

Action brought on 14 December 2015 — Justice & Environment v Commission**(Case T-727/15)**

(2016/C 059/47)

*Language of the case: English***Parties**

Applicant: Association Justice & Environment, z.s. (Brno, Czech Republic) (represented by: S. Podskalská, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the decision of the European Commission, Directorate General for Environment, dated 19 August 2015, reference number Ref GestDem No 2015/4284, by which a request for access to documents has been refused and the decision of the Secretary General on behalf of the European Commission dated 15 October 2015, reference number Ares(2015)4311297, by which a confirmatory application has been declined, null and void; and
- order the defendant to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant contends that the contested decisions are unlawful because they are contrary to: (i) Article 15 of the Treaty on the Functioning of the European Union (ex Article 255 TEC); (ii) Article 4 (2) of Regulation (EC) No 1049/2001⁽¹⁾; (iii) Article 6 (1) of Regulation (EC) No 1367/2006⁽²⁾; and (iv) The United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) in conjunction with the Council Decision of 17 February 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters (2005/370/EC)⁽³⁾

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 2001, p. 43).

⁽²⁾ Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ L 264, 2006, p. 13).

⁽³⁾ OJ L 124, 2005, p. 1.

Action brought on 17 December 2015 — MSD Animal Health Innovation and Intervet international v EMA**(Case T-729/15)**

(2016/C 059/48)

*Language of the case: English***Parties**

Applicants: MSD Animal Health Innovation GmbH (Schwabenheim, Germany) and Intervet international BV (Boxmeer, Netherlands) (represented by: J. Stratford, QC, C. Thomas, Barrister, P. Bogaert, lawyer, B. Kelly and H. Billson, Solicitors)