INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

Order of the President of the General Court of 17 February 2012 — Hassan v Council

(Case T-572/11 R)

(Interim measures — Common foreign and security policy — Restrictive measures against Syria — Freezing of funds and economic resources — Application for interim measures — Lack of urgency — Weighing up of interests)

1. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Cumulative nature — Balancing of all the interests involved — Order of examination and method of verification — Discretion of the court hearing the application for interim relief (Arts 256(1) TFEU, 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 14-16)*

2. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Causal link between the alleged damage and the contested act — Burden of proof (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 21, 22)*

3. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Financial loss — Situation which could jeopardise the existence of the applicant company — Assessment in the light of the situation of the group to which the applicant belongs — Application to a natural person exercising control over that company (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 33-36)*

4. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Financial loss — Situation which could jeopardise the existence of the applicant company — Burden of proof (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 38-40)*

5. *Application for interim measures — Suspension of operation of a measure — Conditions for granting — Serious and irreparable damage — Financial loss — Damage which may subsequently be made good by compensation or by means of an action for damages — Damage which cannot be regarded as irreparable (Arts 268 TFEU, 278 TFEU and 340 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see para. 47)*

6. *Application for interim measures — Suspension of operation of a measure — Conditions for granting — Urgency — Serious and irreparable damage — Burden of proof — Serious and irreparable damage for the applicant — Interest of the applicant affected — Interests of third parties affected — Not included (Art. 278 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see para. 50)*

7. *Application for interim measures — Suspension of operation of a measure — Conditions for granting — Balancing of all the interests involved — Concept (Art. 278 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 53, 54)*

Re:

APPLICATION for interim measures, in particular, application for suspension of operation of Council Implementing Decision 2011/515/CFSP of 23 August 2011 implementing Decision 2011/273/CFSP concerning restrictive measures against Syria (OJ 2011 L 218, p. 20) and of Council Implementing Regulation (EU) No 843/2011 of 23 August 2011 implementing Regulation (EU) No 442/2011 concerning restrictive measures in view of the situation in Syria (OJ 2011 L 218, p. 1) insofar as those texts refer to the applicant.

Operative part

1. The application for interim measures is dismissed.

2. Costs are reserved.