

Defendant: European Commission (represented by: V. Di Bucci and E. Gippini Fournier, agents)

Intervener in support of the applicant: Italian Republic (represented by: G. Palmieri, Agent, and S. Fiorentino, avvocato dello Stato)

Re:

Action for annulment of Commission Decision 2010/460/EC of 19 November 2009 relating to State Aid C 38/A/04 (ex NN 58/2004) and C 36/B/2006 (ex NN 38/2006) granted by Italy in favour of Alcoa Trasformazioni (OJ 2010, L 227, p. 62).

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Alcoa Trasformazioni Srl to bear its own costs and to pay those incurred by the European Commission, including those relating to the application for interim measures;*
3. *Orders the Italian Republic to bear its own costs.*

⁽¹⁾ OJ C 161, 19.6.2010.

Judgment of the General Court of 16 October 2014 — LTTE v Council

(Joined Cases T-208/11 and T-508/11) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against certain persons and entities with a view to combating terrorism — Freezing of funds — Applicability of Regulation (EC) No 2580/2001 to situations of armed conflict — Possibility for an authority of a third State to be classified as a competent authority within the meaning of Common Position 2001/931/CFSP — Factual basis of the decisions to freeze funds — Reference to terrorist acts — Need for a decision of a competent authority for the purpose of Common Position 2001/931)

(2014/C 421/38)

Language of the case: English

Parties

Applicant: Liberation Tigers of Tamil Eelam (LTTE) (Herning, Denmark) (represented by: V. Koppe, A.M. van Eik and T. Buruma, lawyers)

Defendant: Council of the European Union (represented by: G. Étienne and E. Finnegan, acting as Agents)

Interveners in support of the defendant: Kingdom of the Netherlands (represented: in Case T-208/11, initially by M. Bulterman, N. Noort and C. Schillemans, and subsequently, as well as in Case T-508/11, by C. Wissels, M. Bulterman and J. Langer, acting as Agents); United Kingdom of Great Britain and Northern Ireland (represented: initially by S. Behzadi-Spencer, H. Walker and S. Brighouse, and subsequently by S. Behzadi-Spencer, H. Walker and E. Jenkinson, acting as Agents, assisted by M. Gray, Barrister) (intervener in Case T-208/11 only); and European Commission (represented initially by F. Castillo de la Torre and S. Boelaert, and subsequently by Castillo de la Torre and É. Cujo, acting as Agents)

Re:

Application, initially, in Case T-208/11, for annulment of Council Implementing Regulation (EU) No 83/2011 of 31 January 2011 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 610/2010 (OJ 2011 L 28, p. 14), and, in Case T-508/11, for annulment of Council Implementing Regulation (EU) No 687/2011 of 18 July 2011 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulations (EU) No 610/2010 and No 83/2011 (OJ 2011 L 188, p. 2), in so far as those measures apply to the applicant.

Operative part of the judgment

The Court:

- 1) *Annuls Council Implementing Regulation (EU) No 83/2011 of 31 January 2011, No 687/2011 of 18 July 2011, No 1375/2011 of 22 December 2011, No 542/2012 of 25 June 2012, No 1169/2012 of 10 December 2012, No 714/2013 of 25 July 2013, No 125/2014 of 10 February 2014 and No 790/2014 of 22 July 2014 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulations (EU) Nos 610/2010, 83/2011, 687/2011, 1375/2011, 542/2012, 1169/2012, 714/2013 and 125/2014 in so far as those measures concern the Liberation Tigers of Tamil Eelam (LTTE);*
- 2) *Maintains the effects of Implementing Regulation No 790/2014 for three months following delivery of this judgment;*
- 3) *Orders the Council of the European Union to pay, in addition to its own costs, the costs of the LTTE;*
- 4) *Orders the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the European Commission to bear their own respective costs.*

⁽¹⁾ OJ C 179, 18. 6. 2011.

Judgment of the General Court of 16 October 2014 — Portovesme v Commission

(Case T-291/11) ⁽¹⁾

(State aid — Electricity — Preferential tariff — Decision declaring the aid incompatible with the internal market — Concept of State aid — New aid — Equal treatment — Reasonable period)

(2014/C 421/39)

Language of the case: Italian

Parties

Applicant: Portovesme Srl (Rome, Italy) (represented by: F. Ciulli, G. Dore, M. Liberati and A. Vinci, lawyers)

Defendant: European Commission (represented by: V. Di Bucci and É. Gippini Fournier, acting as Agents)

Re:

Application, primarily, for the annulment in whole or in part 'to the extent deemed reasonable' of Commission Decision 2011/746/EU of 23 February 2011 on State aid granted by Italy to Portovesme Srl, ILA SpA, Eurallumina SpA and Syndial SpA (State aid measures C 38/B/04 (ex NN 58/04) and C 13/06 (ex N 587/05)) (OJ 2011 L 309, p. 1) or, in the alternative, for annulment of that decision in so far as it orders the recovery of the aid in question.