

GENERAL COURT

Judgment of the General Court of 6 September 2013 — Bank Melli Iran v Council

(Joined Cases T-35/10 and T-7/11) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Legitimate expectations — Review of the restrictive measures adopted — Error of assessment — Equal treatment — Legal basis — Essential procedural requirements — Proportionality)

(2013/C 304/17)

Language of the case: English

Parties

Applicant: Bank Melli Iran (Tehran, Iran) (represented: in Case T-35/10 by L. Defalque, and in Case T-7/11 initially by L. Defalque and S. Woog, and subsequently by L. Defalque and C. Malherbe, lawyers)

Defendant: Council of the European Union (represented: in Case T-35/10 by M. Bishop and R. Szostak, and in Case T-7/11 initially by M. Bishop and G. Marhic, and subsequently by M. Bishop and B. Driessen, acting as Agents)

Interveners in support of the defendant: French Republic (represented by: G. de Bergues and É. Ranaivoson, acting as Agents), United Kingdom of Great Britain and Northern Ireland (represented: initially by S. Behzadi-Spencer, subsequently by A. Robinson, and finally by A. Robinson and H. Walker, acting as Agents, and by S. Lee, Barrister), and European Commission (represented: in Case T-35/10 by S. Boelaert and M. Konstantinidis, and in Case T-7/11 by S. Boelaert, M. Konstantinidis and F. Erlbacher, acting as Agents)

Re:

Application, first, for annulment in part of Council Regulation (EC) No 1100/2009 of 17 November 2009 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran and repealing Decision 2008/475/EC (OJ 2009 L 303, p. 31); Council Decision 2010/644/CFSP of 25 October 2010 amending Decision 2010/413/CFSP concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 281, p. 81); Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation No 423/2007 (OJ 2010 L 281, p. 1); Council Decision 2011/783/CFSP of 1 December 2011 amending Decision 2010/413 (OJ 2011 L 319, p. 71); Council Implementing Regulation (EU) No 1245/2011 of 1 December 2011 implementing Regulation No 961/2010 (OJ 2011 L 319, p. 11); and Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation No 961/2010 (OJ 2012 L 88, p. 1); and, secondly, for annulment of any

future regulation or decision in force as at the date of closure of the oral procedure which supplements or amends any of the contested measures

Operative part of the judgment

The Court:

1. Joins Cases T-35/10 and T-7/11 for the purpose of the judgment;
2. Dismisses the actions;
3. Orders Bank Melli Iran to bear its own costs and to pay those incurred by the Council of the European Union;
4. Orders the French Republic, the United Kingdom of Great Britain and Northern Ireland and the European Commission to bear their own costs.

⁽¹⁾ OJ C 100, 17.4.2010.

Judgment of the General Court of 11 September 2013 — L v Parliament

(Case T-317/10 P) ⁽¹⁾

(Appeals — Staff cases — Members of the temporary staff — Contract for an indefinite period — Decision to dismiss — Obligation to state reasons — Loss of trust)

(2013/C 304/18)

Language of the case: Lithuanian

Parties

Appellant: L (Luxembourg, Luxembourg) (represented: initially by A. Sèbe and V. Sviderskis and subsequently by A. Sèbe, lawyers)

Other party to the proceedings: European Parliament (represented: initially by S. Seyr, K. Zejdová and L. Mašalaitė-Chouteau, subsequently by S. Seyr, K. Zejdová and S. Milius, and finally by S. Seyr and S. Alves, acting as Agents)

Re:

Appeal against the judgment of the Civil Service Tribunal of the European Union [*confidential*], ⁽²⁾ seeking to have that judgment set aside