

**Judgment of the Court (Grand Chamber) of 18 December 2014 (request for a preliminary ruling from the Cour constitutionnelle — Belgium) — Mohamed M'Bodj v État belge**

(Case C-542/13) <sup>(1)</sup>

*(Reference for a preliminary ruling — Charter of Fundamental Rights of the European Union — Article 19(2) — Directive 2004/83/EC — Minimum standards for determining who qualifies for refugee status or subsidiary protection status — Person eligible for subsidiary protection — Article 15(b) — Torture or inhuman or degrading treatment or punishment of an applicant in the country of origin — Article 3 — More favourable standards — Applicant suffering from a serious illness — No appropriate treatment available in the country of origin — Article 28 — Social protection — Article 29 — Health care)*

(2015/C 065/16)

Language of the case: French

**Referring court**

Cour constitutionnelle

**Parties to the main proceedings**

Applicant: Mohamed M'Bodj

Defendant: État belge

**Operative part of the judgment**

Articles 28 and 29 of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, read in conjunction with Articles 2(e), 3, 15, and 18 of that directive, are to be interpreted as not requiring a Member State to grant the social welfare and health care benefits provided for in those measures to a third country national who has been granted leave to reside in the territory of that Member State under national legislation such as that at issue in the main proceedings, which allows a foreign national who suffers from an illness occasioning a real risk to his life or physical integrity or a real risk of inhuman or degrading treatment to reside in that Member State, where there is no appropriate treatment in that foreign national's country of origin or in the third country in which he resided previously, unless such a foreign national is intentionally deprived of health care in that country.

<sup>(1)</sup> OJ C 367, 14.12.2013.

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**Judgment of the Court (Sixth Chamber) of 18 December 2014 (request for a preliminary ruling from the Commissione tributaria provinciale di Cagliari — Italy) — Società Edilizia Turistica Alberghiera Residenziale (SETAR) v Comune di Quartu S. Elena**

(Case C-551/13) <sup>(1)</sup>

*(Reference for a preliminary ruling — Directive 2008/98/EC — Article 15 — Waste management — Possibility for the waste producer to carry out the waste treatment independently — National transposition law adopted, but not yet in force — Expiry of the transposition period — Direct effect)*

(2015/C 065/17)

Language of the case: Italian

**Referring court**

Commissione Tributaria Provinciale di Cagliari