

2. Second ground of appeal, alleging infringement of the review, by the first judge, of the manifest error of assessment, infringement of the obligation to state reasons placed on the defendant, infringement of the obligation to state reasons on the first judge, distortion of the file and infringement of the Guide to Staff Reports.
3. Third ground of appeal, alleging infringement of the duty of care and a distortion of the file.

Action brought on 11 September 2016 — Gamaa Islamya Egypte v Council

(Case T-643/16)

(2016/C 419/66)

Language of the case: French

Parties

Applicant: Gamaa Islamya Egypte (Egypt) (represented by: L. Glock, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2016/1136 of 12 July 2016 updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and repealing Decision (CFSP) 2015/2430 (OJ L 188, 13.7.2016, p. 21), in so far as it concerns Gamaa Islamya Egypte;
- annul Council Implementing Regulation (EU) 2016/1127 of 12 July 2016 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and repealing Implementing Regulation (EU) 2015/2425 (OJ L 188, 13.7.2016, p. 1) in so far as it concerns Gamaa Islamya Egypte;
- order the Council to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on four plea(s) in law.

1. First plea in law, alleging infringement of Article 1(5) of Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (2001/931/CFSP; OJ 2001, L 344, p. 93; ‘Common Position 2001/931’).
2. Second plea in law, alleging infringement of Article 1(4) of Common Position 2001/931.
3. Third plea in law, alleging that the Council committed errors as to the accuracy of the allegations made against the applicant.
4. Fourth plea in law, alleging that the Council committed an error of assessment as to whether the applicant is a ‘terrorist group’.
5. Fifth plea in law, alleging infringement of Article 1(6) of Common Position 2001/931.

6. Sixth plea in law, alleging infringement of the duty to state reasons
7. Seventh plea in law, alleging infringement of the rights of the defence and of the right to effective judicial protection.
8. Eighth plea in law, alleging a failure to authenticate the statement of reasons.

Appeal brought on 6 September 2016 by Erik Simpson against the order of the Civil Service Tribunal of 24 June 2016 in Case F-142/11 RENV Simpson v Council

(Case T-646/16 P)

(2016/C 419/67)

Language of the case: English

Parties

Appellant: Erik Simpson (Brussels, Belgium) (represented by: M. Velardo, lawyer)

Other party to the proceedings: Council of the European Union

Form of order sought by the appellant

The appellant claims that the Court should:

- set aside the order of the European Union Civil Service Tribunal ("CST") of 24 June 2016 in Case 142/11 RENV Erik Simpson v Council, insofar as it rejects the annulment of the decision of the Council of the European Union of 9 December 2010 and declares that the applicant has to bear its own costs and the costs of the Council;
- refer the case to the First Instance Judge, if needed; and
- order the Council to pay the costs of these proceedings.

Pleas in law and main arguments

In support of the appeal, the appellant relies on two pleas in law.

1. First plea in law, alleging that, regarding the obligation to state grounds the CST has made an error in law, has infringed the European law, has not provided its order with the prescribed grounds and has distorted evidence.
2. Second plea in law, alleging that, regarding the principle of equal treatment and the manifest error of appraisal the appellant alleges that the CST has distorted evidence, has made an error in law, has infringed the European law and has not provided the contested order with a sufficient motivation.

Appeal brought on 16 September 2016 by HD against the judgment of the Civil Service Tribunal of 21 July 2016 in Case F-136/15, HD v Parliament

(Case T-652/16 P)

(2016/C 419/68)

Language of the case: French

Parties

Appellant: HD (Aach, Germany) (represented by: C. Bernard-Glanz, lawyer)

Other party to the proceedings: European Parliament