

# ESAs' Board of Appeal dismisses case against the EBA on alleged non-application of Union law as manifestly inadmissible

The Joint Board of Appeal of the European Supervisory Authorities (ESAs – European Banking Authority, European Insurance and Occupational Pensions Authority, and European Securities and Markets Authority) published today [its decision](#) in relation to an alleged non-application of Union law by eight national competent authorities brought by Mr Howerton against the European Banking Authority (EBA). In its decision, the Board of Appeal dismisses the Appellant's claim as manifestly inadmissible as the facts described do not seem to involve a subject-matter within the remit of the EBA nor of the Board of Appeal.

The Board of Appeal finds that Mr Howerton's appeal merely reiterated the very same complaints which had been raised in the past by the Appellant towards the European Securities and Markets Authority (ESMA) and European Insurance and Occupational Pensions Authority (EIOPA), which the Board of Appeal determined to be inadmissible in their respective contexts. As in the ESMA and EIOPA Decisions, the Board of Appeal fails to see how the facts described by the Appellant, and previously filed in a complaint directed to the EBA, may involve subject-matter within the remit of the EBA and of the Board of Appeal. In addition, the Board of Appeal notes that the Appellant, at the time of filing this new appeal, was fully aware of the reasons of inadmissibility of the appeal filed against ESMA and EIOPA. The Board of Appeal, therefore, considers the appeal as manifestly inadmissible and does not allow for any further consideration.

## **Background**

On 4 August 2020, Mr Howerton sent several requests to the EBA to investigate eight national competent authorities under Article 17 of Regulation (EU) No 1093/2010. The EBA assessed the content of the requests to investigate and concluded that the facts were outside the scope of the EBA's remit because they did not fall under any of the Union acts referred to in Article 1(2) of Regulation (EU) No 1093/2010. The Appellant was informed of this conclusion by the EBA on 21 December 2020. The appeal against EBA's communication of 21 December 2020 was filed with the Board of Appeal on 22 December 2020.

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# Executive Director meets Director General for Taxation and Customs Union (DG TAXUD)

January 15, 2021 [About the EUIPO](#)

Executive Director meets Director General for Taxation and Customs Union (DG TAXUD)



On 14 January, the Executive Director of the EUIPO, Christian Archambeau met Director-General of DG TAXUD, Gerassimos Thomas.

The EUIPO's Deputy Executive Director, Andrea Di Carlo, the Head of Cabinet, Ursula Schildt, the the Director of International Cooperation and Legal Affairs Department, João Negrão, and the Director of the Observatory, Paul Maier also attended the meeting.

A general introduction was provided on EUIPO's scope of activities and on the SP2025, highlighting the contribution of strong IP protection as a common value in different EU policy areas, including customs, to create growth and jobs. A special focus was put on the partners in areas meant to deliver IP value for businesses like the development of databases (COPIS and the IP Enforcement Platform).

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## The Asian Development Bank and the EIB join forces to protect the oceans and support the sustainable blue economy



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- **ADB and EIB set up a Clean and Sustainable Ocean Partnership**
- **Joint support for projects in Asia and Pacific**
- **Increased collaboration for advisory and technical assistance**

The Asian Development Bank (ADB) and the European Investment Bank (EIB) signed an agreement for a new partnership to support clean and sustainable ocean initiatives in the Asia-Pacific region, and ultimately to contribute to achieving the Sustainable Development Goals and the climate goals of the Paris Agreement.

ADB and EIB are already actively involved in clean, healthy, and sustainable ocean projects and programs. Their new cooperation will strengthen their capacity to jointly support high impact projects in countries where the needs are the greatest. Both institutions will finance activities aimed at promoting cleaner oceans through the reduction of land-based plastics and other pollutants discharged into the ocean, as well as projects which will improve the sustainability of all socio-economic activities that take place in oceans, or that use ocean-based resources.

“Healthy oceans are critical to life across Asia and the Pacific, providing food security and climate resilience for hundreds of millions of people,” said **ADB Vice-President for Knowledge Management and Sustainable Development Bambang Susantono**. “This Memorandum of Understanding between ADB and EIB will launch a framework for cooperation on clean and sustainable oceans, helping us to expand our pipeline of ocean projects in the region and widen their impacts.”

**EIB Vice-President [Christian Kettel Thomsen](#)** said: “Oceans play a vital role in the world economy and they are also the largest carbon sink on the planet, helping to regulate the global climate. But oceans are under enormous pressure, with implications for billions of people. The economic crisis caused by the COVID-19 does not weaken our commitment to address global environmental and climate challenges. As the [EU climate bank](#), we are very proud to partner with ADB through this new Clean and Sustainable Ocean Partnership to further protect the oceans and preserve and promote the sustainable use of this precious natural resource.”

