

Judgment of the General Court of 17 December 2015 — SNCF v Commission(Case T-242/12) ⁽¹⁾

(State aid — Aid measures implemented by France in favour of Sernam SCS — Aid measures for restructuring and recapitalising, guarantees and debt write-off by SNCF in favour of Sernam — Decision declaring the aid measures incompatible with the internal market — Misuse of aid — Recovery — Economic continuity — Private investor criterion)

(2016/C 059/12)

Language of the case: French

Parties

Applicant: Société nationale des chemins de fer français (SNCF) (Paris, France) (represented by: P. Beurier, O. Billard and V. Landes, lawyers)

Defendant: European Commission (represented by: T. Maxian Rusche and B. Stromsky, acting as Agents)

Intervener in support of the applicant: French Republic (represented by: initially D. Colas and J. Gstalter, subsequently by D. Colas and J. Rossi and finally by D. Colas and J. Bousin, acting as Agents)

Intervener in support of the defendant: Mory SA, in liquidation, (Pantin, France) and Mory Team, in liquidation, (Pantin) (represented by: B. Vatier and F. Loubières, lawyers)

Re:

Application for annulment of Commission Decision 2012/398/EU of 9 March 2012 on State aid SA. 12522 (C 37/08) — France — Enforcing the Sernam 2 Decision (OJ 2012 L 195, p. 19).

Operative part of the judgment

The Court:

1. Dismisses the application of the Société nationale des chemins de fer français (SNCF);
2. Orders SNCF to bear its own costs and to pay those incurred by the European Commission;
3. Orders the French Republic to bear its own costs;
4. Orders Mory and Mory Team to bear their own costs.

⁽¹⁾ OJ C 273, 8.9.2012.

Judgment of the General Court of 17 December 2015 — Italy v Commission(Case T-275/13) ⁽¹⁾

(Languages — Notice of open competition for the recruitment of administrators — Choice of second language from three languages — Language of communication with the candidates to the competition — Regulation No 1 — Article 1d(1), Article 27, first paragraph, and Article 28(f) of the Staff Regulations — Principle of non-discrimination — Proportionality)

(2016/C 059/13)

Language of the case: Italian

Parties

Applicant: Italian Republic (represented by: G. Palmieri, acting as Agent, and by P. Gentili and S. Fiorentino, avvocati dello Stato)

Defendant: European Commission (represented by J. Currall, B. Eggers and G. Gattinara, acting as Agents)

Intervener in support of the applicant: Kingdom of Spain (represented by: J. García-Valdecasas Dorrego, abogado del Estado)

Intervener in support of the defendant: Federal Republic of Germany (represented by: T. Henze and B. Beutler, acting as Agents)

Re:

Application for annulment of notice of open competition EPSO/AD/249/13 to draw up two reserve lists for administrations to fill vacant posts in the fields of macroeconomics and financial economics (OJ 2013 C 75 A, p. 1).

Operative part of the judgment

The Court:

- 1) *Annuls the notice of open competition EPSO/AD/249/13 to draw up two reserve lists for administrations to fill vacant posts in the fields of macroeconomics and financial economics;*
- 2) *Orders the European Commission to bear, in addition to its own costs, those incurred by the Italian Republic;*
- 3) *Orders the Kingdom of Spain and the Federal Republic of Germany to bear their own costs relating to their interventions.*

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the General Court of 17 December 2015 — Italy v Commission

(Case T-295/13) ⁽¹⁾

(Languages — Corrigendum to the notice of open competition for the recruitment of administrators — New competition procedures — Choice of second language from three languages — Regulation No 1 — Article 1d(1), Article 27 and Article 28(f) of the Staff Regulations — Principle of non-discrimination — Proportionality)

(2016/C 059/14)

Language of the case: Italian

Parties

Applicant: Italian Republic (represented by: G. Palmieri, acting as Agent, and by P. Gentili and S. Fiorentino, avvocati dello Stato)

Defendant: European Commission (represented by J. Currall, B. Eggers and G. Gattinara, acting as Agents)

Intervener in support of the applicant: Kingdom of Spain (represented by: J. García-Valdecasas Dorrego, abogado del Estado)

Re:

Application for annulment of the corrigendum to notice of open competition EPSO/AD/177/10 to constitute a reserve list from which to recruit administrators in the fields of European public administration, law, economics, audit and information and communication technology (OJ 2013 C 82 A, p. 1), and corrigendum to notice of open competition EPSO/AD/178/10 and corrigendum to notice of open competition EPSO/AD/179/10 to constitute a reserve list from which to recruit administrators in the fields of, respectively, librarianship and information science and audiovisual, published in the Official Journal of the European Union C 82 A, of 21 March 2013 (OJ 2013 C 82 A, p. 1).