



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 October 2013
(OR. en)**

14779/13

**JUR 529
RELEX 919
PESC 1224
COMEM 226
CONOP 126**

INFORMATION NOTE

From: Legal Service
To: Permanent Representatives Committee (Part 2)
Subject: Case before the General Court:
- Case T-433/13 (Petropars Iran Co. and Others v. Council)

1. By an application notified to the Council on 2 October 2013, Petropars Iran Co. and Others have brought an action for annulment, pursuant to Articles 263 and 275 TFEU, of Council Decision 2013/270/CFSP of 6 June 2013 amending Council Decision 2010/413/CFSP concerning restrictive measures against Iran and of Council Implementing Regulation (EU) No 522/2013 of 6 June 2013 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran insofar as the applicants are concerned.
2. The applicants submit five grounds for annulment in their application:
 - Absence of legal basis for the applicants' designation;
 - The substantive criteria for designation under Article 23(2)(d) of Regulation (EU) No 267/2012 or Article 20(1)(c) of Decision 2010/413/CFSP are not met and/or the Council committed a manifest error of assessment in determining whether or not the criteria were met, and the Council designated the applicants on the basis of insufficient evidence;

- Article 23(2)(d) of Regulation (EU) No 267/2012 or Article 20(1)(c) of Decision 2010/413/CFSP should be declared inapplicable to the applicants as they are contrary to the principle of proportionality;
 - The designation of the applicants is contrary to fundamental rights and freedoms under the Charter of Fundamental Rights, to the principle of environmental protection, to the Union's humanitarian objectives and values and in any event to the principle of proportionality and to the precautionary principle;
 - The Council violated the duties to give individual notification; to give adequate and sufficient reasons; and to respect the rights of defence and the right to effective judicial protection.
3. The Director-General of the Council Legal Service has appointed Mr Vincent PIESSEVAUX and Mr. Michael BISHOP, members of the Legal Service, as the Council's agents in the case.
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