

GENERAL COURT

Action brought on 16 July 2014 — CW v Council

(Case T-516/13)

(2014/C 351/10)

Language of the case: French

Parties

Applicant: CW (Paris, France) (represented by: A. Tekari, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Implementing Decision 2013/409/CFSP of 30 July 2013 applying Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia in so far as it concerns the applicant;
- order the Council of the European Union to pay damages in the amount of EUR 100 000 as compensation for the non-pecuniary and material harm suffered by the applicant;
- order the Council of the European Union to bear, in addition to its own costs, those incurred by the applicant.

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 an absence of legal basis for Decision 2013/409/CFSP⁽¹⁾, inasmuch as that decision is based on a ground other than that set out in Article 1 of Decision 2011/72/CFSP⁽²⁾, which constitutes the legal basis for the former decision.
2. Second plea in law, alleging infringement of the right to property, in so far as the restrictive measures imposed on the applicant amount to an unjustified restriction of his right to property.

⁽¹⁾ Council Implementing Decision 2013/409/CFSP of 30 July 2013 implementing Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2013 L 204, p. 52).

⁽²⁾ Council Decision 2011/72/CFSP of 31 January 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2011 L 28, p. 62).

Action brought on 23 July 2014 — CW v Council

(Case T-224/14)

(2014/C 351/11)

Language of the case: French

Parties

Applicant: CW (Paris, France) (represented by: A. Tekari, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Implementing Decision 2014/49/CFSP of 30 January 2014 applying Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia in so far as it concerns the applicant;

- order that as a result of the annulment of the contested decision, the applicant shall be deemed never to have been entered in the list of persons covered by the asset freeze and that no measure or decision of the Council may mention his name as being subject to an asset freeze;
- order the Council of the European Union to pay damages in the amount of EUR 100 000 as compensation for the non-pecuniary and material harm suffered by the applicant;
- order the Council of the European Union to bear, in addition to its own costs, those incurred by the applicant which must be equitably determined by having regard to the parties' circumstances and to the workload resulting from the management of such a case.

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 an absence of legal basis for Decision 2014/49/CFSP⁽¹⁾, inasmuch as it is based on a consideration extraneous to that set out in Article 1 of Decision 2011/72/CFSP⁽²⁾ and inasmuch as, in any event, Decision 2011/72/CFSP, which constitutes the legal basis for the former decision, is not consistent with EU law governing targeted sanctions.
2. Second plea in law, alleging infringement of the right to property, in so far as the restrictive measures imposed on the applicant amount to an unjustified restriction of his right to property.

⁽¹⁾ Council Decision 2014/49/CFSP of 30 January 2014 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2014 L 28, p. 38).

⁽²⁾ Council Decision 2011/72/CFSP of 31 January 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2011 L 28, p. 62).

Action brought on 20 June 2014 — European Dynamics Luxembourg and Evropaïki Dynamiki v EIT

(Case T-481/14)

(2014/C 351/12)

Language of the case: English

Parties

Applicants: European Dynamics Luxembourg SA (Ettelbrück, Luxembourg); and Evropaïki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: E. Siouti and M. Sfyri, lawyers)

Defendant: European Institute of Innovation and Technology (EIT)

Form of order sought

The applicants claim that the Court should:

- annul the defendant's award decision regarding the call for tender communicated to the applicant in its letter of 11 April 2014 and all further related decisions of the defendant, including the decision to award the contract to the winning tenderer (which has not been communicated to the applicants);
- annul the decision of the Director of the EIT of 25 April 2014, refusing to disclose the composition of the Evaluation Committee;
- order the defendant to provide the applicants with the compensation of damages for the loss of opportunity to be awarded a contract in the context of the call for tender, reaching the amount of 158 430,40 euros;
- order the defendant to pay the applicants' legal and other costs and expenses incurred in connection with this application.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law.