

Re:

Action for annulment — Council Decision 2006/1016/EC of 19 December 2006 granting a Community guarantee to the European Investment Bank against losses under loans and loan guarantees for projects outside the Community (OJ 2006 L 414, p. 95) — Choice of legal basis — Article 181a EC — Decision essentially concerning developing countries — Need to have recourse to a dual legal basis — Articles 179 EC and 181a EC

Operative part of the judgment

The Court:

1. Annuls Council Decision 2006/1016/EC of 19 December 2006 granting a Community guarantee to the European Investment Bank against losses under loans and loan guarantees for projects outside the Community;
2. Orders that the effects of Decision 2006/1016 be maintained for European Investment Bank financing arrangements entered into before the entry into force, within a period of 12 months from the date of delivery of this judgment, of a new decision adopted on the appropriate legal basis, namely Articles 179 EC and 181a EC together;
3. Orders the Council of the European Union to pay the costs except those of the Commission of the European Communities;
4. Orders the Commission of the European Communities to bear its own costs.

(¹) OJ C 155, 7.7.2007.

Judgment of the Court (Second Chamber) of 6 November 2008 — Hellenic Republic v Commission of the European Communities

(Case C-203/07 P) (¹)

(Appeal — Project to set up a common diplomatic representation in Abuja (Nigeria) — Reimbursement of sums owed by the Hellenic Republic — Offsetting against the amount to be paid by the Commission under the Regional Operational Programme for mainland Greece)

(2008/C 327/04)

Language of the case: Greek

Parties

Appellant: Hellenic Republic (represented by: P. Mylonopoulos, S. Trekli and Z. Stavridi, acting as Agents)

Other party to the proceedings: Commission of the European Communities (represented by: I. Zervas and D. Triantafyllou, acting as Agents)

Re:

Appeal brought against the judgment of the Court of First Instance (First Chamber) of 17 January 2007 in Case T-231/04 *Hellenic Republic v Commission of the European Communities*, by which the Court of First Instance dismissed as unfounded an action for annulment of the Commission decision to proceed to recovery by the offsetting of sums owed by Greece following its participation in the Abuja I and II projects to create a common diplomatic mission of the countries of the European Union in Abuja (Nigeria)

Operative part of the judgment

The Court:

1. Dismisses the appeal.
2. Orders the Hellenic Republic to pay the costs.

(¹) OJ C 155, 7.7.2007.

Judgment of the Court (Third Chamber) of 6 November 2008 (reference for a preliminary ruling from the Hof van beroep te Antwerpen — Belgium) — Tresa International B.V. v Nova Haven- en Vervoerbedrijf N.V.

(Case C-248/07) (¹)

(Regulation implementing the Community Customs Code — Articles 291 and 297 — Favourable tariff treatment — End-use — Concept of ‘person importing the goods or having them imported for free circulation’ — Concept of ‘transfer of goods within the Community’ — Concept of ‘transferee’)

(2008/C 327/05)

Language of the case: Dutch

Referring court

Hof van beroep te Antwerpen

Parties to the main proceedings

Applicant: Tresa International B.V.

Defendant: Nova Haven- en Vervoerbedrijf N.V.