



## Reports of Cases

### Order of the Vice-President of the General Court of 3 March 2020 – Junqueras i Vies v Parliament

(Case T-24/20 R)

(Interim measures — Institutional law — Members of the Parliament — Expiry of mandate — Parliamentary immunity — Application for interim measures — Partial inadmissibility — No prima facie case)

1. *Application for interim relief — Admissibility criteria — Interest in bringing proceedings — Application for suspension of operation of a negative administrative decision — No decision from the European Parliament on a request to defend the immunity of one of its members — Suspension incapable of altering the applicant's situation — No interest in bringing proceedings*

(Art. 278 TFEU)

(see paras 25, 29, 30)

2. *Application for interim relief — Interim measures — Measure incompatible with the distribution of powers between institutions — Application for directions be issued to an institution — Inadmissibility*

(Art. 266 TFEU)

(see para. 34)

3. *Application for interim relief — Jurisdiction of the judge hearing the application for interim relief — Imposition of orders addressed to third parties — Limits*

(Arts 278 and 279 TFEU)

(see para. 37)

4. *Application for interim relief — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Cumulative nature — Balancing of all the interests involved — Order of examination and method of verification — Discretion of the court hearing the application for interim relief*

(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))

(see paras 40-43)

5. *Application for interim relief — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Prima facie examination of the pleas in law put forward in support of the main action — Pleas prima facie lacking foundation*

*(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156)*

*(see paras 46, 47, 65, 68, 72, 75, 76)*

**Re:**

Application based on Articles 278 and 279 TFEU seeking, inter alia, suspension of enforcement of the decision of the European Parliament of 13 January 2020, declaring the seat of the applicant to be vacant as from 3 January 2020 and rejecting the application submitted on 20 December 2019 for urgent measures to protect his parliamentary immunity.

**Operative part**

1. The application for interim measures is dismissed.
2. The costs are reserved.