

- (b) If the answer to Question 2(a) is in the affirmative, can actions by armed forces during periods of armed conflict, within the meaning of international humanitarian law, be terrorist acts within the meaning of Common Position 2001/931/CFSP⁽⁵⁾ and of Regulation No 2580/2001?
3. Are the actions which formed the basis of Implementing Regulation No 610/2010, in so far as it included the LTTE on the list referred to in Article 2(3) of Regulation No 2580/2001, actions by armed forces during periods of armed conflict within the meaning of international humanitarian law?
4. Having regard to, inter alia, the answers to Questions 1, 2(a), 2(b) and 3, is Implementing Regulation No 610/2010, in so far as the LTTE was thereby included on the list referred to in Article 2(3) of Regulation No 2580/2001, invalid?
5. If the answer to Question 4 is in the affirmative, does that invalidity then also apply to the earlier and later Council decisions updating the list referred to in Article 2(3) of Regulation No 2580/2001, in so far as those decisions resulted in the inclusion of the LTTE on that list?

⁽¹⁾ OJ 2000 C 364, p. 1.

⁽²⁾ Council Implementing Regulation (EU) No 610/2010 of 12 July 2010 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 1285/2009 (OJ 2010 L 178, p. 1).

⁽³⁾ Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (OJ 2001 L 344, p. 70).

⁽⁴⁾ Council Framework Decision of 13 June 2002 on combating terrorism (OJ 2002 L 164, p. 3).

⁽⁵⁾ Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (OJ 2001 L 344, p. 93).

Request for a preliminary ruling from the Corte Suprema di Cassazione (Italy) lodged on 14 April 2014 — A v B

(Case C-184/14)

(2014/C 194/20)

Language of the case: Italian

Referring court

Corte Suprema di Cassazione

Parties to the main proceedings

Appellant: A

Cross-appellant: B

Question referred

May the decision on a request for child maintenance raised in the context of proceedings concerning the legal separation of spouses, being ancillary to those proceedings, be taken both by the court before which those separation proceedings are pending and by the court before which proceedings concerning parental responsibility are pending, on the basis of the prevention criterion, or must that decision of necessity be taken only by the latter court, as the two distinct criteria set out in points (c) and (d) of [Article 3 of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations]⁽¹⁾ are alternatives (in the sense that they are mutually exclusive)?

⁽¹⁾ OJ 2009 L 7, p. 1.