



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 July 2012

12722/12

**JUR 417
RELEX 698
PESC 958
COTER 79**

INFORMATION NOTE

from: Council Legal Service
to: Permanent Representatives' Committee (part 2)
Subject: **Case C-183/12 P before the Court of Justice - Appeal brought by Chafiq Ayadi against the Order of the General Court of 31 January 2012**

1. By application lodged with the Court of Justice on 18 April 2012 and notified to the Council on 13 July 2012, the appellant has lodged an appeal against the Order of the General Court in Case T-527/09 of 31 January 2012 by which the Court found that there was no longer any need to adjudicate on the application for annulment which had been brought (Case C-183/12 P).
2. The appellant argues that the General Court erred in law when it failed to hear the Advocate General, and/or invite representations from the applicant as to whether the oral procedure should be opened, and/or open the oral procedure on the question as to whether the application for annulment had become devoid of purpose before determining the matter. The appellant also argues that the General Court erred in law in finding that the action for annulment was not capable of conferring material advantage upon the applicant.

3. The Director General of the Legal Service of the Council has appointed Ms Emer FINNEGAN and Mr Guillaume ETIENNE, legal advisors in the Legal Service of the Council, as the Council's agents in this case.
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