

*Defendant(s)*: Council of the European Union (represented by: M. Vitsentzatos and M. Bishop, Agents) and Commission of the European Communities (represented by: A. Van Solinge and C. Brown, Agents)

*Intervener(s) in support of the defendant(s)*: United Kingdom of Great Britain and Northern Ireland (originally represented by J.E. Collins, and subsequently by R. Caudwell, Agents, and S. Moore, Barrister)

### Application

originally, for annulment of, first, Council Regulation (EC) No 467/2001 of 6 March 2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, and repealing Regulation (EC) No 337/2000 (OJ 2001 L 67, p. 1) and, second, Commission Regulation (EC) No 2062/2001 of 19 October 2001 amending, for the third time, Regulation No 467/2001 (OJ 2001 L 277, p. 25) and, subsequently, for annulment of Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban, and repealing Regulation No 467/2001 (OJ 2002 L 139, p. 9), in so far as those acts concern the applicant,

### Operative part of the judgment

The Court:

- 1) Declares that there is no need to adjudicate on the application for annulment in part of Council Regulation (EC) No 467/2001 of 6 March 2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, and repealing Regulation (EC) No 337/2000 and for annulment of Commission Regulation (EC) No 2062/2001 of 19 October 2001 amending, for the third time, Regulation No 467/2001;
- 2) Dismisses the action in so far as it is brought against Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban, and repealing Regulation No 467/2001;
- 3) Orders the applicant to bear, in addition to his own costs, those of the Council and those incurred by the Commission until 1 July 2002;
- 4) Orders the United Kingdom of Great Britain and Northern Ireland, and the Commission for the period after 1 July 2002, to bear their own costs.

(<sup>1</sup>) OJ C 56, 2.3.2002.

### Judgment of the Court of First Instance of 29 September 2005 — Napoli Buzzanca v Commission

(Case T-218/02) (<sup>1</sup>)

**(Officials — Post of director — Procedure to fill vacant posts — Decision rejecting a candidature — Statement of reasons)**

(2005/C 281/33)

Language of the case: French

### Parties

*Applicant(s)*: Daniela Napoli Buzzanca (Brussels, Belgium) (represented by: G. Vandersanden and L. Levi, lawyers)

*Defendant(s)*: Commission of the European Communities (represented by: J. Currall and V. Joris, Agents)

### Application for

firstly, annulment of the decisions of the Commission of 30 January 2002 appointing Ms S. as director, in grade A2, of Directorate 'Multilateral relations and human rights' of the 'External Relations' Directorate-General and rejecting the applicant's candidature for that post, and annulment, to the extent necessary, of the implied rejection by the Commission of her complaint under Article 90(2) of the Staff Regulations, secondly, an order that the defendant pay damages assessed, as at the date of the action and subject to possible increase, in the sum of EUR 23 213,96 and, finally, an order that the Commission produce her administrative file.

### Operative part of the judgment

The Court:

- 1) Annuls the decisions of the Commission of 30 January 2002 appointing Ms S. to the post concerned by vacancy notice COM/156/01 and rejecting the applicant's candidature for that post.
- 2) Dismisses the remainder of the application.
- 3) Orders the Commission to pay the costs.

(<sup>1</sup>) OJ C 247, 12.10.2002.