



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 March 2012

7245/12

**JUR 127
COMEM 72
CONOP 37
RELEX 196**

INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Case before the General Court of the European Union
Case T-42/12 (Naser Bateni v. Council)

1. By an application notified to the Council on 8 February 2012, the applicant has brought an action for annulment, pursuant to Articles 263 and 275(2) TFEU, of Council Decision No 2011/783/CFSP of 1st December 2011¹ amending Decision 2010/413/CFSP concerning restrictive measures against Iran and Council Implementing Regulation (EU) No 1245/2011² of 1st December 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran, insofar as these acts concern the applicant.
2. The contested Decision and the contested Regulation list the applicant among the persons to which certain restrictive measures on admission and the freezing of funds and economic resources apply.

¹ OJ L 319 of 2.12.2011, p. 71.

² OJ L 319 of 2.12.2011, p. 11.

3. In support of his claim for annulment the applicant submits that the contested acts infringe his rights of defence, in particular his right to effective judicial protection and his right to be heard, that they lack a basis for his inclusion in the list, and infringe his fundamental right to respect for property.
4. In accordance with Article 46(1) 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. Michael BISHOP and Mr. Jan-Peter HIX, members of the Legal Service, as the Council's agents in this case.