



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 October 2013

15436/13

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RELEX 967
PESC 1301
COMEM 241
CONOP 134**

INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Case before the EU General Court
- Case T-552/13, Oil Turbo Compressor Company v. Council

1. By an application notified to the Council on 21 October 2013, the above-mentioned company has brought an action for the annulment of Council Implementing Regulation (EU) No 1245/2011 of 1 December 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran,¹ and Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010,² insofar as these regulations concern the applicant. The applicant has also requested that the case be adjudicated under an expedited procedure pursuant to Article 76a of the Rules of Procedure of the General Court.
2. The contested regulations list the applicant among the persons and entities to which certain restrictive measures on the freezing of funds and economic resources apply.

¹ OJ L 319 of 2.12.2011, p. 11.

² OJ L 88 of 24.3.2012, p. 1.

3. The applicant, which refers in particular to the judgments of the General Court in Cases T-63/12 (Oil Turbo Compressor v. Council) and T-404/11 (Turbo Compressor Manufacturer (TCMFG) v. Council), invokes the following grounds in support of its claims for annulment:
- infringement of the principle of the rule of law;
 - infringement of the applicant's fundamental rights;
 - erroneous assessment of the facts on which the applicant's listing is based;
 - infringement of the principle of proportionality;
 - infringement of the applicant's right to be heard, of the requirement to state reasons and of the applicant's right to an effective judicial protection.
4. In accordance with Article 76a 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. 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.
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