

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;

**Pleas in law**

- Infringement of the rights of the defence and the principles of due process;
- Infringement of Articles 4, 5, 6 and of Article 25(1)(b) of Regulation No 6/2002.

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**Action brought on 15 January 2016 — Slovenia v Commission****(Case T-12/16)**

(2016/C 098/69)

*Language of the case: Slovenian***Parties**

*Applicant:* Republic of Slovenia (represented by: L. Bembič, acting as Agent)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul Commission Implementing Decision (EU) 2015/2098 of 13 November 2015 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (notified under document C(2015) 7716) (OJ 2015 L 303, p. 35), in so far as it concerns the Republic of Slovenia, and particularly in so far as it relates to the lack of a control procedure (or surveillance procedure) regarding land parcels created artificially, in relation to which a correction of the decoupled direct aids at issue was made amounting to EUR 42 615,90 for the 2013 accounting year (claim year 2012), EUR 45 519,08 for the 2014 accounting year (claim year 2013), and EUR 34 211,94 for the 2015 accounting year (claim year 2014);
- order the Commission to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicant relies on three pleas in law regarding the checks on the land parcels, namely: a manifest error of assessment; an inadequate statement of reasons for the decision; and infringement of the principle of legality.

In the applicant's opinion, the Commission incorrectly held that there is not yet an adequate system in Slovenia for checking the smallest eligible areas. In that regard, the applicant observes that the small land parcels in Slovenia are a consequence of the natural features and historical fragmentation of its agricultural structures. Furthermore, those areas were not created artificially in order to meet the requirements for obtaining aid from the support scheme. Lastly, during its examination, the Commission did not establish or prove any breach, since the areas in question meet all the requirements necessary to be defined as agricultural areas and land parcels.

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