INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

# Order of the General Court of 16 February 2012 — Morison Menon Chartered Accountants and Others v Council

**(Case T-656/11 R)**

(Interim relief — Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds and economic resources — Application for suspension of operation — No urgency)

1. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Cumulative nature — Balancing of all the interests involved — Order of examination and method of verification — Discretion of the court hearing the application for interim relief (Arts 256(1) TFEU, 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 13-16)*

2. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Burden of proof (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see para. 19)*

3. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Financial loss — Situation which could jeopardise the existence of the applicant company (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see para. 20)*

4. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Burden of proof — Financial loss — Irreparable alteration in market share — Whether included — Conditions (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see para 28, 29)*

**Re:**

APPLICATION for the suspension of operation of, first, Council Implementing Regulation (EU) No 1245/2011 of 1 December 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran (OJ 2011 L 319, p. 11), and second, Council Decision 2011/783/CFSP of

1 December 2011 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2011 L 319, p. 71), in so far as those measures add to the list of persons and entities whose funds and economic resources are to be frozen the entity designated as 'Morison Menon Chartered Accountant'.

**Operative part**

1. The application for interim measures is dismissed.

2. Costs are reserved.