



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 June 2013

11137/13

JUR 309
RELEX 534
PESC 725
COMEM 159
CONOP 73

INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Case before the EU General Court
– Case T-187/13, Mr. Mahmoud Jannatian v. Council

1. By an application notified to the Council on 18 April 2013, Mr. Mahmoud Jannatian has brought an action pursuant to Articles 263 and 275 TFEU for the annulment of the following Council acts insofar as these acts concern the applicant:
 - Council Common Position 2008/479/CFSP of 23 June 2008 amending Common Position 2007/140/CFSP concerning restrictive measures against Iran (OJ L 163, 24.6.2008, p. 43);
 - Council Decision 2008/475/EC of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran (OJ L 163, 24.6.2008, p. 29);
 - Council Common Position 2008/652/CFSP of 7 August 2008 amending Common Position 2007/140/CFSP concerning restrictive measures against Iran (OJ L 213, 8.8.2008, p. 58);

- Council Decision 2009/840/CFSP of 17 November 2009 implementing Common Position 2007/140/CFSP concerning restrictive measures against Iran (OJ L 303, 18.11.2009, p. 64);
- Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ L 195, 27.7.2010, p. 39);
- Council Decision 2010/644/CFSP of 25 October 2010 amending Decision 2010/413/CFSP concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ L 281, 27.10.2010, p. 81);
- Council Regulation (EC) No 1100/2009 of 17 November 2009 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran and repealing Decision 2008/475/EC (OJ L 303, 18.11.2009, p. 31);
- Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ L 281, 27.10.2010, p. 1); and
- Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ L 88, 24.3.2012, p. 1).

2. The applicant submits the following grounds of annulment in his application:

- procedural irregularity and lack of authority of the Council,
- violation of the obligation to state reasons,
- infringement of the applicant's fundamental rights,
- lack of evidence against the applicant,
- factual inaccuracy,
- error of law,
- manifest error in the assessment of the facts and violation of the proportionality principle.

3. In accordance with Article 46 of the Rules of Procedure of the Court, the Council has to lodge its statement of defence within two months of receipt of the notification of the application. The Director-General of the Council Legal Service has appointed Mr. Frederik NAERT and Mr Michael BISHOP, members of the Legal Service, as the Council's agents in this case.