

Case T-29/02

Global Electronic Finance Management (GEF) SA

v

Commission of the European Communities

(Arbitration clause — Non-performance of contract — Counterclaim)

Judgment of the Court of First Instance (First Chamber, Extended Composition), 15 March 2005 II - 837

Summary of the Judgment

- 1. Procedure — Referral to the Court of First Instance under an arbitration clause — Jurisdiction of the Court of First Instance to hear a counterclaim — Basis (Art. 238 EC; Rules of Procedure of the Court of First Instance, Art. 113; Council Decision 88/591, Art. 3(1)(c))*

2. *Procedure — Referral to the Court of First Instance under an arbitration clause — Application of the national law governing the contract — Interpretation of the contract in the light of its context — Contract granting Community financial assistance in return for undertakings given by the recipient — Non-implementation*
3. *Procedure — Referral to the Court of First Instance under an arbitration clause — Contract providing for Community financial assistance for a research and development project — Request for reimbursement of certain costs — Counterclaim by the Commission for reimbursement of overpayment*
(Art. 238 EC; Council Decisions 94/763 and 94/802)