

**Judgment of the Court (First Chamber) of 10 November 2022 — European Commission v Valencia Club de Fútbol, SAD, Kingdom of Spain**

(Case C-211/20 P) <sup>(1)</sup>

*(Appeal — State aid — Public guarantee granted by a public entity — Loans to three football clubs from the Community of Valencia (Valencia CF, Hércules CF and Elche CF) — Decision declaring the aid to be incompatible with the internal market — Annulment of the decision in so far as it concerns Valencia CF — Concept of ‘advantage’ — Assessment of the existence of an advantage — Guarantee Notice — Interpretation — Duty of care on the part of the European Commission — Burden of proof — Distortion)*

(2023/C 7/04)

Language of the case: Spanish

**Parties**

Appellant: European Commission (represented by G. Luengo, P. Němečková and B. Stromsky, acting as Agents)

Other parties to the proceedings: Valencia Club de Fútbol SAD (represented by G. Cabrera López, J.R. García-Gallardo Gil-Fournier and D. López Rus, abogados), Kingdom of Spain (represented by M.J. Ruiz Sánchez, acting as Agent)

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders the European Commission to bear its own costs and to pay those incurred by Valencia Club de Fútbol SAD;
3. Orders the Kingdom of Spain to bear its own costs.

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<sup>(1)</sup> OJ C 262, 10.8.2020.

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**Judgment of the Court (Grand Chamber) of 8 November 2022 (requests for a preliminary ruling from the Raad van State, Rechtbank Den Haag, zittingsplaats's-Hertogenbosch — Netherlands) — Staatssecretaris van Justitie en Veiligheid v C, B (C-704/20), X v Staatssecretaris van Justitie en Veiligheid (C-39/21)**

(Joined Cases C-704/20 and C-39/21) <sup>(1)</sup>

*(References for a preliminary ruling — Area of freedom, security and justice — Detention of third-country nationals — Fundamental right to liberty — Article 6 of the Charter of Fundamental Rights of the European Union — Conditions governing the lawfulness of detention — Directive 2008/115/EC — Article 15 — Directive 2013/33/EU — Article 9 — Regulation (EU) No 604/2013 — Article 28 — Review of the lawfulness of detention and of the continuation of a detention measure — Ex officio review — Fundamental right to an effective judicial remedy — Article 47 of the Charter of Fundamental Rights)*

(2023/C 7/05)

Language of the case: Dutch

**Referring courts**

Raad van State, Rechtbank Den Haag, zittingsplaats's-Hertogenbosch

**Parties to the main proceedings**

Applicants: Staatssecretaris van Justitie en Veiligheid (C-704/20), X (C-39/21)