

Grounds of appeal and main arguments

The first ground of appeal alleges an error of law in that the General Court disregarded the applicant's right, enshrined in Article 41 of the Charter of Fundamental Rights, to be heard prior to the adoption of new restrictive measures.

The second ground of appeal alleges an error of law and distortion of the facts in that the General Court disregarded the items submitted by the applicant in support of its action for annulment to demonstrate that it did not support the Syrian regime.

The third ground of appeal alleges an error of law in so far as the General Court did not hold that Articles 27 and 28 of Decision 2013/255/CFSP, according to which membership of the Al-Assad or Makhoulouf families constitutes an autonomous criterion justifying the imposition of sanctions, were illegal and in so far as it, on the same occasion, reversed the burden of proof.

Appeal brought on 26 March 2019 by Cham Holding Co. SA against the judgment of the General Court (Fifth Chamber) delivered on 16 January 2019 in Case T-413/16 Cham v Council

(Case C-261/19P)

(2019/C 187/54)

Language of the case: French

Parties

Appellant: Cham Holding Co. SA (represented by: E. Ruchat, avocat)

Other party to the proceedings: Council of the European Union

Form of order sought

The appellant submits that the Court should:

- Declare the appeal admissible and well founded;
- Accordingly, set aside the judgment of 16 January 2019, *Cham v Council*, T-413/16;

And, giving judgment itself,

- Annul Decision (CFSP) 2016/850 of 27 May 2016 and its subsequent implementing acts, in so far as they concern the appellant;
- Order the Council of the European Union to pay the costs of the proceedings.

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Request for a preliminary ruling from the Polymeles Protodikeio Athinon (Greece) lodged on 28 March 2019 — RM, SN v Agrotiki Trapeza tis Ellados AE

(Case C-262/19)

(2019/C 187/55)

Language of the case: Greek

Referring court

Polymeles Protodikeio Athinon

Parties to the main proceedings

Applicants: RM, SN

Defendant: Agrotiki Trapeza tis Ellados AE

Questions referred

1. Can the provision in Article 70(1) of Law No 4235/2014, to the effect that 'In the case of mortgages or pre-notices of mortgages, which have been recorded in the registers of mortgages and in the Land Registry if appropriate in favour of the Bank known as "Agrotiki Trapeza tis Ellados AE" ("the Bank"), which has now entered into special liquidation, which affect farmers who are natural persons or third party farmers who are natural persons and are over their agricultural immovable property or their agricultural production plant in order to secure claims of the Bank of any kind which arise from loans — such as claims on the principal, interest, interest on arrears, including interest on interest as it falls due and on interest on arrears, charges, costs and expenses and all other outlays as specified in the relevant loan agreement — with respect to the granting by the Bank to farmers, natural persons, of short-term and medium-term loans which relate exclusively to their agricultural activity and repayment of which is overdue, wholly or in part, the amount of the loan with respect to which there has been recorded a mortgage or a pre-notice of mortgage shall be restricted in the proportion of 120 for every hundred (120 %) of the principal amount