

**Judgment of the General Court of 9 September 2010 —  
Evropaiki Dynamiki v Commission**

(Case T-300/07) <sup>(1)</sup>

*(Public service contracts — Community tendering procedure — Provision of information technology services relating to the management and maintenance of an internet portal — Rejection of the bid submitted by a tenderer — Award criteria — Obligation to state the reasons on which a decision is based — Manifest error of assessment — Equal treatment — Transparency)*

(2010/C 288/60)

Language of the case: English

**Parties**

*Applicant:* Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis, lawyer)

*Defendant:* European Commission (represented by: E. Manhaeve, acting as Agent, and by J. Stuyk, lawyer)

**Re:**

APPLICATION (i) for annulment of the Commission's decisions of 21 May 2007 and 13 July 2007 rejecting the tenders submitted by the applicant in tendering procedure ENTR/05/78 for Lot 1 (Editorial Work and Translation) and Lot 2 (Infrastructure Management) for the management and maintenance of the 'Your Europe' portal (OJ 2006/S 143-153057) and awarding those contracts to another tenderer and (ii) for damages

**Operative part of the judgment**

*The Court:*

1. Annuls the Commission's decision of 13 July 2007 rejecting the tender submitted by Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE in tendering procedure ENTR/05/78 for Lot 2 (Infrastructure Management) for the management and maintenance of the 'Your Europe' portal and awarding that contract to another tenderer;
2. Dismisses the remainder of the claim for annulment;
3. Dismisses the claim for damages;
4. Orders Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis to pay 50 % of its own costs

and 50 % of the costs incurred by the European Commission, and the European Commission to pay 50 % of its own costs and 50 % of those incurred by Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE.

<sup>(1)</sup> OJ C 235, 6.10.2007.

**Judgment of the General Court of 9 September 2010 —  
Al-Aqsa v Council**

(Case T-348/07) <sup>(1)</sup>

*(Common foreign and security policy — Restrictive measures against certain persons and entities with a view to combating terrorism — Freezing of funds — Common Position 2001/931/CFSP and Regulation (EC) No 2580/2001 — Action for annulment — Adaptation of heads of claim — Judicial review — Conditions for implementation of a European Union measure freezing funds)*

(2010/C 288/61)

Language of the case: Dutch

**Parties**

*Applicant:* Stichting Al-Aqsa (Heerlen (Netherlands) (represented by: J. Pauw, G. Pulles, A.M. van Eik and M. Uiterwaal, lawyers)

*Defendant:* Council of the European Union (represented by: E. Finnegan, G.-J. Van Hegelsom and B. Driessen, Agents)

*Interveners in support of the defendant:* Kingdom of the Netherlands (represented by: C.M. Wissels, M. de Mol and Y. de Vries, Agents); and European Commission, (represented by: P. van Nuffel and S. Boelaert, Agents)

**Re:**

Application, originally, in essence, for annulment of Council Decision 2007/445/EC of 28 June 2007 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decisions 2006/379/EC and 2006/1008/EC (OJ 2007 L 169, p. 58), in so far as that act concerns the applicant