



C/2023/52

9.10.2023

Action brought on 17 July 2023 — Al-Assad v Council

(Case T-420/23)

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Language of the case: French

Parties

Applicant: Mudar Al-Assad (Damas, Syria) (represented by: B. Grundler, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Implementing Regulation (EU) No 2023/844 of 24 April 2023 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, in so far as it concerns him;
- annul Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 and its annexes, as amended by Implementing Regulation (EU) No 2023/844, in so far as it concerns him;
- order the Council, in so far as it is to be unsuccessful, to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging infringement of the obligation to state reasons. The applicant claims that, by merely stating that 'Mudar ... al-Assad is Bashar al-Assad's cousin; he is therefore a member of the Assad family', the Council did not satisfy the requirement to state reasons for its acts, as interpreted by the Courts of the European Union;
2. Second plea in law, alleging a manifest error of assessment by the Council and that its decision was not well founded. The applicant maintains that the Council wrongly presumed from his family ties that he was profiting from the Syrian regime and was associated with it, whereas an entry in the Annex at issue would have required the Council to have evidence relating to actual conduct establishing his personal responsibility.
