

COURT OF FIRST INSTANCE

Judgment of the Court of First Instance of 27 November 2007 — Pitsiorlas v Council and ECB

(Joined Cases T-3/00 and T-337/04) ⁽¹⁾

(Access to documents — Basle/Nyborg Agreement — Action for annulment — Challengeable acts — Statement of reasons — Plea of illegality — Decision 93/731/EC — Rules of Procedure of the European Central Bank — Action for damages — Non-contractual liability of the Community for the unlawful conduct of its organs — Damage — Causal link)

(2008/C 8/19)

Language of the case: Greek

Parties

Applicant: Athanasios Pitsiorlas (Thessaloniki, Greece) (represented by: D. Papafilippou, lawyer)

Defendants: Council of the European Union (represented initially by M. Bauer, S. Kyriakopoulou and D. Zachariou, and subsequently by M. Bauer and D. Zachariou, acting as Agents), and European Central Bank (represented, in Case T-3/00, initially by C. Zilioli, C. Kroppenstedt and P. Vospernik, and subsequently by C. Zilioli, C. Kroppenstedt, F. Athanasiou and S. Vuorensola, and finally by C. Zilioli, C. Kroppenstedt and F. Athanasiou and, in Case T-337/04, by C. Kroppenstedt, F. Athanasiou and P. Papapaschalis, acting as Agents)

Re:

Application, first, for annulment of the decisions of the Council and the European Central Bank refusing the applicant access to documents relating to the Basle/Nyborg Agreement of September 1987 and, second, for damages

Operative part of the judgment

The Court:

1. Annuls the decision of the Governing Council of 21 October 1999, as brought to the knowledge of Mr Athanasios Pitsiorlas by letter of the European Central Bank (ECB) of 8 November 1999;
2. Dismisses the action for annulment as to the remainder;
3. Dismisses the action for damages;

4. Orders the Council, the ECB and the applicant each to bear their own costs as incurred in Joined Cases T-3/00 and T-337/04. The Council shall bear the costs that it incurred in Case C-193/01 P, together with those incurred in that case by the applicant.

⁽¹⁾ OJ C 122, 29.4.2000.

Judgment of the Court of First Instance of 20 November 2007 — Ianniello v Commission

(Case T-205/04) ⁽¹⁾

(Civil service — Officials — Career evaluation report — 2001/2002 evaluation period — Action for annulment — Action for damages)

(2008/C 8/20)

Language of the case: French

Parties

Applicant: Alessandro Ianniello (Brussels, Belgium) (represented by: S. Rodrigues and Y. Minatchy, lawyers)

Defendant: Commission of the European Communities (represented by: J. Currall, Agent, assisted by D. Waelbroeck, lawyer)

Re:

On the one hand, annulment of the applicant's career evaluation report for the 2001/2002 evaluation period and the decision of the Appointing Authority of 18 February 2004 rejecting his complaint and, on the other, payment of compensation for the non-material suffered.

Operative part of the judgment

The Court:

1. Dismisses the application;
2. Orders each party to bear their own costs.

⁽¹⁾ OJ C 217 of 28.8.2004.