Oceans are under threats, with the health of many ocean ecosystems already in steep decline. They face an increasing pollution from plastics and micro plastics, a situation which is exacerbated even further by the improper disposal of protective equipment against the COVID-19 such as masks. The World Wildlife Fund estimates that 10 million masks could end up in the seas each month. In addition, the discharge of untreated wastewater and other micropollutants, oil spills, overfishing, acidification, and warming are all having an increasing impact on the health of the oceans, threatening the livelihoods and well-being of the people dependent on them.

To tackle these issues and protect the oceans, the Clean and Sustainable Ocean Partnership will allow ADB and EIB to support projects that:

- Reduce marine plastic pollution through integrated solid waste management projects, including recycling,
- Follow circular economy principles, such as designing out plastic waste,
- Promote clean rivers and waterways, including through improved wastewater management and inclusive sanitation.

The partnership will also target blue economy activities with a focus on:

- Sustainable fisheries management and sustainable seafood supply chains ,
- Sustainable management, protection, and restoration of marine and coastal ecosystems and resources,
- Integrated coastal protection activities,
- Disaster risk preparedness,
- Green shipping, green ports and maritime infrastructure, with a focus on increasing safety and environmental performance.

In addition, ADB and EIB will develop joint technical assistance programs and advisory support to help partners get sustainable blue economy and clean oceans projects off the ground.

**Publications:**

[EIB's Blue Sustainable Ocean Strategy](#)

[EIB's Clean Oceans and the Blue Economy Overview 2020](#)

## Background information

### About the European Investment Bank (EIB)

As the EU climate bank, the EIB is investing in the sustainable blue economy and supporting initiatives aiming at reducing pollution and preserving the oceans. Under its Blue Sustainable Ocean Strategy, the EIB committed to double its lending to sustainable ocean projects to €2.5 billion over the period 2019-2023 and expects to mobilise at least €5 billion of investments that will contribute to improve the health of the oceans and their resources.

The EIB also collaborates with European partners within the Clean Oceans Initiative, which will provide €2 billion in investment by 2023 to reduce or avoid plastics and other waste before it reaches the ocean.

More information about [EIB's activities to preserve the oceans](#)

### About the Asian Development Bank (ADB)

[ADB](#) is committed to achieving a prosperous, inclusive, resilient, and sustainable Asia and the Pacific, while sustaining its efforts to eradicate extreme poverty. Established in 1966, it is owned by 68 members—49 from the region.

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## [EUBAM Libya: new Head of Mission appointed](#)



Today, Natalina Cea was appointed **Head of Mission** of the EU Border Assistance Mission (**EUBAM**) in **Libya**. She will take up her duties on **1 February 2021** succeeding Vincenzo Tagliaferri, who has been Head of Mission since 1 September 2016.

**Natalina Cea** is an Italian civil servant who has worked at a senior level for more than 20 years, both in Italy – as Director of the International Cooperation and Technical Assistance Office of the Italian Customs Administration – and internationally, leading missions, programs and projects in the civilian security sector, particularly in the field of border management and related security and justice issues.

**EUBAM Libya**, a civilian Mission under the Common Security and Defence Policy, was launched on 22 May 2013. It is tasked with contributing to the Libyan authorities' efforts to disrupt organised criminal networks involved in

smuggling of migrants, human trafficking and terrorism. The mission coordinates and implements projects with international partners in the fields of border management, law enforcement and criminal justice.

Today's decision was taken by the Political and Security Committee.

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## [Online consultation with juvenile justice experts](#)

FRA is currently preparing the research. It will collect information through [legal and social research](#). FRA will interview lawyers, police, judges, prosecutors and other juvenile justice professionals, as well as children on their experiences and perspectives in criminal proceedings. Participants of the expert meeting have been working for organisations like International Juvenile Justice Observatory, Defence for Children International, Terre des Hommes and Child Circle. FRA gathered the experts' views and feedback on key considerations, data gaps and priority areas to consider when conducting the fieldwork. FRA experts and the Agency's multidisciplinary research network, FRANET, will collect the data. The findings will complement and build on FRA's comprehensive evidence base relating to the rights of the defence, to a fair trial and the rights of people deprived of their liberty, alongside a wide array of work by FRA related to child-friendly justice.