

opened by Implementing Regulation No 1239/2011 (OJ 2012 L 19, p. 12), and (ii) action pursuant to Article 268 TFEU for damages for the loss which the applicants allegedly suffered as a result of the adoption of those measures and of the Commission's refusal to take the necessary measures to re-establish availability of supply of raw cane sugar.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders *T & L Sugars Ltd and Sidul Açúcares, Unipessoal Lda* to bear their own costs and to pay those incurred by the European Commission;
3. Orders the Council of the European Union, *DAI Sociedade de Desenvolvimento Agro-Industrial, SA, RAR — Refinarias de Açúcar Reunidas, SA, Lemarco SA, Lemarco Cristal Srl, Zaharul Liesti SA, SFIR — Società Fondiaria Industriale Romagnola SpA, SFIR Raffineria di Brindisi SpA and the Comité européen des fabricants de sucre (CEFS)* to bear their own costs.

⁽¹⁾ OJ C 151, 26.5.2012.

Judgment of the General Court of 30 November 2016 — Bank Refah Kargaran v Council

(Case T-65/14) ⁽¹⁾

(Common Foreign and Security Policy — Restrictive measures against Iran — Freezing of funds — Further listing of the applicant after annulment of the initial listing by the General Court — Error in law — Error in fact — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Proportionality)

(2017/C 022/27)

Language of the case: French

Parties

Applicant: Bank Refah Kargaran (Teheran, Iran) (represented by: J.-M. Thouvenin, lawyer)

Defendant: Council of the European Union (represented by: V. Piessevaux, M. Bishop and B. Driessen, agents)

Intervener in support of the defendant: European Commission (represented by: A. Aresu and D. Gauci, agents)

Re:

Application based on Article 263 TFEU and seeking, principally, annulment of Council Decision 2013/661/CFSP of 15 November 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2010 L 306, p. 18), and of 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), in so far as those acts concern the applicant, and, in the alternative, annulment of Decision 2013/661 and of Implementing Regulation No 1154/2013 in so far as those acts concern the applicant as from 20 January 2014.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Bank Refah Kargaran to pay, in addition to its own costs, the costs incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 30 November 2016 — Export Development Bank of Iran v Council

(Case T-89/14) ⁽¹⁾

(Common Foreign and Security Policy — Restrictive measures against Iran — Freezing of funds — Further listing of the applicant after annulment of the initial listing by the General Court — Error in law — Error in fact — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Proportionality — Equal treatment)

(2017/C 022/28)

Language of the case: French

Parties

Applicant: Export Development Bank of Iran (Teheran, Iran) (represented by: J.-M. Thouvenin, lawyer)

Defendant: Council of the European Union (represented by: V. Piessevaux and M. Bishop, agents)

Intervener in support of the defendant: European Commission (represented by: A. Aresu and D. Gauci, agents)

Re:

Application based on Article 263 TFEU and seeking, principally, annulment of Council Decision 2013/661/CFSP of 15 November 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2010 L 306, p. 18), and of 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), in so far as those acts concern the applicant, and, in the alternative, annulment of Decision 2013/661 and of Implementing Regulation No 1154/2013 in so far as those acts concern the applicant as from 20 January 2014.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Export Development Bank of Iran to pay, in addition to its own costs, the costs incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 135, 5.5.2014.