



## Reports of Cases

### Order of the Court (Seventh Chamber) of 4 July 2013 — *Diadikasia Symvouloi Epicheiriseon v Commission*

(Case C-520/12 P)

(Appeals — Instrument for Pre-Accession Assistance — Public procurement — Project for the enlargement of the European Turkish Business Centres Network — Decision not to award the project — Application for damages for the alleged losses — National decision — No involvement by European Union bodies)

1. *Appeals — Grounds — Grounds which are manifestly inadmissible or manifestly unfounded — Rejection at any time, by reasoned order, without oral proceedings (Rules of Procedure of the Court of Justice, Art. 181) (see para. 26)*
2. *International agreements — Instrument for Pre-Accession Assistance — Public procurement procedure in the context of the decentralised management of an EU program — Respective roles of the State benefitting from that aid and the Commission — National bodies entrusted with carrying out public procurement procedures — Decision of the national contracting authority not to award a contract to a tenderer not attributable to the Commission — Lack of jurisdiction of the Community courts (Art. 263 TFEU; Council Regulation No 1085/2006; Commission Regulation No 718/2007, Arts 10 and 21(1)(f)) (see paras 32-35, 43)*

#### Re:

Appeal brought against the order of the General Court (Fourth Chamber) of 13 September 2012 in Case T-369/11 *Diadikasia Symvouloi Epicheiriseon AE v European Commission, Central Finance & Contracts Unit (CFCU) and Delegation of the European Union to Turkey*, by which the General Court dismissed an application for damages seeking compensation for harm allegedly suffered by the applicant following a decision by the Delegation of the European Union to Turkey not to award the applicant the contract to carry out the project 'Enlargement of the European Turkish Business Centers Network to Sivas, Antakya, Batman and Van' (EuropeAid/128621/D/SER/TR) — Inadmissibility — Lack of jurisdiction.

#### Operative part:

1. The appeal is dismissed.

2. Diadikasia Symvouloi Epicheiriseon AE is ordered to pay the costs.