

Judgment of the General Court of 10 July 2014 — Moallem Insurance v Council(Case T-182/13) ⁽¹⁾**(Common foreign and security policy — Restrictive measures adopted against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Obligation to state reasons — Error of assessment)**

(2014/C 292/51)

Language of the case: English

Parties*Applicant:* Moallem Insurance Co. (Tehran, Iran) (represented by: D. Luff, lawyer)*Defendant:* Council of the European Union (represented by: A. Vitro and M. Bishop, acting as Agents)**Re:**

Application for, first, annulment of (i) Council Decision 2012/829/CFSP of 21 December 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2012 L 356, p. 71), in that it listed the applicant in Annex II to 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 (ii) Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2012 L 356, p. 55), in that it listed the applicant in Annex IX to 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) and, secondly, a declaration of the inapplicability to the applicant of Article 12 of Decision 2010/43 and Article 35 of Regulation No 267/2012

Operative part of the judgment*The Court:*

1. Annuls Council Decision 2012/829/CFSP of 21 December 2012, amending Decision 2010/413/CFSP concerning restrictive measures against Iran, in so far as it listed Moallem Insurance Co. in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP;
2. Annuls Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran, in so far as it listed Moallem Insurance Co. in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010;
3. Orders the effects of Decision 2012/829 and Implementing Regulation No 1264/2012 to be maintained as regards Moallem Insurance Co. until the date of expiry of the period for bringing an appeal stated in the first paragraph of Article 56 of the Statute of the Court of Justice of the European Union or, if an appeal has been brought within that period, until the dismissal of the appeal
4. Orders the Council of the European Union to bear its own costs and to pay the costs of Moallem Insurance Co..

⁽¹⁾ OJ C 164, 8.6.2013.