

**Judgment of the Court of First Instance of 10 September 2008 — Evropaiki Dinamiki v Commission**

(Case T-465/04) <sup>(1)</sup>

*(Public service contracts — Community tendering procedure — Provision of computer and related services linked to the information systems of the Directorate-General for Fisheries — Rejection of a submitted tender — Obligation to state the reasons on which the decision is based)*

(2008/C 272/28)

Language of the case: English

**Parties**

*Applicant:* Evropaiki Dinamiki — Proigmena Sistimata Tilepikinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis, lawyer)

*Defendant:* Commission of the European Communities (represented: initially by K. Banks, and subsequently by M. Wilderspin and E. Manhaeve, acting as Agents)

**Re:**

Application for annulment of the Commission's decision of 15 September 2004 not to accept the tender submitted by the applicant in the tendering procedure relating to the provision of computer and related services linked to the information systems of the Directorate-General for Fisheries, and to award the contract to the successful tenderer.

**Operative part of the judgment**

*The Court:*

1. The Commission's decision to reject the tender submitted by Evropaiki Dinamiki — Proigmena Sistimata Tilepikinonion Pliroforikis kai Tilematikis AE and to award the contract to the successful tenderer in the tendering procedure 'FISH/2004/02' is annulled.
2. The Commission is ordered to pay all of the costs.

<sup>(1)</sup> OJ C 57, 5.3.2005.

**Judgment of the Court of First Instance of 10 September 2008 — Williams v Commission**

(Case T-42/05) <sup>(1)</sup>

*(Access to documents — Regulation (EC) No 1049/2001 — Preparatory documents relating to the adoption of Directive 2001/18/EC on GMOs — Partial refusal of access — Implied refusal of access — Exceptions relating to the protection of commercial interests, protection of international relations and protection of the decision-making process — Obligation to state reasons)*

(2008/C 272/29)

Language of the case: English

**Parties**

*Applicant:* Rhiannon Williams (Brussels, Belgium) (represented by: S. Crosby, C. Bryant, Solicitors, and R. Lang, lawyer)

*Defendant:* Commission of the European Communities (represented by: C. Docksey and P. Costa de Oliveira, acting as Agents)

**Re:**

Application for annulment of the Commission's decision of 19 November 2004 partially refusing the applicant access to certain preparatory documents in respect of the legislation on genetically-modified organisms.

**Operative part of the judgment**

*The Court:*

1. Declares that there is no further need to rule on the lawfulness of the Commission's decision of 19 November 2004 partially refusing Ms Rhiannon Williams access to certain preparatory documents in respect of the legislation on genetically-modified organisms in so far as it may include an implied refusal of access to preparatory documents from the Commission's Directorate-General (DG) for Trade relating to the adoption of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC;
2. Annuls the Commission's decision of 19 November 2004 in so far as it impliedly refused access to preparatory documents relating to the adoption of Directive 2001/18/EC other than those produced by the Trade DG;
3. Dismisses the action as to the remainder;
4. Orders the Commission to bear its own costs and to pay one half of those incurred by Ms Williams.

<sup>(1)</sup> OJ C 93, 16.4.2005.