



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 31 January 2014**

**5682/14**

<b>JUR</b>	<b>43</b>
<b>COMEM</b>	<b>17</b>
<b>CONOP</b>	<b>11</b>
<b>RELEX</b>	<b>60</b>

**INFORMATION NOTE**

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from: Council Legal Service

to: COREPER (2nd part)

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Subject: **Cases before the General Court of the European Union**  
**- Cases T-45/14 and T-45/14 R (HTTS Hanseatic Trade Trust & Shipping  
and Naser Bateni v. Council)**

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1. By an application notified to the Council on 21 January 2014, the above-mentioned applicants have brought an action for annulment, pursuant to Article 263 TFEU, of Council Decision 2013/661/CFSP<sup>1</sup> amending Decision 2010/413/CFSP concerning restrictive measures against Iran, and of Council Implementing Regulation (EU) No 1154/2013<sup>2</sup> implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran, insofar as these acts concern the applicants (Case T-45/14).
2. The contested acts include the applicants on the list of persons and entities subject to restrictive measures on the freezing of funds and economic resources.

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<sup>1</sup> OJ L 306 of 16.11.2013, p. 18.

<sup>2</sup> OJ L 306 of 16.11.2013, p. 3.

3. In support of their claim for annulment the applicants rely on the following four grounds:
- illegality and inapplicability, pursuant to Article 277 TFEU, of the amended version of Decision 2010/413/CFSP<sup>3</sup> concerning restrictive measures against Iran and repealing Common Position 2007/149/CFSP, and of Council Regulation (EU) No 267/2012<sup>4</sup> concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010;
  - infringement of the applicants' right to effective judicial protection, the obligation to state reasons, and the applicants' rights of defence;
  - lack of a basis for the inclusion of the applicants in the lists;
  - infringement of the applicants' fundamental rights to property, freedom to conduct a business and respect for family life, as well as of the principle of proportionality.
4. The applicants request that the case be adjudicated under the expedited procedure pursuant to Article 76a of the Rules of Procedure of the Court. In accordance with Article 76a(2) of the Rules of Procedure of the Court, the Council has to lodge its statement of defence within one month of receipt of the notification of the application.
5. Furthermore, by a separate application (Case T-45/14 R) under Article 278 TFEU, the applicants have made a request for interim measures, consisting inter alia of an order to suspend, with immediate effect, the operation of the above-mentioned contested acts, to the extent that they concern the applicants, until the Court gives judgment in the main action. In accordance with Article 105 of the Rules of Procedure of the General Court, the time period within which the Council might submit written observations on this request has been set at 3 February 2014.
6. The Director-General of the Council Legal Service has appointed Mr. Jan-Peter HIX and Mr. Michael BISHOP, members of the Legal Service, as the Council's agents in the above cases.

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<sup>3</sup> OJ L 195 of 27.7.2010, p. 39.

<sup>4</sup> OJ L 88 of 24.3.2012, p. 1.