2025/941](#)

Case Law

Joined Cases C-623/23 and C-626/23. Judgment of the Court (Tenth Chamber) of 15 May 2025. UV and XXX v Instituto Nacional de la Seguridad Social (INSS). Requests for a preliminary ruling from the Juzgado de lo Social de Pamplona and Tribunal Superior de Justicia de Madrid.

Reference for a preliminary ruling – Social policy – Directive 79/7/EEC – Equal treatment for men and women in matters of social security – Article 4(1) and (2) – Article 7(1) – **National legislation providing for a pension supplement awarded to women who are in receipt of contributory retirement pensions and have had one or more biological or adopted children – Possibility of awarding such a supplement to men subject to additional requirements** – Direct discrimination on grounds of sex – Article 23 of the Charter of Fundamental Rights of the European Union – Positive action measures.

[EUR-Lex - 62023CJ0623](#)

Joined Cases C-212/24, C-226/24 and C-227/24. Judgment of the Court (Tenth Chamber) of 8 May 2025. L.T. s.s. and Others v Istituto nazionale della previdenza sociale (INPS). Requests for a preliminary ruling from the Corte di Appello di Firenze and Corte d'appello di Firenze.

References for a preliminary ruling – Social policy – Fixed-term work – Directive 1999/70/EC – Framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP – Clause 4(1) – **Principle of non-discrimination against fixed-term workers** – Scope – Concept of an ‘employment condition’ – Fixed-term agricultural labourers – Social security contributions calculated on the basis of remuneration – **Remuneration of fixed-term agricultural workers established on the basis of daily working hours completed** – Remuneration of permanent agricultural workers established on the basis of a fixed daily working time.

[EUR-Lex - 62024CJ0212](#)

10. Energy and Environment

Case Law

Case C-414/23. Judgment of the Court (Second Chamber) of 15 May 2025. Metsä Fibre Oy v Energiavirasto. Request for a preliminary ruling from the Helsingin hallinto-oikeus.

Reference for a preliminary ruling – **Scheme for greenhouse gas emission allowance trading** – Union Registry – Regulation (EU) No 389/2013 – Record of a surrender of such allowances in that registry – Finality of transactions – Article 40 – Reversal of finalised processes – Article 70 – Surrender under a provision of EU law subsequently invalidated by the Court of Justice – Impossibility, for the operator, to recover the allowances concerned for the period in question – Validity.

[EUR-Lex - 62023CJ0414](#)

Case C-236/24. Judgment of the Court (First Chamber) of 8 May 2025. Provincie Oost-Vlaanderen and Sogent v KG and WA. Request for a preliminary ruling from the Raad van State.

Reference for a preliminary ruling – Environment – Directive 2011/92/EU – Assessment of the effects of certain public and private projects on the environment – Projects listed in Annex II – **Determination of the projects to be made subject to an environmental impact assessment (screening)** – Article 9a – Prevention of conflicts of interest – Combining the functions of developer and the authority competent to make that determination – Appropriate separation between conflicting functions.

[EUR-Lex - 62024CJ0236](#)

11. Food Safety, Public Health and Consumers

Case Law

Joined Cases C-6/24 and C-231/24. Judgment of the Court (Eighth Chamber) of 8 May 2025. Abanca Corporación Bancaria, SA v WE and VX. Requests for a preliminary ruling from the Juzgado de Primera Instancia de La Coruña.

Reference for a preliminary ruling – Consumer protection – **Consumer credit agreements** – Directive 93/13/EEC – Unfair terms in consumer contracts – Article 3(1) – **Acceleration clause** – Judicial review – No national legislation governing the acceleration clause – Criteria for assessing unfairness.

[EUR-Lex - 62024CJ0006](#)

Case C-410/23. Judgment of the Court (Fourth Chamber) of 8 May 2025. I. SA v S. J. Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – Unfair terms in consumer contracts – Article 2(b) – **Concept of ‘consumer’ – Dual-purpose contract – Farmer concluding a contract for the purchase of a product intended for both agricultural and domestic use** – Internal market for electricity – Directive 2009/72/EC – Article 3(7) – Annex I, paragraph 1 (a) – Household customer – Contract for the supply of electricity for a fixed period at a fixed price – Contractual penalty for early termination – National legislation limiting the amount of that penalty to the ‘costs and damages resulting from the contract’.

[EUR-Lex - 62023CJ0410](#)

Case C-697/23. Judgment of the Court (Ninth Chamber) of 8 May 2025. HUK-COBURG Haftpflicht-Unterstützungs-Kasse kraftfahrender Beamter Deutschlands a.G. in Coburg v Check24 Vergleichsportal GmbH and Others. Request for a preliminary ruling from the Landgericht München I.

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[EUR-Lex - 62023CJ0697](#)

Case C-324/23. Judgment of the Court (Third Chamber) of 8 May 2025. OF and Others v M.K., en qualité de mandataire liquidateur de Getin Noble Bank S.A. en liquidation (anciennement Getin Noble Bank S.A.). Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.

