

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Fifth Chamber) of 20 June 2019 (request for a preliminary ruling from the Landgericht Saarbrücken — Germany) — Criminal proceedings against K. P.

(Case C-458/15) ⁽¹⁾

(Reference for a preliminary ruling — Common foreign and security policy — Combating terrorism — Restrictive measures directed against certain persons and entities — Freezing of funds — Common Position 2001/931/CFSP — Article 1(4) and (6) — Regulation (EC) No 2580/2001 — Article 2(3) — Council Decision retaining an organisation on the list of persons, groups and entities involved in terrorist acts — Validity)

(2019/C 270/02)

Language of the case: German

Referring court

Landgericht Saarbrücken

Parties to the criminal proceedings against

K. P.

Operative part of the judgment

1. Consideration of the question referred for a preliminary ruling has disclosed no factor such as to affect the validity of:

— Council Decision 2007/445/EC of 28 June 2007 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decisions 2006/379/EC and 2006/1008/EC;

— Council Decision 2007/868/EC of 20 December 2007 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2007/445/EC;

- Council Decision 2008/583/EC of 15 July 2008 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2007/868/EC; and
 - Council Decision 2009/62/EC of 26 January 2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2008/583/EC.
2. Council Regulation (EC) No 501/2009 of 15 June 2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2009/62/EC is invalid in so far as, by that regulation, the Liberation Tigers of Tamil Eelam were kept on the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism.

(¹) OJ C 354, 26.10.2015.

Judgment of the Court (Eighth Chamber) of 19 June 2019 (request for a preliminary ruling from the First-tier Tribunal (Tax Chamber) — United Kingdom) — C & J Clark International Ltd v Commissioners for Her Majesty's Revenue & Customs

(Case C-612/16) (¹)

(Reference for a preliminary ruling — Anti-dumping — Interpretation and validity of regulations re-imposing anti-dumping duties following the delivery by the Court of a judgment declaring invalidity — Legal basis — Non-retroactivity — Limitation)

(2019/C 270/03)

Language of the case: English

Referring court

First-tier Tribunal (Tax Chamber)

Parties to the main proceedings

Applicant: C & J Clark International Ltd

Defendant: Commissioners for Her Majesty's Revenue & Customs

Operative part of the judgment

1. An examination of the questions of validity referred to the Court has revealed nothing capable of affecting the validity of Commission Implementing Regulation (EU) 2016/1395 of 18 August 2016 re-imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Buckingham Shoe Mfg Co. Ltd, Buildyet Shoes Mfg., DongGuan Elegant Top Shoes Co. Ltd, Dongguan Stella Footwear Co. Ltd, Dongguan Taiway Sports Goods Limited, Foshan City Nanhai Qun Rui Footwear Co., Jianle Footwear Industrial, Sihui Kingo Rubber Shoes Factory, Synfort Shoes Co. Ltd, Taicang Kotoni Shoes Co. Ltd, Wei Hao Shoe Co. Ltd, Wei Hua Shoe Co. Ltd, Win Profile Industries Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14, or the validity of Commission Implementing Regulation (EU) 2016/1647 of 13 September 2016 re-imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in Vietnam and produced by Best Royal Co. Ltd, Lac Cuong Footwear Co., Ltd, Lac Ty Co., Ltd, Saoviet Joint Stock Company (Megastar Joint Stock Company), VMC Royal Co Ltd, Freetrend Industrial Ltd and its