



Judgment of the Court (Third Chamber) of 23 January 2025 – European Parliament v Axa Assurances Luxembourg and Others

(Case C-766/21 P) (¹)

(Appeal – Article 56 of the Statute of the Court of Justice of the European Union – More than one defendant in the proceedings at first instance – Judgment in default against one of those defendants which is the subject of an application before the General Court of the European Union to have it set aside – Admissibility of the appeal brought against that judgment – Conditions – Article 41 of the Statute of the Court of Justice of the European Union – Admissibility of the response to an appeal submitted by a party against which an order was made by default at first instance – Article 172 of the Rules of Procedure of the Court of Justice – Cross-appeal brought by a party against which an order was made by default and which has made an application to set aside to the General Court – Article 176(1) and Article 178 of the Rules of Procedure of the Court of Justice – Inadmissibility – Arbitration clause – Article 272 TFEU – Insurance contract concluded by the European Parliament – Exclusion clause in respect of damage relating directly or indirectly to flooding – Scope)

(C/2025/1508)

Language of the case: French

Parties

Appellant: European Parliament (represented by: E. Paladini and B. Schäfer, and subsequently by A. Caiola and E. Paladini, acting as Agents)

Other parties to the proceedings: Axa Assurances Luxembourg SA, Bâloise Assurances Luxembourg SA, La Luxembourggeoise SA, Nationale-Nederlanden Schadeverzekering Maatschappij NV (represented by: C. Collarini and S. Denu, avocats)

Operative part of the judgment

The Court:

1. Dismisses the main appeal and the cross-appeal;
2. Orders the European Parliament, Axa Assurances Luxembourg SA, Bâloise Assurances Luxembourg SA, La Luxembourggeoise SA, and Nationale-Nederlanden Schadeverzekering Maatschappij NV to pay their own costs relating to the main appeal;
3. Orders Nationale-Nederlanden Schadeverzekering Maatschappij NV to pay the costs relating to the cross-appeal.

(¹) OJ C 119, 14.3.2022.