



## Reports of Cases

### Order of the General Court (First Chamber) of 27 November 2012 — ADEDY and Others v Council

(Case T-215/11)

(Actions for annulment — Decision addressed to a Member State with a view to remedying a situation of excessive deficit — No direct concern — Inadmissibility)

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Whether directly concerned — Criteria — Council decision putting a Member State on notice to take measures to remedy an excessive deficit situation — Action brought by a trade union confederation and members thereof — Not directly concerned — Inadmissibility (Art. 263, fourth para., TFEU; Council Regulation No 1467/97, Art. 5) (see paras 62-67, 79-100)*
2. *European Union — Judicial review of the legality of the acts of the institutions — Acts requiring national application measures — Natural or legal persons able to resort to a request for a preliminary ruling for an assessment of validity — Obligation on Member States to establish the necessary remedies to ensure effective judicial protection — Opening of an action for annulment before the EU judicature in the absence of remedies before the national courts — Exclusion (Arts 19(1), second para., TEU, 263 TFEU, 267 TFEU and 277 TFEU) (see paras 101-105)*

#### Re:

ANNULMENT of Council Decision 2011/57/EU of 20 December 2010 amending Decision 2010/320/EU addressed to Greece with a view to reinforcing and deepening fiscal surveillance and giving notice to Greece to take measures for the deficit reduction judged necessary to remedy the situation of excessive deficit (OJ 2011 L 26, p. 15).

#### Operative part

1. The action is dismissed.
2. Anotati Dioikisi Enoseon Dimosion Ypallilon (ADEDY), Mr Spyridon Papaspyros and Mr Ilias Iliopoulos are ordered to bear their own costs and pay those incurred by the Council of the European Union.

3. The European Commission is ordered to bear its own costs.