

Action brought on 7 April 2017 — Mabrouk v Council**(Case T-216/17)**

(2017/C 195/47)

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

Applicant: Mohamed Marouen Ben Ali Ben Mohamed Mabrouk (Tunis, Tunisia) (represented by: J-R. Farhouat, N. Boulay, lawyers, and S. Crosby, Solicitor)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2017/153 of 27 January 2017 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2017 L 23, p. 19) insofar as it applies to the applicant; and
- order the defendant to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the freeze of the applicant's assets infringes the reasonable time rule of Articles 6 and 47 of the ECHR and the EU fundamental Rights charter respectively.
2. Second plea in law, alleging that there is an insufficient basis for the freeze:
 - Contrary to the evidence presented by the applicant, the Council considers the applicant's assets to be illegitimate, but fails to state reasons.
 - In holding the applicant's assets to be illegitimate the Council makes an error of factual assessment, in so far as it has made any assessment;
 - The freeze is devoid of purpose, because it is designed to assist Tunisia to recover misappropriated assets. However, none of the applicant's assets were misappropriated.
3. Third plea in law, alleging that, by freezing his assets after the fall of President Ben Ali, the freeze infringes the applicant's right to work.
4. Fourth plea in law, alleging that the freeze is in any event disproportionate and infringes the applicant's property rights.

Action brought on 18 April 2017 — Recylex a.o. v Commission**(Case T-222/17)**

(2017/C 195/48)

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

Applicants: Recylex SA (Paris, France), Fonderie et Manufacture de Métaux (Anderlecht, Belgium), Harz-Metall GmbH (Goslar, Germany) (represented by: M. Wellinger, S. Reinart and K. Bongs, lawyers)

Defendants: European Commission