

Action brought on 28 March 2011 — Dacoury-Tabley v Council

(Case T-182/11)

(2011/C 152/51)

*Language of the case: French***Parties***Applicant:* Philippe Henry Dacoury-Tabley (Abidjan, Côte d'Ivoire) (represented by: G. Collard, lawyer)*Defendant:* Council of the European Union**Forms of order sought**

The applicant claims that the Court should:

- declare that, concerning the applicant, Mr Philippe Henry DACOURY-TABLEY, Council Regulation No 85/2011 of 31 January 2011, published on 2 February 2011 in the Official Journal of the European Union, and Council Decision 2011/71/CFSP of 31 January 2011, published on 2 February 2011 in the Official Journal of the European Union, have no factual basis,
- accordingly,
- annul Council Regulation No 85/2011 of 31 January 2011 and Council Decision 2011/71/CFSP of 31 January 2011
- in the alternative, order that the name of Mr Philippe Henry DACOURY-TABLEY be removed from the list annexed to that Regulation and Decision.

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 breach of the obligation to state reasons, since the reasons for including the applicant in the list of persons and entities to which the restrictive measures apply are stereotypical, with no mention of any precise factual evidence which allow the assessment of the relevance of that inclusion,
2. Second plea in law, alleging a manifest error of assessment in so far as
 - the applicant is alleged to have refused recognise the authority of M. A. Ouattara, although he attempted to subject the BCEAO (Central Bank of West African States) for which he was governor, to his authority;
 - the applicant is alleged to have helped to fund the illegitimate administration of M. L. Gbagbo, although

such support cannot be inferred from the operations of the BCEAO;

- in addition, the applicant was no longer governor of the BCEAO at the time of adoption of the contested Regulation and Decision.

Action brought on 30 March 2011 — Trabelsi and Others v Council

(Case T-187/11)

(2011/C 152/52)

*Language of the case: French***Parties***Applicants:* Mohamed Trabelsi (Paris, France), Ines Lejri (Paris), Moncef Trabelsi (Paris), Selima Trabelsi (Paris) and Tarek Trabelsi (Paris) (represented by: A. Metzker, lawyer)*Defendant:* Council of the European Union**Form of order sought**

The applicants claim that the Court should:

- annul the contested decision of the Council of the European Union of 4 February 2011;
- remove the name 'Mohamed TRABELSI' from the list;
- remove the name 'INES LEJRI' from the list;
- remove the name of Mr Mohamed TRABELSI's mother;
- remove the address indicated in relation to Mr Mohamed TRABELSI;
- grant Mr and Mrs TRABELSI a right to respond;
- protect Mr Tarek TRABELSI given his disability;
- instruct the Council of the European Union to re-examine its text and to comply with the principle of the presumption of innocence;
- suspend the text adopted by the Council of the European Union;
- order the Council of the European Union to pay Mr TRABELSI the sum of EUR 150 000 by way of damages for the harm suffered;
- hold the European Union liable for the sum of EUR 25 000 by way of costs;
- order the State to pay non-recoverable expenses — which it falls to the Court to set on an equitable basis — pursuant to Article L 761-1 of the Code de justice administrative (Administrative Justice Code).