

- declare that the applicants suffered loss as a result of that improper conduct,
- declare that the Union is required to compensate that loss,
- take formal note that Groupe Perry estimates that loss to be ECU 10 000 000,
- take formal note that Isibiris estimates its loss to be ECU 500 000,
- order the Union to pay all the costs of the proceedings.

Pleas in law and main arguments adduced in support:

The applicants are seeking compensation for the loss they consider they suffered as a result of the steps taken against them by the Commission because of alleged irregularities committed by them in the performance of certain contracts entered into in the context of the European Union humanitarian aid programmes for Bosnia and the Great Lakes region of Africa. According to the applicants, the Commission penalised the two companies by failing to pay the invoices due, by ordering its departments not to enter into contracts with them, by assigning employees of the Perry Group to other companies and by requiring Isibiris to repay a large sum of money.

The applicants submit that the Commission's action was based on a report drawn up by the Unit for the Coordination of Fraud Prevention (UCLAF) following an enquiry carried out by that body, without first hearing the companies in question, to which it even refused to provide a copy of the aforementioned reports. Furthermore, they

point out that the Commission was judge and party in the case and conclude that the defendant institution thus infringed Article 6 of the European Convention on Human Rights.

The applicants submit that, as a result of that unlawful conduct, Groupe Perry can no longer continue to work with the Commission, which was its only customer, nor is it able to find other customers because of the negative publicity received by it in the international press. Its business is therefore ruined and it claims the sum of ECU 10 000 000 in respect of material and non-material loss.

Isibiris is seeking the sum of ECU 500 000 by way of compensation for non-material loss, together with a declaration that it is not required to repay the sum of ECU 540 000 claimed by the Commission.

Removal from the register of Case T-285/97⁽¹⁾
(98/C 312/49)

(Language of the case: English)

By order of 7 July 1998, the President of the Second Chamber of the Court of First Instance of the European Communities has ordered the removal from the register of Case T-285/97: *Kuljetusliike R. Pynnönen Oy v. Commission of the European Communities*.

⁽¹⁾ OJ C 7, 10.1.1998.