

- not precluding national legislation which makes such an exemption contingent on the person concerned having performed legal work in the field of national law, and excluding from the scope of that exemption officials, members or former members of the EU civil service who have performed legal work in that capacity, in one or more fields of EU law, provided that that national legislation does not exclude account from being taken of legal work involving the practice of national law.

(¹) OJ C 182, 27.5.2019.

Judgment of the Court (Grand Chamber) of 17 December 2020 — European Commission v Republic of Slovenia

(Case C-316/19) (¹)

(Failure of a Member State to fulfil obligations — Article 343 TFEU — Privileges and immunities of the European Union — Statute of the European System of Central Banks (ESCB) and of the European Central Bank (ECB) — Article 39 — Privileges and immunities of the ECB — Protocol on the privileges and immunities of the European Union — Articles 2, 18 and 22 — Principle of the inviolability of the archives of the ECB — Seizure of documents at the premises of the Central Bank of Slovenia — Documents connected to the performance of the tasks of the ESCB and of the Eurosystem — Article 4(3) TEU — Principle of sincere cooperation)

(2021/C 53/06)

Language of the case: Slovenian

Parties

Applicant: European Commission (represented by: L. Flynn and B. Rous Demiri, acting as Agents)

Defendant: Republic of Slovenia (represented by: V. Klemenc, A. Grum, N. Pintar Gosenca and K. Rejec Longar, acting as Agents)

Intervener in support of the applicant: European Central Bank (ECB) (represented by: K. Kaiser, C. Zilioli, F. Malfrère and A. Šega, acting as Agents, and by D. Sarmiento Ramírez-Escudero, abogado)

Operative part of the judgment

The Court:

1. Declares that, by unilaterally seizing at the premises of the Banka Slovenije (Central Bank of Slovenia) documents connected to the performance of the tasks of the European System of Central Banks and of the Eurosystem and, as regards the period after that seizure, by failing to cooperate sincerely with the European Central Bank on that matter, the Republic of Slovenia has failed to fulfil its obligations under Article 343 TFEU, Article 39 of Protocol (No 4) on the Statute of the European System of Central Banks and of the European Central Bank, Articles 2, 18 and 22 of Protocol (No 7) on the privileges and immunities of the European Union and Article 4(3) TEU;
2. Orders the Republic of Slovenia, in addition to bearing its own costs, to pay those of the European Commission;
3. Declares that the European Central Bank is to bear its own costs.

(¹) OJ C 187, 3.6.2019.