Operative part

The Court:

1. Dismisses the action;

2. Orders Ilink Kommunikationssysteme GmbH to pay the costs.

Judgment of the General Court (Seventh Chamber) of 16 December 2010 — HIT Trading and Berkman Forwarding v Commission

(Case T-191/09)

(Customs Union — Importation of compact fluorescent lamps with integrated electronic ballasts (CFL-i) from Pakistan — Post-clearance recovery of import duties — Application for remission of import duties — Article 220(2)(b) and Article 239 of Regulation (EEC) No 2913/92)

1. *Own resources of the European Union — Post-clearance recovery of import or export duties — Conditions for not taking account of import duties set out in Article 220(2)(b) of Regulation No 2913/92 (Council Regulation No 2913/92, Arts 62(1) and 220(2)(b)) (see paras 42-44, 53-61, 72-73)*

2. *Own resources of the European Union — Post-clearance recovery of import or export duties — No publication, by the Commission, of a notice to importers in the event of doubts as to the origin of goods likely to be subject to anti-dumping duties (Council Regulation No 2913/92) (see paras 79-81)*

3. *Own resources of the European Union — Repayment or remission of import duties — Fairness clause instituted by Article 239 of the Community Customs Code and Article 905 of implementing Regulation No 2454/93 — Particular situation — Concept (Council Regulation No 2913/92, Art. 239; Commission Regulation No 2454/93, Art. 905) (see paras 91-92, 95-99)*

Re:

APPLICATION for annulment of Commission Decision C(2009) 747 final of 12 February 2009, stating that post-clearance entry in the accounts of certain import duties was justified and that the remission of such duties was not justified (File reference: REC 01/08).

Operative part

The Court:

1. Dismisses the application;

2. Orders Hit Trading BV and Berkman Forwarding BV to pay the costs.

Judgment of the General Court (single judge) of 16 December 2010 — Commission v Arci Nuova associazione comitato di Cagliari and Gessa

(Case T-259/09)

(Arbitration clause — Agreement entered into as part of support for European discussion projects organised by non-governmental organisations for 2003 — Action brought against the head of an association — No jurisdiction — Failure to implement the agreement — Repayment of sums advanced)