

### 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 that the Commission erred in finding that the continued operation of NCHZ under the decision of the creditors' committee did not constitute State aid within the meaning of Article 107(1) TFEU

— The Commission erred in law and made a manifest error of assessment in finding that no advantage was conferred onto Novácke chemické závody, a.s. v konkurze (NCHZ) while its operations were maintained after the decision of the creditors' committee and the secured creditors. The Commission also erred in law and made a manifest error of assessment in finding that the decision of the creditors' committee and the secured creditors to continue the operations of NCHZ is not imputable to the State.

2. Second plea in law, alleging that the Commission infringed the duty to state reasons, enshrined in Article 296 TFEU, with regard to the imputability to the State of the decision of the creditors' committee and the secured creditors

— The Commission failed to provide reasons in relation to the approval of the decision of the creditors' committee and the secured creditors by the Trenčín Court. The Commission also failed to provide reasons in relation to the veto rights of the secured creditors regarding the continuation of NCHZ's operations under Slovak bankruptcy law.

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### Action brought on 29 May 2015 — Syria Steel and Al Buroj Trading/Conseil

(Case T-285/15)

(2015/C 302/72)

*Language of the case: English*

### Parties

*Applicants:* Syria Steel SA (Homs, Syria); and Al Buroj Trading (Damascus, Syria) (represented by: V. Davies, Solicitor, and T. Eicke, QC)

*Defendant:* Council of the European Union

### Form of order sought

The applicants claim that the Court should:

— annul Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria (OJ 2013 L 147, p. 14), as amended, and/or Council Implementing Decision (CFSP) 2015/383 of 6 March 2015 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ 2015 L 64, p. 41), in so far as they relate to the applicants;

— 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 (OJ 2012 L 16, p. 1), as amended, and/or Council Implementing Regulation (EU) 2015/375 of 6 March 2015 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria (OJ 2015 L 64, p. 10), in so far as they relate to the applicants;

— order the European Union to compensate the applicants,

— order the council to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on two pleas in law.

1. First plea in law, alleging that there is an absence of legal basis for restrictive measures against the applicants and/or a manifest error of assessment, on the basis that there is no rational connection between the applicants and the persons or entities sought to be targeted by the restrictive measures adopted by the Union, namely those who are benefiting from or supporting the Syrian regime.
2. Second plea in law, alleging that the contested Council decisions and regulations amount to a breach of the applicants' fundamental rights as protected by the Charter of Fundamental Rights of the European Union and/or the European Convention of Human Rights, including the applicants' right to a good administration, their right of defence, the duty to give reason and the presumption of innocence, the right to an effective remedy and fair trial, the freedom to conduct a business, and the right to property.

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**Action brought on 28 May 2015 — KF/SATCEN****(Case T-286/15)**

(2015/C 302/73)

*Language of the case: English***Parties**

*Applicant:* KF (Berlin, Germany) (represented by: A. Kunst, lawyer)

*Defendant:* European Union Satellite Centre (SATCEN)

**Form of order sought**

The applicant claims that the Court should:

- annul/set aside the Appeals Board's decision of 26 January 2015 notified to the applicant on 23 March 2015 rejecting two appeals of the applicant. The applicant invokes the inapplicability of Article 28.6. of the SATCEN Staff Regulations <sup>(1)</sup> pursuant to Article 277 TFEU;
- annul the SATCEN implied decision of 5 July 2013 rejecting the applicant's request for assistance;
- annul the SATCEN decision of 5 July 2013 to suspend the applicant from duty and initiate disciplinary proceedings, alternatively review the decisions' legality incidentally in the action against the removal decision;
- annul the SATCEN removal decision of 28 February 2014;
- order the SATCEN to pay the applicant compensation for the material damage suffered in the form of salaries, emoluments and entitlements until the end of the applicant's contract and compensate the applicant for the non-material damage suffered, assessed provisionally on an ex aequo et bono at EUR 500 000;
- order the SATCEN to pay the costs, together with interest of 8 %.