

Order of the General Court of 27 March 2012 — European Goldfields v Commission

(Case T-261/11) ⁽¹⁾

(Action for annulment — State aid — Subsidy granted by the Greek authorities in favour of the mining company Ellinikos Xrysos consisting of the transfer of the Cassandra mines at a price lower than the real market value and exemption from taxes on that transaction — Decision declaring the aid unlawful and ordering its recovery, with interest — No legal interest in bringing proceedings — Inadmissibility)

(2012/C 151/47)

Language of the case: English

Parties

Applicant: European Goldfields Ltd (Whitehorse, Yukon (Canada)) (represented by: K. Adamantopoulos, E. Petritsi, E. Trova and P. Skouris, lawyers)

Defendant: European Commission (represented by: É. Gippini Fournier and D. Triantafyllou, acting as Agents)

Re:

APPLICATION for the annulment of Commission Decision 2011/452/EU of 23 February 2011 on the State aid C 48/08 (ex NN 61/08) implemented by Greece in favour of Ellinikos Xrysos SA (OJ 2011 L 193, p. 27).

Operative part of the order

1. *The action is dismissed as being inadmissible.*
2. *European Goldfields Ltd shall pay the costs.*
3. *There is no need to adjudicate on the application for leave to intervene by Ellinikos Xrysos AE Metalleion kai Viomixanias Xrysou.*

⁽¹⁾ OJ C 219, 23.7.2011.

Order of the General Court of 23 March 2012 — Ecologistas en Acción v Commission

(Case T-341/11) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Implied refusal of access — Interest in bringing proceedings — Express decision adopted after the bringing of the action — No need to adjudicate)

(2012/C 151/48)

Language of the case: Spanish

Parties

Applicant: Ecologistas en Acción-CODA (Madrid, Spain) (represented by: J. Doreste Hernández, lawyer)

Defendant: European Commission (represented by: I. Martínez del Peral and P. Costa de Oliveira, Agents)

Intervener in support of the defendant: Kingdom of Spain (represented initially by: M. Muñoz Pérez and J.M. Rodríguez Cárcomo, lawyers, thereafter by S. Centeno Huerta, lawyer)

Re:

Application for annulment of the Commission's implied decision refusing the applicant access to certain documents concerning the approval of the project for the construction of a port in Granadilla (Tenerife, Spain) supplied by the Spanish authorities to the Commission pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ 1992 L 206, p. 7).

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *The European Commission is ordered to pay its own costs and those incurred by Ecologistas en Acción-CODA.*
3. *The Kingdom of Spain shall bear its own costs.*

⁽¹⁾ OJ C 252, 27.8.2011.

Action brought on 22 February 2012 — Makhlouf v Council

(Case T-97/12)

(2012/C 151/49)

Language of the case: French

Parties

Applicant: Rami Makhlouf (Damas, Syria) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

- Declare the applicant's action admissible and well founded;
- In consequence, annul Decision 2011/782/CFSP of 1 December 2011 and Regulation (EU) No 36/2012 of 18 January 2012 and their subsequent implementing acts, insofar as they concern the applicant;
- Order the Council of the European Union to pay the costs.