

Action brought on 24 June 2019 — VK v Council**(Case T-151/18)**

(2019/C 263/56)

*Language of the case: French***Parties***Applicant:* VK (represented by: K. Lara, lawyer)*Defendant:* Council of the European Union**Form of order sought**

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2018/141 of 29 January 2018 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2018 L 25, p. 38) and Council Decision (CFSP) 2019/135 of 28 January 2019 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2019 L 25, p. 23), in so far as those decisions concern the applicant;
- order the Council to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of Articles 31, 46 and 55 of the United Nations Convention against Corruption. The applicant claims in that regard that, in accordance with those provisions, a protective freezing and confiscation measure must be based on either a decision of the requesting State Party or a statement of relevant facts made by that same State Party with a description of the measures requested. According to the applicant, the restrictive measures were ordered and extended without even a brief statement of the facts complained of. In addition, Tunisia does not seek the maintenance of the restrictive measures at issue.
 2. Second plea in law, alleging that the Council made a manifest error of assessment when it considered that it did not have to take into account the evidence produced by the applicant and the arguments developed by him or make further enquiries of the Tunisian authorities, whereas that evidence and those arguments were such as to raise legitimate questions regarding the reliability of the information provided.
 3. Third plea in law, alleging misuse of powers by the Council in that it is complicit with the Tunisian authorities the sole purpose of which is to justify the unfair and unlawful dispossession of the applicant's property without the applicant having been able to defend himself and without any means of redress.
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