



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 31 July 2002 (07.08)
(OR. fr)**

11444/02

LIMITE

JUR 309

CASE BEFORE THE COURT OF FIRST INSTANCE

Subject: Information note for Coreper 2 (Case T-206/02 – Kurdistan National Congress v. Council of the European Union)

1. By its application dated 2 July 2002 (registered at the Council Secretariat on 26 July 2002), the Kurdistan National Congress brought an action against the Council of the European Union for the partial annulment of Council Decision 2002/334/EC implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism.
2. By the contested Decision, the Council updated the list of persons and entities to which the restrictive measures laid down in the above Regulation apply. This list notably includes the Kurdistan Workers Party (PKK).
3. The applicant is a political organisation which brings together various associations and political parties, social/cultural institutions and Kurdish public figures with no political affiliation. Its main objective is to promote the unity and interests of the Kurdish people. In support of its application, the applicant, while stating that the PKK is no longer one of its members, principally claims that the inclusion of the PKK in the abovementioned list nonetheless prejudices the interests of the entire Kurdish people and its own tasks. It

moreover claims that the contested Decision is illegal on the grounds that no reasons are given for including the PKK in the list, and by virtue of a manifest error of judgement by the Council regarding the implicit classification of the PKK as a terrorist organisation.

4. Under Article 46(1) of the Rules of Procedure of the Court of First Instance, the Council has a period of one month (which may be extended), after service of the application, within which to lodge a statement of defence.
5. The Director-General of the Legal Service has appointed Mr Stephan MARQUARDT and Mr Micaïl VITSENTZATOS, legal advisers in that Service, to act for the Council in this case.
