

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Wam Industriale SpA to pay the costs.

⁽¹⁾ OJ C 63, 2.3.2013.

Judgment of the Court (Second Chamber) of 7 November 2013 — Italian Republic v European Commission

(Case C-587/12 P) ⁽¹⁾

(Appeal — State aid — Establishing a company in certain third countries — Soft loans — Decision declaring aid partly incompatible with the common market and ordering its recovery — Decision taken following the annulment by the General Court of the original decision concerning the same proceedings — Enforcement of a judgment of the General Court)

(2014/C 9/24)

Language of the case: Italian

Parties

Appellant: Italian Republic (represented by: G. Palmieri, acting as Agent, and P. Gentili, avvocato dello Stato)

Other party to the proceedings: European Commission (represented by: V. Di Bucci and D. Grespan, acting as Agents)

Re:

Appeal against the judgment of the General Court (Fifth Chamber) of 27 September 2012 in Case T-257/10 *Italy v Commission*, by which the General Court dismissed an action for annulment of Commission Decision 2011/134/EU of 24 March 2010 on the State aid implemented by Italy for Wam SpA (OJ 2011 L 57, p. 29) — Obligation to state reasons — Principle of *audi alteram partem* — *Res judicata* — Principle of proportionality — *De minimis* Regulation

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 63, 2.3.2013.

Judgment of the Court (Sixth Chamber) of 7 November 2013 — European Commission v French Republic

(Case C-23/13) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 91/271/EEC — Urban waste water treatment — Articles 3 and 4)

(2014/C 9/25)

Language of the case: French

Parties

Applicant: European Commission (represented by: J.-P. Keppenne and E. Manhaever, acting as Agents)

Defendant: French Republic (represented by: D. Colas and S. Menez, acting as Agents)

Re:

Failure of a Member State to fulfil obligations — Breach of Articles 3 and 4 of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ 1991 L 135, p. 40) — Deficiencies in the collection and treatment of urban waste water in 8 agglomerations

Operative part of the judgment

The Court:

1. Declares that, by failing to provide for:

— the collection of urban waste waters in the agglomeration of Basse-Terre, with a population equivalent of more than 15 000, and

— the treatment of urban waste waters in the agglomerations of Ajaccio-Sanguinaires, Basse-Terre, Bastia-Nord, Cayenne-Leblond and Saint-Denis, with a population equivalent of more than 15 000,

the French Republic failed to fulfil its obligations under Articles 3, 4(1) and 4(3) of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment.

2. Orders the French Republic to pay the costs.

⁽¹⁾ OJ C 79, 16.3.2013.