

Action brought on 14 March 2011 — SIR v Council

(Case T-142/11)

(2011/C 130/47)

*Language of the case: French***Parties***Applicant:* Société ivoirienne de raffinage (SIR) (Abidjan, Côte d'Ivoire) (represented by: M. Ceccaldi, lawyer)*Defendant:* Council of the European Union**Form of order sought**

The applicant claims that the Court should:

— annul Council Decision 2011/18/CFSP and Council Regulation (EU) 25/2011 of 14 January 2011 imposing restrictive measures directed against certain persons and entities and in particular as regards the SIR;

— order the Council to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant puts forward five pleas in law.

1. First plea in law alleging infringement of the Charter of the United Nations, and of Articles 3(5) and (6) and 21(1) TEU and 7 TFEU, in so far as the defendant has exceeded its powers in imposing restrictive measures, the name of the applicant not being among the persons covered by United Nations Security Council Resolution 1572 (2004).
2. Second plea in law alleging infringement of the principle of non-interference in a State's internal affairs, the defendant going against the sovereign decision of the Constitutional Council of the Republic of Côte d'Ivoire which declared elected president L. Gbagbo and not A. Ouattara.
3. Third plea in law alleging the substantive unlawfulness of the contested measures which cannot be linked to a competence and/or to a power of the defendant.
4. Fourth plea in law alleging infringement of the rights of the defence, in so far as the applicant could not have been apprised of the evidence against him and could not therefore have duly put forward his point of view in that regard.
5. Fifth plea in law alleging infringement of the principle of proportionality, the consequences of the measures taken both for the applicant and for the population of Côte d'Ivoire being excessive in relation to the objective being pursued.

Action brought on 14 March 2011 — Kassarate v Council

(Case T-144/11)

(2011/C 130/48)

*Language of the case: French***Parties***Applicant:* Tiapé Edouard Kassarate (Abidjan, Côte d'Ivoire) (represented by: G. Collard and L. Aliot, lawyers)*Defendant:* Council of the European Union**Form of order sought**

The applicant claims that the Court should:

— declare that, concerning the applicant, Mr Tiapé Edouard KASSARATE, Council Regulation (EU) No 25/2011 of 14 January 2011 and Council Decision 2011/18/CFSP of 14 January 2011, published on 15 January 2011 in the Official Journal of the European Union, are not justified in fact,

— consequently,

— annul Council Regulation (EU) No 25/2011 of 14 January 2011 and Council Decision 2011/18/CFSP of 14 January 2011;

— alternatively, order that the name of Mr Tiapé Edouard KASSARATE be removed from the lists annexed to that regulation and to that decision.

Pleas in law and main argumentsThe pleas in law and main arguments raised by the applicant are, in essence, identical or similar to those raised in Case T-137/11 *Gui'ai Bi Poin v Council*.**Action brought on 14 March 2011 — Vagba v Council**

(Case T-145/11)

(2011/C 130/49)

*Language of the case: French***Parties***Applicant:* Gagbei Faussignaux Vagba (Abidjan, Côte d'Ivoire) (represented by: G. Collard and L. Aliot, lawyers)*Defendant:* Council of the European Union**Form of order sought**

The applicant claims that the Court should:

— declare that, concerning the applicant, Mr Gagbei Faussignaux VAGBA, Council Regulation (EU) No 25/2011 of 14 January 2011 and Council Decision 2011/18/CFSP of 14 January 2011, published on 15 January 2011 in the Official Journal of the European Union, are not justified in fact,