

**Action brought on 7 February 2014 — Iranian Offshore Engineering & Construction v Council****(Case T-95/14)**

(2014/C 102/61)

*Language of the case: Spanish***Parties**

*Applicant:* Iranian Offshore Engineering & Construction (Tehran, Iran) (represented by J. Viñals Camallonga, L. Barriola Urruticochea and J. Iriarte Ángel, lawyers)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the General Court should:

- annul Article 1 of Council Decision 2013/6661/CFSP in so far as it concerns the applicant and remove its name from the annex thereto;
- annul Article 1 of Council Implementing Regulation (EU) No 1154/2013 in so far as it concerns the applicant and remove its name from the annex thereto, and
- order the Council to pay the costs.

**Pleas in law and main arguments**

The present action is brought against Article 1 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), and Article 1 of 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), in so far as they envisage the inclusion of the applicant in the list of persons and entities subject to those restrictive measures.

In support of the action, the applicant relies on seven pleas in law.

1. First plea in law, alleging a manifest error in the assessment of the facts on which the contested provisions are based, since they lack any genuine factual or evidential basis.
2. Second plea in law, alleging infringement of the obligation to state reasons, since, as regards the applicant, the contested provisions are not only unfounded, but are imprecise, unspecific and generic, preventing the applicant from formulating its defence properly.
3. Third plea in law, based on the infringement of the right to effective judicial protection in relation to the statement of reasons for the provisions, the lack of evidence for the reasons stated and the rights of the defence and property, since the requirement to state reasons and the need to produce genuine evidence were not observed, which affects the other rights.
4. Fourth plea in law, alleging misuse of power, since there is objective, specific and corroborating evidence that, in adopting the restrictive measures, the Council, fraudulently misusing its position, pursued objectives different from those it claimed to pursue.
5. Fifth plea in law, alleging an erroneous interpretation of the legal rules applied, since the Council interpreted and applied those provisions broadly and incorrectly, which is impermissible in relation to provisions regarding penalties.
6. Sixth plea in law, alleging the infringement of the right to property, in that it was restricted without any valid justification.
7. Seventh plea in law, alleging infringement of the principle of equal treatment, for the relative position of the applicant was prejudiced for no reason.