

# JEAN MONNET PROJECT EUVADIS EU SECURITY DATA BASE



## COURT OF JUSTICE OF THE EUROPEAN UNION ON EU SECURITY

No 2 – Collection of case law of the General Court of Justice of the EU - Based on research, key words and links from [curia.europa.eu](http://curia.europa.eu) and [eur-lex](http://eur-lex)

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**JEAN MONNET PROJECT EUVADIS**  
**Enhancing Intercultural Dialogue, EU Values and Diversity**



**Court of Justice of the European Union**  
**Case law on EU Security**

No 2: Case law of the General Court of Justice  
and Civil Service Tribunal of the EU

Based on research, key words and links from  
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# JEAN MONNET PROJECT EUVADIS

## EU SECURITY DATA BASE

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## 1. Court of First Instance, now General Court of Justice of the EU

### Judgment of the Court of First Instance (Second Chamber, extended composition) of 21 September 2005, T-306/01

[Case T-306/01](#) – Ahmed Ali Yusuf and Al Barakaat International Foundation v Council of the European Union and Commission of the European Communities

Common foreign and security policy - Restrictive measures taken against persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban - Competence of the Community - Freezing of funds - Fundamental rights - Jus cogens - Review by the Court - Action for annulment.

You can find the Judgment of the Court [here T-306/01](#).

### Judgment of the Court of First Instance (Second Chamber, extended composition) of 21 September 2005, T-315/01

[Case T-315/01](#) – Yassin Abdullah Kadi v Council of the European Union and Commission of the European Communities

Common foreign and security policy - Restrictive measures taken against persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban - Competence of the Community - Freezing of funds - Fundamental rights - Jus cogens - Review by the Court - Action for annulment.

You can find the Judgment of the Court [here T-315/01](#).

### Judgment of the Court of First Instance (Second Chamber) of 12 July 2006, T-253/02

[Case T-253/02](#) – Chafiq Ayadi v Council of the European Union

Common foreign and security policy - Restrictive measures taken against persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban - Competence of the Community - Freezing of funds - Fundamental rights - Jus cogens - Review by the Court - Action for annulment.

You can find the Judgment of the Court [here T-253/02](#).

### Judgment of the Court of First Instance (Second Chamber) of 31 January 2007, T-362/04

[Case T-362/04](#) – Leonid Minin v Commission of the European Communities

Common foreign and security policy - Restrictive measures in respect of Liberia - Freezing of funds of persons associated with Charles Taylor - Competence of the Community - Fundamental rights - Action for annulment.

You can find the Judgment of the Court [here T-362/04](#).

### **Judgment of the Court of First Instance (Seventh Chamber) of 11 June 2009, T-318/01**

[Case T-318/01](#) – Omar Mohammed Othman v Council of the European Union and Commission of the European Communities

Common foreign and security policy - Restrictive measures taken against persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban - Freezing of funds - Action for annulment - Adaptation of heads of claim - Fundamental rights - Right to respect for property, right to be heard and right to effective judicial review.

You can find the Judgment of the Court [here T-318/01](#).

### **Judgment of the General Court (Seventh Chamber) of 30 September 2010, T-85/09**

[Case Case T-85/09](#) – Yassin Abdullah Kadi v European Commission

Common foreign and security policy - Restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban - Regulation (EC) No 881/2002 - Freezing of a person's funds and economic resources as a result of his inclusion in a list drawn up by a body of the United Nations - Sanctions Committee - Subsequent inclusion in Annex I to Regulation No 881/2002 - Action for annulment - Fundamental rights - Right to be heard, right to effective judicial review and right to respect for property.

You can find the Judgment of the Court [here T-85/09](#).

### **Judgment of the General Court (Sixth Chamber) of 13 September 2013, T-383/11**

[Case T-383/11](#) – Eyad Makhoul v Council of the European Union

Common foreign and security policy — Restrictive measures against Syria — Freezing of funds and economic resources — Restrictions on entry into, or transit through, the territory of the European Union — Rights of defence — Obligation to state reasons — Manifest error of assessment — Fundamental rights.

You can find the Judgment of the Court [here T-383/11](#).

## **[Judgment of the General Court \(Third Chamber\) of 27 February 2014, T-256/11](#)**

[Case T-256/11](#) – Ahmed Abdelaziz Ezz and Others v Council of the European Union

Common foreign and security policy — Restrictive measures directed against certain persons and entities in view of the situation in Egypt — Freezing of funds — Legal basis — Obligation to state reasons — Error of fact — Rights of the defence — Right to effective judicial protection — Right to property — Freedom to conduct a business.

You can find the Judgment of the Court [here T-256/11](#).

## **[Judgment of the General Court \(Sixth Chamber\) of 12 March 2014, T-202/12](#)**

[Case T-202/12](#) – Bouchra Al Assad v Council of the European Union

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You can find the Judgment of the Court [here T-202/12](#).

## **[Judgment of the General Court \(Second Chamber\) of 21 March 2014, T-306/10](#)**

[Case T-306/10](#) – Hani El Sayyed Elsebai Yusef v European Commission

Common foreign and security policy — Restrictive measures against persons and entities associated with Usama bin Laden, the Al Qaida network and the Taliban — Regulation (EC) No 881/2002 — Freezing of a person's funds and economic resources as a result of his inclusion on a list drawn up by a United Nations body — Sanctions Committee — Subsequent inclusion in Annex I to Regulation No 881/2002 — Commission's refusal to de-list — Action for failure to act — Fundamental rights — Right to be heard, right to effective judicial review and right to property.

You can find the Judgment of the Court [here T-306/10](#).

