



Action brought on 9 January 2026 – Indra Sistemas v EEAS

(Case T-17/26)

(C/2026/1352)

Language of the case: English

Parties

Applicant: Indra Sistemas, SA (Alcobendas, Spain) (represented by: M. Troncoso Ferrer and L. Lence de Frutos, lawyers)

Defendant: European External Action Service

Form of order sought

The applicant claims that the Court should:

- declare the action for annulment admissible and well founded;
- annul the contested decision; and
- condemn the EEAS to pay all the legal fees and costs.

Pleas in law and main arguments

With the present action, the applicant seeks under Articles 263 and 264 of the TFEU the annulment of the EEAS's decision rejecting Indra's offer ('the tender') in procurement procedure: Supply of Day Zero Solution (DOCIS) and provision of related services for the European External Action Service, with reference EEAS/2025/NP/0073 ('the Procurement Procedure'), as notified to Indra on 30 October 2025 ('the first decision') and on 23 December 2025 ('the new decision') (together, 'the contested decision').

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

1. First plea in law, alleging an infringement of the duty to state reasons (enshrined in Article 296 TFEU and Article 41(2)(c) of the Charter of Fundamental Rights of the European Union ('the Charter')), on the grounds that (i) the contested decision merely reiterates the initial objections raised by the EEAS during the Procurement Procedure, without engaging with Indra's detailed clarifications submitted during the negotiation rounds and after the rejection of the tender, and (ii) the EEAS also introduced new objections for the first time in the contested decision, preventing Indra from understanding the true basis of the rejection and from exercising its rights of defence.
2. Second plea in law, alleging manifest errors of assessment in the contested decision, as the EEAS disregarded clear and relevant information contained in the tender documentation and misinterpreted key elements thereof, leading to conclusions inconsistent with the tender documentation and to an incorrect assessment of compliance with the minimum technical requirements of the Procurement Procedure.
3. Third plea in law, alleging an infringement of the principles of sound administration and protection of legitimate expectations. The EEAS failed to conduct the Procurement Procedure with due care and diligence and, through its conduct, created legitimate expectations which it subsequently frustrated without adequate justification.
4. Fourth plea in law, alleging an infringement of the principle of proportionality, since the EEAS adopted the most severe measure by rejecting the tender without demonstrating that less onerous alternatives had been duly considered or exhausted.