

**Request for a preliminary ruling from the Varbergs tingsrätt (Sweden) lodged on 28 August 2015 —
P v Q**

(Case C-455/15)

(2015/C 346/12)

Language of the case: Swedish

Referring court

Varbergs tingsrätt

Parties to the main proceedings

Applicant: P

Defendant: Q

Question referred

Is Varbergs tingsrätt, in accordance with Article 23(a) of the Brussels II Regulation⁽¹⁾ or any provision [thereof] and notwithstanding Article 24 of that regulation, to refuse to recognise the judgment of the Silute District Court of 18 February 2015, see Annex A, and thus to continue to deal with the custody case pending before Varbergs tingsrätt?

⁽¹⁾ Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 (OJ 2003 L 338, p. 1).

**Appeal brought on 28 August 2015 by Iranian Offshore Engineering & Construction Company
(IOEC) against the judgment of the General Court (Seventh Chamber) delivered on 25 June 2015 in
Case T-95/14 Iranian Offshore Engineering & Construction Company (IOEC) v Council**

(Case C-459/15 P)

(2015/C 346/13)

Language of the case: Spanish

Parties

Appellant: Iranian Offshore Engineering & Construction Company (IOEC) (represented by: J. Viñals Camallonga, L. Barriola Urruticoechea and J. Iriarte Ángel, abogados)

Other party to the proceedings: Council of the European Union

Form of order sought

The appellant claims that the Court should:

- annul the judgment of the General Court (Seventh Chamber) of 25 June 2015 in Case T-95/14;
- give final judgment in the proceedings by granting the form of order sought by the applicant, now the appellant, at first instance; that is to say, annul Article 1 of Council Decision 2013/661/CFSP⁽¹⁾ of 15 November 2013 and Article 1 of Council Implementing Regulation (EU) No 1154/2013⁽²⁾ of 15 November 2013 in so far as they refer to, or could affect, IOEC, and remove its name from the respective annexes to those provisions;

— order the Council to pay the costs of the proceedings at first instance and on appeal.

Grounds of appeal and main arguments

The appellant relies on three grounds of appeal:

Error of law, in so far as the judgment erroneously states that the Council fulfilled its obligation to state reasons and did not infringe the right to an effective remedy.

Error of law, in that the judgment states that the measures against the appellant are based on evidence, when in reality they lack any factual basis and the judgment is based on presumptions. This also gave rise to a misuse of powers and infringement of the applicable legal provisions and of the principle of equal treatment.

Error of law, in that the judgment erroneously states that IOEC's property rights and the principle of proportionality were respected.

⁽¹⁾ Council Decision 2013/661/CFSP of 15 November 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2013 L 306, p. 18).

⁽²⁾ Council Implementing Regulation (EU) No 1154/2013 of 15 November 2013 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2013 L 306, p. 3).
