

Judgment of the Court (Grand Chamber) of 4 September 2018 — European Commission v Council of the European Union

(Case C-244/17) ⁽¹⁾

(Action for annulment — Decision (EU) 2017/477 — Position to be adopted on behalf of the European Union within the Cooperation Council established under the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part, as regards the working arrangements of the Cooperation Council, the Cooperation Committee, specialised subcommittees or any other bodies — Article 218(9) TFEU — Decision establishing the positions to be adopted on behalf of the European Union in a body set up by an international agreement — Agreement some of whose provisions may be linked with the common foreign and security policy (CFSP) — Voting rule)

(2018/C 399/10)

Language of the case: English

Parties

Applicant: European Commission (represented by: L. Havas, L. Gussetti and P. Aalto, acting as Agents, subsequently by L. Havas and L. Gussetti, acting as Agents)

Defendant: Council of the European Union (represented by: M. Bishop and P. Mahnič Bruni, acting as Agents)

Operative part of the judgment

The Court:

1. Annuls Council Decision (EU) 2017/477 of 3 March 2017 on the position to be adopted on behalf of the European Union within the Cooperation Council established under the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part as regards the working arrangements of the Cooperation Council, the Cooperation Committee, specialised subcommittees or any other bodies;
2. Orders that the effects of Decision 2017/477 be maintained in force;
3. Orders the Council of the European Union to pay the costs.

⁽¹⁾ OJ C 239, 24.7.2017.

Judgment of the Court (Third Chamber) of 6 September 2018 — Christoph Klein v European Commission, Federal Republic of Germany

(Case C-346/17 P) ⁽¹⁾

(Appeal — Second paragraph of Article 340 TFEU — Non-contractual liability of the European Union — Directive 93/42/EEC — Medical devices — Article 8(1) and (2) — Safeguard clause procedure — Notification by a Member State of a decision prohibiting the placing on the market of a medical device — Absence of a decision by the European Commission — Sufficiently serious breach of a rule of law intended to confer rights on individuals — Causal link between the conduct of the institution and the damage alleged — Evidence of the existence and extent of the damage)

(2018/C 399/11)

Language of the case: German

Parties

Appellant: Christoph Klein (represented by: H.-J. Ahlt, Rechtsanwalt)