

Judgment of the Court (Seventh Chamber) of 24 October 2019 — European Commission v French Republic(Case C-636/18) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Environment — Directive 2008/50/EC — Ambient air quality — Article 13(1) and Annex XI - Systematic and persistent exceedance of the limit values for nitrogen dioxide (NO₂) in certain French zones and agglomerations — Article 23(1) — Annex XV — ‘The shortest possible’ exceedance period — Appropriate measures)

(2019/C 432/14)

Language of the case: French

Parties*Applicant:* European Commission (represented by: J.-F. Brakeland, E. Manhaeve and K. Petersen, acting as Agents)*Defendant:* French Republic (represented by: D. Colas, J. Traband and A. Alidière, acting as Agents)**Operative part of the judgment**

The Court:

1. By systematically and persistently exceeding the annual limit value for nitrogen dioxide (NO₂) since 1 January 2010 in twelve French agglomerations and air quality zones, namely Marseille (FR03A02), Toulon (FR03A03), Paris (FR04A01), Auvergne-Clermont-Ferrand (FR07A01), Montpellier (FR08A01), Toulouse Midi-Pyrénées (FR12A01), zone urbaine régionale (Regional urban area, ‘ZUR’) Reims Champagne-Ardenne (FR14N10), Grenoble Rhône-Alpes (FR15A01), Strasbourg (FR16A02), Lyon-Rhône-Alpes (FR20A01), ZUR Vallée de l’Arve Rhône-Alpes (FR20N10) and Nice (FR24A01), and by systematically and persistently exceeding the hourly limit value for NO₂ since 1 January 2010 in two agglomerations and air quality zones, namely Paris (FR04A01) and Lyon Rhône-Alpes (FR20A01), the French Republic has, since that date, continued to fail to fulfil its obligations under Article 13(1) of Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, read in conjunction with Annex XI to that directive, since the coming into force of the limit values in 2010.

The French Republic has failed, since 11 June 2010, to fulfil its obligations under Article 23(1) of that directive, read in conjunction with Annex XV to that directive, and in particular the obligation laid down in the second subparagraph of Article 23(1) of that directive to ensure that the exceedance period is kept as short as possible;

2. Orders the French Republic to pay the costs.

⁽¹⁾ OJ C 445, 10.12.2018.

Judgment of the Court (Eighth Chamber) of 24 October 2019 (Request for a preliminary ruling from the Tribunal de première instance de Liège — Belgium) — BU v État belge(Case C-35/19) ⁽¹⁾

(Reference for a preliminary ruling — Free movement of workers — Equal treatment — Income tax — National legislation — Tax exemption for disability allowances — Allowances received in another Member State — Not included — Difference in treatment)

(2019/C 432/15)

Language of the case: French

Referring court

Tribunal de première instance de Liège