

- Council Implementing Regulation (EU) 2020/1128 of 30 July 2020 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 Implementing Regulation 2020/19 (OJ 2020 L 247, p. 1), in so far as those measures concern the applicant.

### Operative part of the judgment

The Court:

1. Annuls Council Implementing Regulation (EU) No 125/2014 of 10 February 2014 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 Implementing Regulation (EU) No 714/2013 and Council Implementing Regulation (EU) No 790/2014 of 22 July 2014 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 Implementing Regulation No 125/2014 in so far as they concern the Kurdistan Workers' Party (PKK);
2. Dismisses the action in Case T-316/14 RENV as to the remainder;
3. Dismisses the action in Case T-148/19;
4. Orders the PKK and the Council of the European Union each to bear their own costs relating to Cases T-316/14, C-46/19 P, T-316/14 RENV and T-148/19;
5. Orders the European Commission, the French Republic and the Kingdom of the Netherlands each to bear their own costs.

(<sup>1</sup>) OJ C 245, 28.7.2014.

### Judgment of the General Court of 30 November 2022 — Trasta Komerbanka and Others v ECB

(Case T-698/16) (<sup>1</sup>)

*(Economic and monetary policy — Prudential supervision of credit institutions — Specific supervisory tasks assigned to the ECB — Decision to withdraw a credit institution's authorisation — Death of an applicant — No need to adjudicate in part — Powers of the national authorities of participating Member States and of the ECB under the Single Supervisory Mechanism — Equal treatment — Proportionality — Legitimate expectations — Legal certainty — Misuse of powers — Rights of the defence — Obligation to state reasons)*

(2023/C 35/49)

Language of the case: English

### Parties

*Applicants:* Trasta Komerbanka AS (Riga, Latvia), and six other applicants whose names are set out in the annex to the judgment (represented by: O. Behrends, lawyer)

*Defendant:* European Central Bank (represented by: E. Koupepidou, C. Hernández Saseta and A. Witte, acting as Agents, and by B. Schneider, lawyer)

*Interveners in support of the defendant:* Republic of Latvia (represented by: K. Pommere and J. Davidoviča, acting as Agents), European Commission (represented by: V. Di Bucci and A. Steiblytė, acting as Agents)

### Re:

By their action based on Article 263 TFEU, the applicants seek annulment of Decision ECB/SSM/2016-529900WI-POINFDAWTJ81/2 WOANCA-2016-0005 of the ECB of 11 July 2016 withdrawing the authorisation of Trasta Komerbanka for access to the activities of a credit institution.

**Operative part of the judgment**

The Court:

1. Declares that there is no longer any need to adjudicate on the action in so far as it was brought by Mr Igors Buimisters;
2. Dismisses the action;
3. Orders Trasta Komerbanka AS and the other applicants whose names are included in the annex, with the exception of Mr Buimisters, to pay the costs;
4. Orders Mr Buimisters to bear his own costs;
5. Orders the European Commission and the Republic of Latvia to bear their own costs.

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(<sup>1</sup>) OJ C 441, 28.11.2016.

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**Judgment of the General Court of 30 November 2022 — Austria v Commission**

(Case T-101/18) (<sup>1</sup>)

*(State aid — Nuclear industry — Aid planned by Hungary for the development of two new nuclear reactors at the Paks site — Decision declaring the aid compatible with the internal market subject to compliance with certain commitments — Article 107(3)(c) TFEU — Compliance of the aid with EU law other than State aid law — Inextricable link — Promotion of nuclear energy — First paragraph of Article 192 of the Euratom Treaty — Principle of protection of the environment, ‘polluter pays’ principle, precautionary principle and principle of sustainability — Determination of the economic activity concerned — Market failure — Distortion of competition — Proportionality of the aid — Need for State intervention — Determination of the aid elements — Public procurement procedure — Obligation to state reasons)*

(2023/C 35/50)

Language of the case: German

**Parties**

*Applicant:* Republic of Austria (represented by: J. Schmoll, F. Koppensteiner, M. Klamert and T. Ziniel, acting as Agents, and by H. Kristoferitsch, lawyer)

*Defendant:* European Commission (represented by: K. Blanck, K. Herrmann and P. Němečková, acting as Agents)

*Intervener in support of the applicant:* Grand Duchy of Luxembourg (represented by: A. Germeaux and T. Schell, acting as Agents, and by P. Kinsch, lawyer)

*Interveners in support of the defendant:* Czech Republic (represented by: M. Smolek, J. Vláčil, T. Müller, J. Pavliš and L. Halajová, acting as Agents), French Republic (represented by: E. de Moustier and P. Dodeller, acting as Agents), Hungary (represented by: M. Fehér, acting as Agent, and by P. Nagy, N. Grácia Malfeito, B. Karsai, lawyers, and C. Bellamy KC), Republic of Poland (represented by: B. Majczyna, acting as Agent), Slovak Republic (represented by: S. Ondrášiková, acting as Agent), United Kingdom of Great Britain and Northern Ireland (represented by: F. Shibli, L. Baxter and S. McCrory, acting as Agents, and by T. Johnston, Barrister)

**Re:**

By its action under Article 263 TFEU, the Republic of Austria seeks the annulment of Commission Decision (EU) 2017/2112 of 6 March 2017 on the measure/aid scheme/State aid SA.38454 — 2015/C (ex 2015/N) which Hungary is planning to implement for supporting the development of two new nuclear reactors at Paks II nuclear power station (OJ 2017 L 317, p. 45).