

GENERAL COURT

Judgment of the General Court of 5 October 2017 — Ben Ali v Council

(Case T-149/15) ⁽¹⁾

(Common foreign and security policy — Restrictive measures directed against certain persons and entities in view of the situation in Tunisia — Freezing of funds — Action for annulment — Admissibility — Legal basis — Reinclusion of the applicant's name on the basis of new grounds — Obligation to state reasons — Factual basis — Right to property — Proportionality)

(2017/C 392/23)

Language of the case: English

Parties

Applicant: Sirine Bent Zine El Abidine Ben Haj Hamda Ben Ali (Tunis, Tunisia) (represented by: S. Maktouf, lawyer)

Defendant: Council of the European Union (represented: initially by Á. de Elera-San Miguel Hurtado and G. Étienne, and subsequently by Á. de Elera San Miguel Hurtado, acting as Agents)

Re:

Application pursuant to Article 263 TFEU for annulment of Council Decision (CFSP) 2015/157 of 30 January 2015 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ 2015 L 26, p. 29) and Council Implementing Regulation (EU) 2015/147 of 30 January 2015 implementing Regulation (EU) No 101/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia (OJ 2015 L 26, p. 3), in so far as those acts concern the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sirine Bent Zine El Abidine Ben Haj Hamda Ben Ali to bear her own costs and to pay the costs incurred by the Council of the European Union.

⁽¹⁾ OJ C 262, 10.8.2015.