

Judgment of the Court of First Instance (Second Chamber) of 11 July 2007 — Jose Maria Sison v Council of the European Union

(Case T-47/03) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against certain persons and entities with a view to combating terrorism — Freezing of funds — Competence of the Community — Action for annulment — Rights of the defence — Statement of reasons — Right to effective judicial protection — Action for damages)

(2007/C 199/49)

Language of the case: English

Parties

Applicant: Jose Maria Sison (Utrecht, Netherlands) (represented by J. Fermon, A. Comte, H. Schultz, D. Gurses and T. Olsson, lawyers)

Defendant: Council of the European Union (represented by: M. Vitsentzatos and M. Bishop, acting as Agents)

Interveners in support of the applicants: Negotiating Panel of the National Democratic Front of the Philippines (Utrecht); Luis G. Jalandoni (Utrecht); Fidel V. Agcaoili (Utrecht); Maria Consuelo K. Ledesma (Utrecht) (represented by B. Tomlow, lawyer)

Interveners in support of the defendants: Kingdom of the Netherlands (represented by H. Sevenster, acting as Agent) and United Kingdom of Great Britain and Northern Ireland (represented initially by R. Caudwell and subsequently by C. Gibbs, acting as Agents, and by S. Moore, Barrister)

Re:

Application for, first, partial annulment of Council Decision 2002/974/EC of 12 December 2002 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 Decision 2002/848/EC (OJ 2002 L 337, p. 85), and, secondly, compensation for damage.

Operative part of the judgment

The Court:

1. Annuls Council Decision 2006/379/EC of 29 May 2006 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 Decision 2005/930/EC in so far as it concerns the applicant;
2. Rejects the application for compensation;

3. Orders the Council to bear, in addition to its own costs, the applicant's costs, including those incurred in the proceedings for interim measures, and also the costs of the Negotiating Panel of the National Democratic Front of the Philippines, Luis G. Jalandoni, Fidel V. Agcaoili and Maria Consuelo K. Ledesma;

4. Orders the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland to bear their own costs.

⁽¹⁾ OJ C 101, 26.4.2003.

Judgment of the Court of First Instance of 11 July 2007 — Fédération des industries condimentaires de France and Others v Commission

(Case T-90/03) ⁽¹⁾

(Non-contractual liability — Incompatibility of the Community prohibition on the importation of meat containing substances having a hormonal action with the rules of the World Trade Association (WTO) — Imposition by the United States of America of a surcharge on the import of products from the Community pursuant to WTO authorisation — Termination by the Commission of proceedings to investigate trade barriers — Application for compensation of groups of Community exporters adversely affected by the surcharge)

(2007/C 199/50)

Language of the case: French

Parties

Applicants: Fédération des industries condimentaires de France (FICF) (Paris, France); the Confédération Générale des producteurs de lait de brebis et des industriels de Roquefort (Millau, France); Comité économique agricole régional fruits et légumes de Bretagne (Cerafel) (Morlaix, France); and Comité interprofessionnel des palmipèdes à foie gras (CIFO) (Paris, France) (represented by: initially, M. Jacquot and O. Prost, and subsequently, O. Prost, K. Lentz, E. Berthelot and M. Baudin, lawyers)

Defendant: Commission of the European Communities (represented by: P. Kuijper, C. Brown and G. Boudot, acting as Agents)

Party intervening in support of the defendant: Kingdom of Spain (represented by: initially, E. Braquehais Conesa, and subsequently, J. Rodríguez Cárcamo, acting as Agents)