



Brussels, 14 November 2014
(OR. en)

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COTER 81
COMEM 208

INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)
Subject: Case T-702/14 before the General Court
- Hamas v. the Council of the European Union

1. By an application notified to the Council on 4 November 2014, Hamas has brought an action, in accordance with Article 263 TFEU, before the General Court of the EU for the annulment of Council Decision 2014/483/PESC of 22 July 2014¹ and Council Implementing Regulation (UE) no. 790/2014 of 22 July 2014,² which acts maintain the applicant's name on the list of persons and entities subject to the restrictive measures directed against certain persons and entities with a view to combating terrorism.
2. The applicant alleges the following grounds in support of his claims for annulment:
 - violation of Article 1(4) of Common Position 2001/931/CFSP;
 - an error as regards the assessment of the facts;
 - an error of appreciation as regards Hamas' nature as a terrorist organisation;
 - an error since the Council could no longer list Hamas;
 - violation of the principle of non-interference;

¹ OJ L 217, 23.7.2014, p. 35.

² OJ L 217, 23.7.2014, p. 1.

- violation of the obligation to provide reasons for the contested acts;
- violation of the rights of defence and of the right to effective legal protection; and
- violation of the right to property

3. In accordance with Article 46(1) of the General Court's Rules of Procedure, the Council has to lodge a statement of defence within two months of the date on which the application was notified to it.
4. The Director-General of the Council Legal Service has appointed Mr Bart DRIESSEN and Mr Guillaume ETIENNE, legal advisors in the Council Legal Service, as the Council's agents in this case.
