

Judgment of the General Court of 19 September 2017 — Greece v Commission(Case T-327/15) ⁽¹⁾

(EAGGF — Guidance Section — Reduction of financial assistance — Operational programme — Legal basis — Transitional provisions — Application of financial corrections after the programming period concerned — Infringement of essential procedural requirements — Failure to comply with the time-limit for adopting a decision — Rights of the defence — Right to be heard — Legal certainty — Legitimate expectations — Ne bis in idem — Proportionality)

(2017/C 369/09)

Language of the case: Greek

Parties

Applicant: Hellenic Republic (represented by: G. Kanellopoulos, O. Tsirkinidou and A. Vasilopoulou, acting as Agents)

Defendant: European Commission (represented by: J. Aquilina and D. Triantafyllou, acting as Agents)

Re:

Application based on Article 263 TFEU seeking the annulment of Commission Implementing Decision C(2015) 1936 final of 25 March 2015 on applying financial correction on the EAGGF Guidance Section of the Operational Programme CCI No 2000GR061PO021 (GREECE — Objective 1 — Rural Reconstruction).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Hellenic Republic to pay the costs.

⁽¹⁾ OJ C 279, 24.8.2015.

Judgment of the General Court of 14 September 2017 — Università del Salento v Commission(Case T-393/15) ⁽¹⁾

(Arbitration clause — General Programme ‘Fundamental Rights and Justice’ — Specific programme ‘Criminal Justice’ — Recovery of sums paid by the Commission under a grant agreement — Set-off of amounts owed — Partial reclassification of the action — Application for a declaration that there is no contractual claim)

(2017/C 369/10)

Language of the case: Italian

Parties

Applicant: Università del Salento (Lecce, Italy) (represented by: F. Vetrò, lawyer)

Defendant: European Commission (represented by: initially, L. Di Paolo, F. Moro, L. Cappelletti and O. Verheecke, and subsequently L. Di Paolo, F. Moro and O. Verheecke, acting as Agents)

Re:

First, application under Article 263 TFEU seeking (i) annulment of Commission Decision D/C4 — B.2 — 005817 of 4 May 2015, by which the applicant’s claim in respect of the implementation of a contract in a first project, Entice (Explaining the Nature of Technological Innovation in Chinese Enterprises), was set off against the applicant’s debt in respect of the implementation of a contract in a second project, entitled ‘Judicial Training and Research on EU crimes against environment and maritime pollution’; (ii) annulment of all other measures, preliminary to, consecutive to or, in any event, connected with that decision; and (iii) an order requiring the Commission to pay to the applicant the amounts owed to it for the implementation of the Entice project; and, secondly, application under Article 272 TFEU seeking a declaration that the debt claimed by the Commission in respect of the implementation of the second project is non-existent.