

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul, pursuant to Article 263 TFEU, Council Decision (CFSP) 2022/397 of 9 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine⁽¹⁾ as well as Council Implementing Regulation (EU) 2022/396 of 9 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine⁽²⁾ ('Contested Acts'), in so far as those acts concern the applicant; and
- order the Council to pay the costs pursuant to Article 134 of the Rules of Procedure.

Pleas in law and main arguments

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

1. First plea in law, alleging an unlawful infringement of the applicant's fundamental rights, including the right to private and family life, home and communications as well as property.
 - In listing the applicant by way of the Contested Acts, the Council acted in breach of the principle of proportionality under Article 52 of the Charter of Fundamental Rights.
2. Second plea in law, alleging an error of assessment by the Council in including the applicant's name in the annexes to the Contested Acts.
 - The Council's reasons for listing the applicant are materially flawed.
 - The Council fails to identify the individual, specific and concrete reasons why restrictive measures were imposed on the applicant, and the reasons relied on are not sufficiently detailed, contrary to the Council's obligations.
 - The evidence provided is insufficient to support the listing of the applicant by way of the Contested Acts.

⁽¹⁾ OJ 2022, L 80, p. 31.

⁽²⁾ OJ 2022, L 80, p. 1.

Action brought on 17 May 2022 — Melnichenko v Council

(Case T-271/22)

(2022/C 257/55)

Language of the case: English

Parties

Applicant: Andrey Melnichenko (St. Moritz, Switzerland) (represented by: G. Lansky, P. Goeth, A. Egger, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul, pursuant to Article 263 TFEU, Council Decision (CFSP) 2022/397 of 9 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine⁽¹⁾ as well as Council Implementing Regulation (EU) 2022/396 of 9 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine⁽²⁾ ('Contested Acts'), in so far as those acts concern the applicant; and

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Pleas in law and main arguments

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1. First plea in law, alleging an unlawful infringement of the applicant's fundamental rights, including the right to private and family life, home and communications as well as property.

— In listing the applicant by way of the Contested Acts, the Council acted in breach of the principle of proportionality under Article 52 of the Charter of Fundamental Rights.

2. Second plea in law, alleging an error of assessment by the Council in including the applicant's name in the annexes to the Contested Acts.

— The Council's reasons for listing the applicant are materially flawed.

— The Council fails to identify the individual, specific and concrete reasons why restrictive measures were imposed on the applicant, and the reasons relied on are not sufficiently detailed, contrary to the Council's obligations.

— The evidence provided is insufficient to support the listing of the applicant by way of the Contested Acts.

⁽¹⁾ OJ 2022, L 80, p. 31.

⁽²⁾ OJ 2022, L 80, p. 1.

Action brought on 17 May 2022 — Pumpyanskaya v Council

(Case T-272/22)

(2022/C 257/56)

Language of the case: English

Parties

Applicant: Galina Evgenyevna Pumpyanskaya (Ekaterinburg, Russia) (represented by: G. Lansky, P. Goeth and A. Egger, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

— pursuant to Article 263 TFEU annul Council Decision (CFSP) 2022/397 of 9 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽¹⁾ as well as Council Implementing Regulation (EU) 2022/396 of 9 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽²⁾ ('Contested Acts'), in so far as those acts concern the applicant; and

— order the Council to pay the costs pursuant to Article 134 of the Rules of Procedure.

Pleas in law and main arguments

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

1. First plea in law, alleging an error of assessment by the Council in including the applicant's name in the annexes to the Contested Acts.

— The Council's reasons for listing the applicant are materially flawed.