

3. Third plea in law, alleging infringement of EU law, resulting from the failure to apply, during the pre-selection stage, the principle of non-discrimination on the ground of nationality and that of non-discrimination on the ground of language.
4. Fourth plea in law, alleging the incorrect legal characterisation of the facts
5. Fifth plea in law, alleging the incorrect 'legal characterisation' of the applicant's plea in law requesting the Civil Service Tribunal to extend the effects of the annulment of the decision under appeal and thereby declare the selection procedure at issue invalid from the point at which the 'unlawful act established' occurred.

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**Action brought on 19 May 2016 — Steel Invest & Finance (Luxembourg) v Commission**

**(Case T-254/16)**

(2016/C 251/48)

*Language of the case: French*

**Parties**

*Applicant:* Steel Invest & Finance (Luxembourg) SA (Strassen, Luxembourg) (represented by: E. van den Broucke, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

primarily,

- find that the European Commission made multiple manifest errors of assessment and infringed its duty to state reasons in relation to the characterisation of the existence of an advantage conferred by the loan given by Foreign Strategic Investment Holding to Steel Invest & Finance (Luxembourg), both in the analysis of the comparability of the Sumitomo and Rabobank loans and in the application of the 2008 Reference Rate Communication;

in the alternative,

- find that the European Commission made a manifest error of assessment concerning the compatibility of the loan given by Foreign Strategic Investment Holding to Steel Invest & Finance (Luxembourg) by holding that the 2009 Communication setting a temporary framework for State aid measures to support access to finance in the current financial and economic crisis was not applicable;

in any event and consequently,

- annul Article 1(e) of the European Commission's Decision C(2016) 94 of 20 January 2016 on the State aid SA.33926 2013/C implemented by Belgium in favour of Dufenco;
- annul Articles 2 to 4 of that decision inasmuch as they concern the loan given by Foreign Strategic Investment Holding to Steel Invest & Finance (Luxembourg);
- order the Commission to pay 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 that the loan given by Foreign Strategic Investment Holding to Steel Invest & Finance (Luxembourg) did not confer any advantage and that the Commission made an error of assessment by holding that the loan at issue amounted to State aid.
2. Second plea in law, alleging that the Commission made a manifest error of assessment in relation to the application of the Commission's Communication — Temporary framework for State aid measures to support access to finance in the current financial and economic crisis (OJ 2009 C 83, p. 1).

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**Action brought on 19 May 2016 – NM v European Council**

(Case T-257/16)

(2016/C 251/49)

*Language of the case: English*

**Parties**

*Applicant:* NM (Lesbos Island, Greece) (represented by: B. Burns, Solicitor, and P. O'Shea, BL)

*Defendant:* European Council

**Form of order sought**

The applicant claims that the Court should:

- annul the agreement between the European Council and Turkey dated 18 March 2016 entitled 'EU-Turkey statement, 18th March 2016';
- order that the applicant's legal costs are paid.

**Pleas in law and main arguments**

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

1. First plea in law, alleging that the agreement between the European Council and Turkey dated 18 March 2016 entitled 'EU-Turkey statement, 18th March 2016', is incompatible with EU fundamental rights, particularly Articles 1, 18 and 19 of the Charter of Fundamental Rights of the European Union.
2. Second plea in law, alleging that Turkey is not a safe third country in the sense of Article 36 of Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (OJ L 326, 13.12.2005, p. 13-34).
3. Third plea in law, alleging that Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12-23) should have been implemented.