

- order that as a result of the annulment of the contested decision, the applicant shall be deemed never to have been entered in the list of persons covered by the asset freeze and that no measure or decision of the Council may mention his name as being subject to an asset freeze;
- order the Council of the European Union to pay damages in the amount of EUR 100 000 as compensation for the non-pecuniary and material harm suffered by the applicant;
- order the Council of the European Union to bear, in addition to its own costs, those incurred by the applicant which must be equitably determined by having regard to the parties' circumstances and to the workload resulting from the management of such a case.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging an absence of legal basis for Decision 2014/49/CFSP⁽¹⁾, inasmuch as it is based on a consideration extraneous to that set out in Article 1 of Decision 2011/72/CFSP⁽²⁾ and inasmuch as, in any event, Decision 2011/72/CFSP, which constitutes the legal basis for the former decision, is not consistent with EU law governing targeted sanctions.
2. Second plea in law, alleging infringement of the right to property, in so far as the restrictive measures imposed on the applicant amount to an unjustified restriction of his right to property.

⁽¹⁾ Council Decision 2014/49/CFSP of 30 January 2014 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2014 L 28, p. 38).

⁽²⁾ Council Decision 2011/72/CFSP of 31 January 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2011 L 28, p. 62).

Action brought on 20 June 2014 — European Dynamics Luxembourg and Evropaïki Dynamiki v EIT

(Case T-481/14)

(2014/C 351/12)

Language of the case: English

Parties

Applicants: European Dynamics Luxembourg SA (Ettelbrück, Luxembourg); and Evropaïki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: E. Siouti and M. Sfyri, lawyers)

Defendant: European Institute of Innovation and Technology (EIT)

Form of order sought

The applicants claim that the Court should:

- annul the defendant's award decision regarding the call for tender communicated to the applicant in its letter of 11 April 2014 and all further related decisions of the defendant, including the decision to award the contract to the winning tenderer (which has not been communicated to the applicants);
- annul the decision of the Director of the EIT of 25 April 2014, refusing to disclose the composition of the Evaluation Committee;
- order the defendant to provide the applicants with the compensation of damages for the loss of opportunity to be awarded a contract in the context of the call for tender, reaching the amount of 158 430,40 euros;
- order the defendant to pay the applicants' legal and other costs and expenses incurred in connection with this application.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law.

1. First plea in law, alleging that the defendant mixed the selection and award criteria whereby it infringed Article 110 of the Financial Regulation ⁽¹⁾ and Article 149 of the Delegated Regulation ⁽²⁾.
2. Second plea in law, alleging infringement of Articles 105 and 113 of the Financial Regulation and Article 138 of the Delegated Regulation as the defendant used unknown criteria, which were not included in the Tender Specifications, when evaluating the tenders and infringed its obligation to specify the award criteria and their relative weighting or, where appropriate, the decreasing order of importance. The applicants further submit that the defendant relied on a discrete, discontinuous marking system, causing distortions and errors in the evaluation.
3. Third plea in law, alleging that the defendant committed several manifest errors of assessment.
4. Fourth plea in law, alleging infringement of Articles 2(3) and 8 of Regulation 1049/2001 ⁽³⁾ by refusing to disclose the composition of the Evaluation Committee, which would have allowed for the applicants to verify the absence of conflict of interests.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ 2012 L 298, p. 1).

⁽²⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ 2012 L 362, p. 1).

⁽³⁾ 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 2001 L 145, p. 43).

Action brought on 15 July 2014 — Sotiropoulou and Others v Council

(Case T-531/14)

(2014/C 351/13)

Language of the case: Greek

Parties

Applicants: Limonia Sotiropoulou (Patras, Greece) and 63 others (represented by: K. Khrisogonos, lawyer)

Defendant: Council of the European Union

Form of order sought

- order the defendant to compensate the applicants in full for the financial loss suffered by them from 1 January 2013 until 31 May 2014 as a result of the unlawful reduction of their main pensions by the decisions of the Council of the European Union referred to, totalling EUR 870 504,11;
- order the defendant to pay in full to each of the applicants the sum of EUR 3 000 as compensation for the non-material harm which they suffered as a result of the unlawful reduction of their main pensions by the decisions of the Council of the European Union referred to;
- order the defendant to pay in full the applicants' legal costs.

Pleas in law and main arguments

The action concerns an application, under Article 268 TFEU, for compensation in respect of the loss and harm which the applicants have sustained as a result of the drastic reduction of their main pensions pursuant to the measures and the interventions in Greece's pension system provided for in the following unlawful decisions of the Council of the European Union: Decisions 2010/320/EU of 8 June 2010 ⁽¹⁾, 2010/486/EU of 7 September 2010 ⁽²⁾, 2011/57/EU of 20 December 2010 ⁽³⁾, 2011/257/EU of 7 March 2011 ⁽⁴⁾, 2011/734/EU of 12 July 2011 ⁽⁵⁾, 2011/791/EU of 8 November 2011 ⁽⁶⁾, 2012/211/EU of 13 March 2012 ⁽⁷⁾ and 2013/6/EU of 4 December 2012 ⁽⁸⁾. In support of the action, the applicants rely on two pleas in law.