

Other parties to the proceedings: Jan Willem Goudriaan (represented by: R. Arthur, Solicitor, and K. Apps, Barrister), European Commission (represented by: I. Martínez del Peral, M. Kellerbauer and B.R. Killmann, acting as Agents)

### Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders the European Federation of Public Service Unions (EPSU) to bear its own costs and to pay those incurred by the European Commission.

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<sup>(1)</sup> OJ C 68, 2.3.2020.

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**Judgment of the Court (Grand Chamber) of 2 September 2021 (request for a preliminary ruling from the Conseil du contentieux des étrangers — Belgium) — X v Belgian State**

**(Case C-930/19) <sup>(1)</sup>**

***(Reference for a preliminary ruling — Directive 2004/38/EC — Article 13(2) — Right of residence of family members of a Union citizen — Marriage between a Union citizen and a third-country national — Retention, in the event of divorce, of the right of residence by a third-country national who is the victim of acts of domestic violence committed by his or her spouse — Requirement to demonstrate the existence of sufficient resources — No such requirement in Directive 2003/86/EC — Validity — Charter of Fundamental Rights of the European Union — Articles 20 and 21 — Equal treatment — Difference in treatment based on whether the sponsor is a Union citizen or a third-country national — Non-comparability of situations)***

(2021/C 431/25)

Language of the case: French

### Referring court

Conseil du contentieux des étrangers

### Parties to the main proceedings

Applicant: X

Defendant: Belgian State

### Operative part of the judgment

The consideration of the question referred by the national court has disclosed no factor of a kind such as to affect the validity of Article 13(2) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, in the light of Article 20 of the Charter of Fundamental Rights of the European Union.

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<sup>(1)</sup> OJ C 77, 9.3.2020.