

**Judgment of the General Court of 5 May 2015 — Petropars Iran and Others v Council**(Case T-433/13) <sup>(1)</sup>

**(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Obligation to state reasons — Error of assessment — Plea of illegality — Right to conduct business — Right to property — Protection of public health, security and the environment — Precautionary principle — Proportionality — Rights of defence)**

(2015/C 205/38)

Language of the case: English

**Parties**

**Applicants:** Petropars Iran Co. (Kish Island, Iran); Petropars Oilfields Services Co. (Kish Island); Petropars Aria Kish Operation and Management Co. (Tehran, Iran); Petropars Resources Engineering Kish Co. (Tehran) (represented by: S. Zaiwalla, P. Reddy, Z. Burbeza, Solicitors, R. Blakeley, G. Beck, Barristers, and M. Brindle QC)

**Defendant:** Council of the European Union (represented by: V. Piessevaux and M. Bishop, acting as Agents)

**Re:**

Application for (i) annulment of Council Decision 2013/270/CFSP of 6 June 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2013 L 156, p. 10) and of Council Implementing Regulation (EU) No 522/2013 of 6 June 2013 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2013 L 156, p. 3) and (ii) a declaration that Article 20(1)(c) of Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39) and Article 23(2)(d) of Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1) are inapplicable.

**Operative part of the judgment**

The Court:

1. Annuls the following, in so far as they concern Petropars Aria Kish Operation and Management Co. and Petropars Resources Engineering Kish Co.:
  - Council Decision 2013/270/CFSP of 6 June 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran;
  - Council Implementing Regulation (EU) No 522/2013 of 6 June 2013 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran;
2. Orders that the effects of Decision 2013/270 and Regulation No 522/2013 be maintained as regards Petropars Aria Kish Operation and Management Co. and Petropars Resources Engineering Kish Co. until the date of expiry of the period for bringing an appeal, as provided for in the first paragraph of Article 56 of the Statute of the Court of Justice of the European Union, or, if an appeal is brought within that period, until the date of any dismissal of that appeal;
3. Dismisses the action as to the remainder;
4. Orders each party to bear its own costs.

<sup>(1)</sup> OJ C 313, 26.10.2013.