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Van Bael & Bellis successfully assists Japan Airlines in obtaining the partial annulment by the EU General Court of the readopted EU Commission decision in the airfreight competition case

In a judgment issued today, the General Court of the European Union partially annulled the European Commission decision of 17 March 2017 fining Japan Airlines, and a number of other airlines, for having entered into arrangements relating to fuel and security surcharges found to be inconsistent with EU competition law. On 16 December 2016, the General Court had totally annulled, on procedural grounds, a Commission decision of 9 November 2010 relating to the same conduct and imposing the same fine. The decision which is the subject of today's General Court judgment essentially readopted that 9 November 2010 Commission decision.

In partially annulling the decision, the General Court upheld Japan Airlines' argument that the expiry of the limitation period prevented the Commission from finding an infringement in relation to conduct with respect to intra-EEA and EU-Switzerland routes which had ended more than ten years earlier. This partial annulment resulted in the € 35.70 million fine imposed on Japan Airlines by the Commission being reduced to € 28.88 million.

Van Bael & Bellis was represented in the proceeding by Jean-François Bellis and Kris Van Hove, partners and Richard Burton, senior counsel. Further details on the case can be found on the EU Court of Justice [website](#).

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About Van Bael & Bellis

Van Bael & Bellis is a leading independent law firm based in Brussels, London and Geneva. The firm is known for its client-centred approach and extensive expertise in EU and national competition law, EU and international trade law, EU regulatory law and Belgian business law.

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