

GENERAL COURT

Judgment of the General Court of 26 May 2016 — France and IFP Énergies nouvelles v Commission

(Joined Cases T-479/11 and T-157/12) ⁽¹⁾

(State aid — Oil exploration — Implied and unlimited guarantee of the State conferred on the French Petroleum Institute (IFP) by the granting of the status of publicly owned industrial and commercial establishment (EPIC) — Advantage — Presumption of advantage)

(2016/C 251/20)

Language of the case: French

Parties

Applicants: French Republic (represented initially by E. Belliard, G. de Bergues, B. Beaupère-Manokha and J. Gstalter, then by E. Belliard, G. de Bergues, J. Gstalter and S. Menez, then by G. de Bergues, S. Menez, D. Colas and J. Bousin, and lastly by G. de Bergues, D. Colas and J. Bousin, acting as Agents) (Case T-479/11); and IFP Énergies nouvelles (Rueil-Malmaison, France) (represented initially by É. Morgan de Rivery and A. Noël-Baron, and subsequently by É. Morgan de Rivery and E. Lagathu, lawyers) (Case T-157/12)

Defendant: European Commission (represented by: B. Stromsky, D. Grespan and K. Talabér-Ritz, acting as Agents)

Re:

Application based on Article 263 TFEU and seeking the annulment of Commission Decision 2012/26/EU of 29 June 2011 on State aid granted by France to the Institut Français du Pétrole (Case C 35/08 (ex NN 11/08)) (OJ 2012 L 14, p. 1).

Operative part of the judgment

The Court:

1. Annuls Article 1(3) to (5) and Articles 2 to 12 of Commission Decision 2012/26/EU of 29 June 2011 on State aid granted by France to the Institut Français du Pétrole (Case C 35/08 (ex NN 11/08));
2. Dismisses the actions as to the remainder;
3. Orders the European Commission to bear two thirds of its own costs in Cases T-479/11 and T-157/12 and to pay two thirds of the costs borne by the French Republic and IFP Énergies nouvelles;
4. Orders the French Republic to bear one third of its own costs and one third of the Commission's costs in Case T-479/11;
5. Orders IFP Énergies nouvelles to bear one third of its own costs and one third of the Commission's costs in Case T-157/12.

⁽¹⁾ OJ C 340, 19.11.2011.