



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 3 June 2014
(OR. en)**

10496/14

**JUR 335
RELEX 476
PESC 572
COMEM 94
CONOP 47**

INFORMATION NOTE

From: Legal Service
To: Permanent Representatives Committee (Part 2)
Subject: Cases before the EU General Court:
- Case T-328/14 (Mahmoud Jannatian against the Council)

1. By an application notified to the Council on 21 May 2014, Mr. Mahmoud Jannatian has brought an action pursuant to Articles 263, 264 and 275 TFEU for the annulment of the following Council acts insofar as these acts concern the applicant:
 - 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 concerning restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ L 281, 27.10.2010, p. 81);
 - 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);
 - (EU) Regulation 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);

- Council Implementing Regulation (EU) No 350/2012 of 23 April 2012, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 110, 24.4.2012, p. 17);
- Council Implementing Regulation (EU) No 709/2012 of 2 August 2012, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 208, 3.8.2012, pp. 2-5);
- Council Implementing Regulation (EU) No 945/2012 of 15 October 2012, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 282, 16.10.2012, pp. 16-22);
- Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 356, 22.12.2012, pp. 55-60);
- Council Implementing Regulation (EU) No 522/2013 of 6 June 2013, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 156, 8.6.2013, pp. 3-7);
- Council Implementing Regulation (EU) No 1203/2013 of 26 November 2013, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 316, 27.11.2013, pp. 1-5); and,
- Council Implementing Regulation (EU) No 397/2014 of 16 April 2014, implementing (EU) Regulation No 267/2012 of 23 March 2012 concerning restrictive measures against Iran (OJ L 356, 23.4.2014, pp. 1-2).

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. The applicant previously brought an action for annulment against some of the above-mentioned acts in Case T-187/13 (see doc. 11137/13). That action was declared inadmissible by order of the (Seventh Chamber of the) General Court on 20 February 2014.
 4. The applicant has made an application for an expedited procedure.
 5. In accordance with Article 76a of the General Court's Rules of Procedure, in the case of an expedited procedure, the Council has to lodge a statement of defence within one month of the date on which the application was notified to it.
 6. The Director-General of the Legal Service of the Council has appointed Mr. Frederik NAERT and Mr Michael BISHOP, legal advisors in the said service, as the Council's agents in this case.
