



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 September 2012

13564/12

**JUR 479
COAFR 260
RELEX 787
PESC 1065**

INFORMATION NOTE

from: Council Legal Service

to: COREPER (2nd part)

Subject: Case before the EU General Court

- Case T-168/12 Aguy GEORGIAS a.o. v. Council and Commission

1. By application notified to the Council on 18 April 2012, Mr GEORGIAS and two companies controlled by him have brought an action pursuant to Article 340 TFEU.
2. The applicants claim damages against the EU for non-contractual liability on the basis of alleged unlawful actions in the adoption of Council Regulation 314/2004 as amended by Commission Regulation 412/2007. Through these instruments restrictive measures were imposed against Mr GEORGIAS (which measures were in force until 2011).
3. The applicants allege that the Council and the Commission committed a manifest error of assessment of the facts, combined with breaches of the rights of defence and of the right to an effective judicial remedy. They further claim that the Council and the Commission misused their power.
4. The Director-General of the Council Legal Service has appointed Mr Bart DRIESSEN and Mr Guillaume ETIENNE, members of the Legal Service, as the Council's agents in the case.