



Press and Information

General Court of the European Union  
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Judgment in Case T-410/16  
Rami Makhlouf v Council

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## **The General Court confirms that the fund-freezing measures imposed on Rami Makhlouf, cousin of Bashar al-Assad, must be maintained for the period 2016-2017**

Since 2011, the Council has included Mr Rami Makhlouf on the list of persons covered by the restrictive measures adopted in respect of Syria. Thus, Mr Makhlouf has been refused entry to or transit through the territory of the Member States of the EU, and his funds and economic resources have been frozen. The reason for Mr Makhlouf's entry on the list is as follows: 'Leading businessman operating in Syria with interests in the telecommunications, financial services, transport and property sectors; he has financial interest in and/or holds senior and executive positions in Syriatel, the leading mobile telephone operator in Syria, the investment funds Al Mashreq, Bena Properties and Cham Holding. He furnishes financing and support to the Syrian regime, through his business interests. He is an influential member of the Makhlouf family and closely connected to the Assad family; cousin of President Bashar al-Assad'.

Mr Makhlouf brought an action before the General Court for annulment of the decision to maintain his listing for the period from 29 May 2016 to 31 May 2017.

By today's judgment, **the General Court dismisses Mr Makhlouf's action and confirms that the restrictive measures against him are to be maintained for the period 2016-2017.**

The General Court finds, first of all, that the Council did not infringe Mr Makhlouf's rights of defence and his right to a fair hearing, and that the grounds relied on by the Council provided him with sufficient information to enable him to contest their validity before the EU Court.

Concerning the second ground for maintenance of Mr Makhlouf's listing (that he is an influential member of the Makhlouf family, is closely connected to the Assad family and is a cousin of President Bashar al-Assad), the General Court notes that being a member of the Makhlouf or al-Assad families constitutes one of the listing criteria laid down by EU law,<sup>1</sup> unless it is established that the members of the families concerned are not, or are no longer, associated with the Syrian regime. However, **there is nothing in the case file to indicate that Mr Makhlouf is no longer associated with the regime in power in Syria, that he exercises no influence on that regime, or that he has distanced himself from the other members of the Makhlouf or Assad families.**

Furthermore, while recalling that it suffices if one of the grounds relied on by the Council is valid for the maintenance of Mr Makhlouf's listing to be justified in law, the General Court considers it useful in the present case to examine Mr Makhlouf's arguments in relation to the first ground relied on by the Council (that he furnishes financing and support to the Syrian regime through his business interests).

Concerning, in that regard, Mr Makhlouf's argument that he had retired from the business world and was dedicating himself to charitable activities, the General Court finds that Mr Makhlouf is still president of Syriatel, the leading mobile telephone operator in Syria, and that, therefore, he is a

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<sup>1</sup> Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ 2013 L 147, p. 14), as last amended by Council Decision 2015/1836/CFSP of 12 October 2015 (OJ 2015 L 266, p. 75).

prominent businessman. Furthermore, **the Council has succeeded in showing**, through a series of press and other articles from various sources and documents relating to the companies mentioned in the grounds, **that it is common knowledge that Mr Makhlouf is associated with the Syrian regime and provides it with support**. Thus, the evidence provided by the Council is such that it can reasonably be inferred that Mr Makhlouf is maintaining links with the rulers of the regime or providing it with economic support.

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**NOTE:** An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months of notification of the decision.

**NOTE:** An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to European Union law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

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The [full text](#) of the judgment is published on the CURIA website on the day of delivery

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