

Request for a preliminary ruling from the Cour administrative d'appel de Versailles (France) lodged on 2 February 2021 — JP v Ministre de la Transition écologique, Premier ministre

(Case C-61/21)

(2021/C 128/31)

Language of the case: French

Referring court

Cour administrative d'appel de Versailles

Parties to the main proceedings

Appellant: JP

Respondents: Ministre de la Transition écologique, Premier ministre

Questions referred

1. Must the applicable rules of EU law resulting from the provisions of Article 13(1) [...] and of Article 23(1) [...] of Directive 2008/50/EC of 21 May 2008 on ambient air quality and cleaner air for Europe [(O) 2008 L 152 p. 1] ⁽¹⁾ be interpreted as entitling individuals, in the event of a sufficiently serious breach by an EU Member State of the obligations resulting from those rules, to claim compensation from the Member State concerned for damage to their health in cases where there is a direct and certain causal link with the deterioration in air quality?
2. On the assumption that the provisions referred to above may indeed give rise to such an entitlement to compensation for damage to health, to what conditions is that entitlement subject, in particular with regard to the date on which the existence of the failure attributable to the Member State concerned must be assessed?

⁽¹⁾ OJ 2008 L 152, p. 1.

Appeal brought on 2 February 2021 by SGL Carbon SE against the judgment of the General Court (Eighth Chamber, Extended Composition) delivered on 16 December 2020 in Case T-639/18, SGL Carbon SE v Commission

(Case C-65/21 P)

(2021/C 128/32)

Language of the case: English

Parties

Appellant: SGL Carbon SE (represented by: P. Sellar, advocaat, K. Van Maldegem, avocat, M. Grunchard, avocate)

Other parties to the proceedings: European Commission, Kingdom of Spain and European Chemicals Agency

Form of order sought

The appellant claims that the Court should:

- set aside the judgment under appeal;
- refer the case back to the General Court for consideration; and
- reserve the costs.

Pleas in law and main arguments

First plea in law, alleging that the General Court's finding that the appellant's argument that the Commission committed a manifest error did not necessarily imply also the argument that the Commission had infringed the duty of act diligently is wrong as a matter of law.