

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law, alleging, first, the non-material harm caused by harm to its reputation, and, second, the material harm caused by the breakdown of its contractual relationships, by the loss of equipment and by the loss of revenue, which the applicant has suffered as a direct causal link to the measures taken by the Council of the European Union, for which the Council is liable.

Action brought on 3 December 2015 — Cham and Bena Properties v Council

(Case T-708/15)

(2016/C 059/34)

Language of the case: French

Parties

Applicant: Cham Holding Co. SA (Damascus, Syria), and Bena Properties Co. SA (Damascus) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the applicant's action admissible and well founded;
- as a consequence, order the European Union to repair all of the harm allegedly suffered by the applicant at an amount to be fixed equitably by the Court;
- order an expert to be appointed in order to establish the total extent of the harm suffered by the applicant;
- order the Council of the European Union to pay the costs of the proceedings.

Pleas in law and main arguments

In support of their action, the applicants rely on three principal pleas and a subsidiary plea, alleging that they have suffered harm for which the Council of the European Union is liable.

1. First plea, alleging the unlawfulness of the measures adopted by the Council, in that the Council has failed to fulfil its duty of care and diligence by basing its decisions to include the applicants on vague and imprecise grounds, notwithstanding the case-law requiring it to justify precisely its decisions, and by overlooking its obligation to have a hearing prior to maintaining the applicants in the lists of sanctions. Moreover, the restrictive measures adopted against the applicants are of an unjustified and disproportionate nature and infringe their right to reputation and their right to property.
2. Second plea, alleging the non-material harm which the applicants have suffered, in that their inclusion in the lists of sanctions has undermined their reputation.

3. Third plea, alleging material harm suffered by the applicants because of their inclusion in the lists of persons and entities covered by restrictive measures, in that by that fact they have lost many contracts and many sources of revenue.
4. Fourth plea, put forward in the alternative, alleging the strict liability of the European Union for the harm caused to the applicants following their inclusion in the lists of persons and entities covered by the sanctions against Syria.

Action brought on 3 December 2015 — Almashreq Investment Fund v Council

(Case T-709/15)

(2016/C 059/35)

Language of the case: French

Parties

Applicant: Almashreq Investment Fund (Damascus, Syria) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the applicant's action admissible and well founded;
- as a consequence, order the European Union to repair all of the harm allegedly suffered by the applicant at an amount to be fixed equitably by the Court;
- order an expert to be appointed in order to establish the total extent of the harm suffered by the applicant;
- order the Council of the European Union to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law, alleging the fact that it has suffered non-material damage, consisting of harm to its reputation, as a direct causal link to the measures taken by the Council of the European Union, for which the Council is liable.

Action brought on 3 December 2015 — Drex Technologies v Council

(Case T-710/15)

(2016/C 059/36)

Language of the case: French

Parties

Applicant: Drex Technologies SA (Tortola, British Virgin Islands) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the applicant's action admissible and well founded;