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[EUR-Lex - 62023CJ0324](#)

12. Human Rights

Case Law

Joined Cases C-623/23 and C-626/23. Judgment of the Court (Tenth Chamber) of 15 May 2025. UV and XXX v Instituto Nacional de la Seguridad Social (INSS). Requests for a preliminary ruling from the Juzgado de lo Social de Pamplona and Tribunal Superior de Justicia de Madrid.

Reference for a preliminary ruling – Social policy – Directive 79/7/EEC – Equal treatment for men and women in matters of social security – Article 4(1) and (2) – Article 7(1) – **National legislation providing for a pension supplement awarded to women who are in receipt of contributory retirement pensions and have had one or more biological or adopted children** – Possibility of awarding such a supplement to men subject to additional requirements – **Direct discrimination on grounds of sex** – Article 23 of the Charter of Fundamental Rights of the European Union – Positive action measures.

[EUR-Lex - 62023CJ0623](#)

13. Internal Market and Free Movement

Community Legislation

Regulation (EU) 2025/925 of the European Parliament and of the Council of 7 May 2025 on a **Border Regions' instrument for development and growth (BRIDGEforEU)**

[Regulation - EU - 2025/925](#)

Case Law

Case C-717/23. Judgment of the Court (Second Chamber) of 15 May 2025. Bundesminister für Soziales, Gesundheit, Pflege und Konsumentenschutz v Bezirkshauptmannschaft Grieskirchen and M M. Request for a preliminary ruling from the Verwaltungsgerichtshof.

Reference for a preliminary ruling – Approximation of laws – Manufacture, presentation and sale of tobacco products – Directive 2014/40/EU – Article 2(40) – Concept of ‘placing on the market’ – Article 23(2) – Enforcement – Scope – **Placing on the market of tobacco products the packaging of which includes non-compliant elements** – Supply of tobacco products by a wholesaler to a retail outlet – Fine imposed on the managing director of a company acting as a wholesaler.

[EUR-Lex - 62023CJ0717](#)

Case C-130/24. Judgment of the Court (Tenth Chamber) of 8 May 2025. YC v Stadt Wuppertal. Request for a preliminary ruling from the Verwaltungsgericht Düsseldorf.

Reference for a preliminary ruling – Citizenship of the Union – Article 20 TFEU – Right to move and reside freely in the territory of the Member States – **Derived right of residence of a third-country national who has a dependent minor child with status of citizen of the Union** – Relationship of dependency – Nature of a derived right of residence – **Point at which the derived right of residence arises** – Obligation to obtain a visa subsequently in a third country.

[EUR-Lex - 62024CJ0130](#)

14. Intellectual Property

Nothing to report for the period under review.

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

Case Law

Case C-530/23. Judgment of the Court (Second Chamber) of 8 May 2025. Criminal proceedings against Prokurator Rejonowy we Włocławku. Request for a preliminary ruling from the Sąd Rejonowy we Włocławku. Reference for a preliminary ruling – Judicial cooperation in criminal matters – Directive (EU) 2016/1919 – Legal aid – Directive 2013/48/EU – **The right of access to a lawyer in criminal proceedings – Procedural safeguards for vulnerable persons** – Determination of the vulnerability of those persons – No legal presumption – Direct effect – Interview of a suspect in the absence of a lawyer – Admissibility of evidence obtained in breach of procedural rights.

[EUR-Lex - 62023CJ0530](#)

Case C-662/23. Judgment of the Court (Fifth Chamber) of 8 May 2025. Staatssecretaris van Justitie en Veiligheid v X. Request for a preliminary ruling from the Raad van State.

Reference for a preliminary ruling – Asylum policy – Directive 2013/32/EU – Article 4(1) and point (b) of the third subparagraph of Article 31(3) – **Procedures for granting international protection – Extension by the determining authority of the six-month examination period** – Large number of applications for international protection lodged simultaneously – Concept – Consideration of other circumstances.

[EUR-Lex - 62023CJ0662](#)

16. Transport

Case Law

Case C-538/23. Judgment of the Court (Second Chamber) of 22 May 2025. ÖBB-Infrastruktur AG and WESTbahn Management GmbH v Schienen-Control Kommission. Request for a preliminary ruling from the Bundesverwaltungsgericht.

Reference for a preliminary ruling – Rail transport – Directive 2012/34/EU – **Levying of charges for the use of railway infrastructure** – Establishing, determining and collecting charges – Article 29 – Exceptions to charging principles – Article 32 – Mark-ups – Modalities for calculation and publication – Article 56 – Functions of the regulatory body – Authorisation procedure for mark-ups, provided for by national law – Conditions.

[EUR-Lex - 62023CJ0538](#)

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

Nothing to report for the period under review.