

# GENERAL COURT

## Judgment of the General Court of 28 October 2015 — Al-Faqih and Others v Commission

(Case T-134/11) <sup>(1)</sup>

**(Common foreign and security policy — Restrictive measures directed against persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban — Freezing of funds — Fundamental rights — Right to effective judicial protection)**

(2015/C 429/18)

Language of the case: English

### Parties

*Applicants:* Al-Bashir Mohammed Al-Faqih (Birmingham, United Kingdom); Ghunia Abdrabbah (Birmingham); Taher Nasuf (Manchester, United Kingdom) and Sanabel Relief Agency Ltd (Birmingham) (represented by: E. Grieves, Barrister, and N. Garcia-Lora, Solicitor)

*Defendant:* European Commission (represented initially by S. Boelaert, M. Konstantinidis, E. Paasivirta and T. Scharf, and subsequently by M. Konstantinidis, E. Paasivirta and T. Scharf, acting as Agents)

*Interveners in support of the defendant:* Council of the European Union (represented initially by E. Finnegan, R. Szostak and G. Étienne, and subsequently by E. Finnegan and G. Étienne, acting as Agents) and United Kingdom of Great Britain and Northern Ireland (represented initially by E. Jenkinson, and subsequently by L. Christie, acting as Agents)

### Re:

Application for annulment of Commission Regulation (EU) No 1138/2010 of 7 December 2010 amending for the 140th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban (OJ 2010 L 322, p. 4), and of Commission Regulation (EU) No 1139/2010 of 7 December 2010 amending for the 141st time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban (OJ 2010 L 322, p. 6), in so far as those measures concern the applicants.

### Operative part of the judgment

*The Court:*

1. Dismisses the action;
2. Orders Mr Al-Bashir Mohammed Al-Faqih, Mr Ghunia Abdrabbah and Mr Taher Nasuf to bear their own costs and to pay those incurred by the European Commission;
3. Orders the United Kingdom of Great Britain and Northern Ireland and the Council of the European Union to bear their own costs.

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<sup>(1)</sup> OJ C 130, 30.4.2011.