## **[Judgment of the General Court \(Eighth Chamber\) of 18 September 2014, T-168/12](#)**

[Case T-168/12](#) – Aguy Clement Georgias and Others v Council of the European Union and European Commission



Common foreign and security policy — Restrictive measures adopted against certain persons and entities in view of the situation in Zimbabwe — Freezing of funds — Non-contractual liability — Causal link — Sufficiently serious breach of a rule of law intended to confer rights on individuals — Manifest error of assessment — Obligation to state reasons.

You can find the Judgment of the Court [here T-168/12](#).

### **Judgment of the General Court (Ninth Chamber, Extended Composition) of 5 November 2014, Joined Cases T-307/12 and T-408/13**

[Joined Cases T-307/12 and T-408/13](#) – Adib Mayaleh v Council of the European Union

Common foreign and security policy — Restrictive measures against Syria — Freezing of funds — Functions of the Governor of the Central Bank of Syria — Actions for annulment — Communication of an act imposing restrictive measures — Time-limit for bringing proceedings — Admissibility — Rights of the defence — Fair hearing — Obligation to state reasons — Burden of proof — Right to effective judicial protection — Proportionality — Right to property — Right to private and family life — Application of restrictions on entry to a national of a Member State — Freedom of movement for citizens of the Union.

You can find the Judgment of the Court for the joined cases [here T-307/12 and T-408/13](#).

### **Judgment of the General Court (Eighth Chamber) of 22 April 2015, T-190/12**

[Case T-190/12](#) – Johannes Tomana and Others v Council of the European Union and European Commission

Common foreign and security policy — Restrictive measures imposed on certain persons and entities in view of the situation in Zimbabwe — Restrictions on entry into and transit through the European Union — Freezing of funds — Legal basis — Manifest error of assessment — Obligation to state reasons — Rights of the defence — Fundamental rights — Proportionality.

You can find the Judgment of the Court [here T-190/12](#).

### **Judgment of the General Court (Seventh Chamber) of 30 April 2015, T-593/11**

[Case T-593/11](#) – Fares Al-Chihabi v Council of the European Union

Common foreign and security policy — Restrictive measures against Syria — Freezing of funds — Rights of the defence — Obligation to state reasons — Error of assessment — Right to property — Right to respect for private life — Proportionality.

You can find the Judgment of the Court [here T-593/11](#).

## **Judgment of the General Court (Third Chamber) of 28 March 2017, T-681/14**

[Case T-681/14](#) – Aisha Muammer Mohamed El-Qaddafi v Council of the European Union

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You can find the Judgment of the Court [here T-681/14](#).

## **Judgment of the General Court (First Chamber, Extended Composition) of 14 December 2018, T-400/10 RENV**

[Case T-400/10 RENV](#) – Hamas v Council of the European Union

Common foreign and security policy – Restrictive measures taken against certain persons and entities with a view to combating terrorism – Freezing of funds – Possibility for an authority of a third country to be classified as a competent authority within the meaning of Common Position 2001/931/CFSP – Factual basis of the decisions to freeze funds – Obligation to state reasons – Error of assessment – Right to effective judicial protection – Rights of the defence – Right to property.

You can find the Judgment of the Court [here T-400/10 RENV](#).

## **Judgment of the General Court (First Chamber, Extended Composition) of 6 March 2019, T-289/15**

[Case T-289/15](#) – Hamas v Council of the European Union

Common foreign and security policy — Restrictive measures against certain persons and entities with a view to combating terrorism — Freezing of funds — Whether an authority of a third State can be classified as a competent authority within the meaning of Common Position 2001/931/CFSP — Factual basis of the decisions to freeze funds — Obligation to state reasons — Error of assessment — Right to property

You can find the Judgment of the Court [here T-289/15](#).

## **Judgment of the General Court (Fifth Chamber) of 21 April 2021, T-322/19**

[Case T-322/19](#) – Aisha Muammer Mohamed El-Qaddafi v Council of the European Union

Common foreign and security policy – Restrictive measures taken in view of the situation in Libya – Freezing of funds – List of persons, entities and bodies subject to the freezing of funds and economic resources – Restrictions on entry into and transit through the territory of the European Union – List of persons subject to restrictions on entry into and transit

through the territory of the European Union – Retention of the applicant’s name on the lists  
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You can find the Judgment of the Court [here T-322/19](#).

### **[Judgment of the General Court \(Fourth Chamber\) of 16 March 2022, T-249/20](#)**

[Case T-249/20](#) – Abdelkader Sabra v Council of the European Union

Common foreign and security policy – Restrictive measures adopted against Syria – Freezing of funds – Errors of assessment – Criterion of a leading businessperson operating in Syria – Presumption of a link with the Syrian regime – Rebuttal of the presumption.

You can find the Judgment of the Court [here T-249/20](#).

### **[Judgment of the General Court \(Fourth Chamber, Extended Composition\) of 30 November 2022 Joined Cases, T-316/14 RENV and T-148/19](#)**

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You can find the Judgment of the Court for the joined cases [here T-316/14 RENV and T-148/19](#).

## **2. EU Civil Service Tribunal of the European Union**

### **[Judgment of the European Union Civil Service Tribunal \(Second Chamber\) of 21 November 2013, F-122/12](#)**

[Case F-122/12](#) – Bruno Arguelles Arias v Council of the European Union

Civil Service — Member of the contract staff — Contract of indefinite duration — Termination — Post requiring security clearance — Clearance denied by national security authority — Decision overturned by the review body — Findings of the national security authority and the review body not binding on the AECE

You can find the text of the Judgment of the Court [here F-122/12](#). [62012FJ0122 \(europa.eu\)](#)

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