



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 June 2013

10467/13

**JUR 285
RELEX 479
PESC 634
COMEM 142
CONOP 65**

INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Cases before the EU General Court
- Case T-182/13, Moallem Insurance Co. v. Council

1. By an application notified to the Council on 26 April 2013, the above-mentioned company has brought an action for the annulment, pursuant to Articles 263 and 275 TFEU, of paragraph 18 of the Annex to Council Decision 2012/829/CFSP of 21 December 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran as well as of paragraph 18 of the Annex to Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran, in so far as they relate to the applicant. The application is also made for a declaration of illegality and / or inapplicability of Article 12 of Council Decision 2010/413/CFSP of 26 July 2010, and of Article 35 of Council Regulation 267/2012 of 23 March 2012 in so far as these relate to the applicant.
2. The applicant invokes the following grounds in support of its claims for annulment and declaration of inapplicability:
 - Erroneous and insufficient reasons were given for the applicant's designations;

- Breach of the rights of the defence, of the right to a fair hearing and of the obligation to provide sufficient reasons;
 - Violation of Articles 24(3) and 24(4) of Council Decision 2010/413/CFSP and of Articles 46(3) and 46(4) of Council Regulation EU 267/2012;
 - Breach of the principle of sound administration;
 - Breach of the principle of legitimate expectations and of the principle of proportionality;
 - Violation of Article 215 (20) and (3) TFEU and Article 40 TEU;
 - Violation of the principles of equality and of non-discrimination.
3. The Director-General of the Council Legal Service has appointed Mr Alessandro VITRO and Mr Michael BISHOP, members of the Legal Service, as the Council's agents in this case.
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