



Brussels, 21 January 2015
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INFORMATION NOTE

From:	Legal Service
To:	Permanent Representatives Committee (Part 2)
Subject:	Case before the Court of Justice: - Case C-545/14 P (Aguy Clement Georgias and Others v. Council and Commission of the European Union)

1. By application notified to the Council on 1 December 2014, the Appellants are seeking to set aside the judgment of the General Court of 18 September 2014 in Case T-168/12 (*Aguy Clement Georgias and Others v. Council and Commission*), in which the General Court rejected the Appellants' claim for damages incurred as a result of the restrictive measures imposed on Mr Georgias between 2007 and 2011.
2. The Appellants invoke the following pleas in law in support of their appeal:
 - the General Court erred by holding that the Council could list Mr Georgias simply on the ground that he was a member of the Government of Zimbabwe;
 - the General Court misread Article 5(1) of Common Position 2004/161/CFSP;

- the General Court erred in law in interpreting the addition of the words "as such" (added on 25 June 2007) to Senator Georgias' listing in the Annex to the Regulation (and the Common Position) to be a "mere clarification" that the mere status as a member of government was sufficient for inclusion;
 - the General Court erred in law in holding that/ in relation to the plea that there had been a breach of the rights of defence, Senator Georgias had not explained what he would have relied on had he been heard.
3. The Director-General of the Council Legal Service has appointed Mr Bart DRIESSEN and Mr Guillaume ETIENNE, legal advisors in the Council Legal Service, as the Council's agents in this case.
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