



Newsletter

Week XLVII - XLVIII: 11th to 29th November 2024

Contact us

@ENDesk

Jacques René
Zammit
Press Officer
+352 4303 3355

Monica Pizzo
Assistant
+352 4303 3366

Desk Email
Press.ENdesk@curia.europa.eu

**Niamh
Leneghan**
assisted in the
preparation of
this Newsletter.

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Week XLVII: 18th to 22nd November

Tuesday 19th November

[Judgment in Cases C-808/21 Commission v Czech Republic \(Eligibility and membership of a political party\) and C-814/21 Commission v Poland \(Eligibility and membership of a political party\)](#)

(Citizenship of the Union)

Czech and Polish legislation confers the right to become a member of a political party solely on nationals. Consequently, according to the European Commission, citizens of the EU who reside in these Member States, but are not nationals of them, cannot exercise their right to stand as a candidate in municipal and European Parliament elections, enshrined in Union law, under the same conditions as Czech and Polish nationals.

The Commission took the view that such a refusal constitutes a difference in treatment based on nationality, which is prohibited by EU law. Under Article [22 TFEU](#), every Union citizen residing in a Member State of which they are not a national has the right to vote and to stand as a candidate in municipal elections in that Member State under the same conditions as nationals of that State.

On this basis, the Commission brought two actions for failure to fulfil obligations before the Court of Justice against the Czech Republic and Poland, respectively.

The action brought against the Czech Republic also extends to the prohibition on becoming a member of a political movement imposed on citizens of the Union who reside in that Member State and are not Czech nationals.

[Background Documents C-808/21](#)
[Background Documents C-814/21](#)

There will be one press release for these cases.

Wednesday 27th November

General Court

[Judgment in Case T-561/21 HSBC Holdings and Others v Commission](#)

(Competition)

The HSBC Group is a banking group whose businesses include investment banking, corporate banking and capital markets.

HSBC Holdings is the parent company of HSBC France and HSBC France is the parent company of HSBC Bank. HSBC France and HSBC Bank are responsible for trading Euro Interest Rate Derivatives (EIRDs). HSBC France is responsible for rate submissions to the Euro Interbank Offered Rate (Euribor) panel.

This case has its origins in a Commission decision of December 7, 2016 (2016 Decision, see [summary of the decision](#)). In this decision, the Commission found that Crédit Agricole, the HSBC Group and JPMorgan Chase participated in a single and continuous infringement consisting of the restriction and/or distortion of competition in the EIRD sector. For this infringement, the Commission imposed a fine of €33,606,000 on HSBC.

In its judgment of September 24, 2019 ([T-105/17](#), see also [press release No 116/19](#)), the General Court of the European Union largely endorsed the Commission's finding that HSBC had participated in an infringement of competition law. However, it annulled the fine imposed on the grounds of insufficient statement of reasons. Both the Commission ([C-806/19 P](#)) and the HSBC group ([C-883/19 P](#)) appealed against this judgment.

In June 2021, the Commission adopted a new decision (Decision 2021). The Commission stated that the sole purpose of this new decision was to remedy the situation resulting from the T-105/17 judgment, by imposing a fine on HSBC for the infringement found in the 2016 decision, taking into account the considerations set out in that judgment. The revised amount of the fine was €31,739,000.

On July 23, 2021, the Commission withdrew its appeal in Case C-806/19 P.

On 8 September 2021 the HSBC group brought the present action against the new decision. It seeks, first, partial annulment of the Commission's decision and, second, a reduction in the amount of the fine imposed by the contested decision.

The proceedings in this case have been suspended pending delivery of the judgment in Case [C-883/19 P](#) (see also press release [No 8/23](#)), by which the Court set aside the judgment of the General Court T-105/17 in so far as it dismissed the action brought by

HSBC Holdings plc.

However, the part of the judgment under appeal which annulled the fine imposed on the HSBC group remains in force.

[Background Documents T-561/21](#)

There will be a press release for this case.

SAVE THE DATE - IRELAND

Thursday 21st November

[WHAT: Breakfast Press Talk – Reporting the CJEU](#)

[WHERE: European Public Space, Europe House, 12-14 Lower Mount Street, Dublin](#)

[WHEN: 21st November starting 0930](#)

The Press Office of the Court of Justice of the EU will be organising a Breakfast Talk for the Press in Dublin on the 21st of November.

Jacques Zammit, the Press Attaché responsible for the English Desk, will be giving an informal briefing on the workings of the Court and of the services that are available to help better “report the Court”. Join me for a chat over coffee and morning bites while we will discuss what the Court does and what tools are available to be better informed about what is happening in Luxembourg. By the end of the morning, reporting on the Court will be a piece of cake (or croissant).

Although the Breakfast Talk is aimed at members of the press, other parties interested in learning how the CJEU works or following it regularly are welcome to attend.

Reserve a place by mailing: Press.ENDesk@curia.europa.eu

HEARINGS OF NOTE*

Information Note concerning streaming on the Curia website

Please note the following new conditions for streaming on the website including the new length of availability of the video recordings:

In order to facilitate public access to its judicial activity, the Court of Justice of the European Union offers a system for broadcasting hearings.

The delivery of judgments of the Court of Justice and the reading of opinions of the

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Advocate Generals are broadcast live on [this page](#). Broadcasting will be enabled at the start of the hearing, at the time indicated in the [judicial calendar](#).

Certain hearings of the Court of Justice involving oral pleadings are, however, broadcast with a delay. This concerns, as a rule, hearings in cases referred to the full Court, to the Grand Chamber, or, exceptionally, where this is justified by the importance of the case, to a chamber of five judges. The video recordings of those hearings will remain available on this website for a maximum period of one month after the close of the hearing.

Court of Justice

Tuesday 19th November 2024: 09:00 – [Case C-769/22 Hungary v Commission \(Union Values\)](#) (Principles of Community Law) (**streamed on Curia**)

Tuesday 26th November 2024: 09:30 – [Case C-97/23 P WhatsApp Ireland v European Data Protection Board](#) (Provisions governing the institutions – data protection) (**streamed on Curia**)

Wednesday 27th November 2024: 09:30 – [Case C-654/23 Inteligo Media](#) (Consumer protection – data protection)

Thursday 28th November 2024: 14:30 – [Case C-759/23 PJ Carroll and Nicoventures Trading](#) (Acts of the institutions – Freedom of establishment – Freedom to provide services)

General Court

Thursday 21st November 2024: 09:30 – [Case T-579/22 ClientEarth v Commission](#) (Environment)

Thursday 21st November 2024: 09:30 – [Case T-1042/23 BSW - management company of "BMC" holding v Council](#) (Restrictive Measures - Belarus)

Wednesday 27th November 2024: 09:30 – [Case T-283/23 Aven v Council](#) (Restrictive Measures - Ukraine)

Thursday 28th November 2024: 09:30 – [Case T-583/22 Fédération environnement durable and Others v Commission](#) (Environment)

Thursday 28th November 2024: 09:30 – [Case T-450/22 MeSoFa v SRB](#) (Economic and monetary policy)

* This is a non-exhaustive list and does not include all the hearings over the next two weeks.

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