

3. Third plea in law, alleging breach of the principle of proportionality and of the applicant's fundamental rights, breach of the applicant's fundamental rights to property and freedom to conduct business and breach of Articles 16 and 17 of the EU Charter of Fundamental Rights.

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- (¹) Council Decision (CFSP) 2022/1530 of 14 September 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 239, p. 149).
- (²) Council Implementing Regulation (EU) 2022/1529 of 14 September 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 (OJ 2022 L 239, p. 1).
- (³) Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 16).
- (⁴) Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 6).

Action brought on 25 November 2022 — Mazepin v Council

(Case T-742/22)

(2023/C 24/101)

Language of the case: English

Parties

Applicant: Dmitry Arkadievich Mazepin (Moscow, Russia) (represented by: D. Rovetta, M. Campa, M. Moretto, V. Villante, T. Marembert and A. Bass, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2022/1530 of 14 September 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);
- annul Council Implementing Regulation (EU) 2022/1529 of 14 September 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);
- annul the decision to maintain the applicant on the list of persons and entities subject to restrictive measures under Council Decision 2014/145/CFSP (³), as amended by the Council Decision (CFSP) 2022/1530, and under Council Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) No 2022/1529, concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine,

collectively referred to as the 'Contested Acts', in so far as the Contested Acts include the applicant in the list of persons and entities made subject to the restrictive measures.

Pleas in law and main arguments

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

1. First plea in law, alleging breach of the principle of sound administration and manifest error of assessment by the council in reviewing the applicant's delisting administrative application lodged on 31 May 2022.
2. Second plea in law, alleging infringement of the obligation to state reasons; of Article 296 of the TFEU and of Article 41 (2) (c) of the Charter of Fundamental Rights; breach of the right to effective judicial protection and of Article 47 of the Charter of Fundamental Rights.

3. Third plea in law, alleging manifest error of assessment; failure to discharge the burden of proof; breach of the listing criteria set forth in Articles 1 (1) (a) and 2 (1)(a) of Council Decision 2014/145/CFSP of 17 March 2014 and in Article 3 (1) (a) of Council Regulation (EU) No 269/2014 of 17 March 2014, both concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
4. Fourth plea in law, alleging exception of illegality; violation of the principle of proportionality by the listing criteria set forth in Article 1 (1) (g) and 2 (1) (g) of Council Decision 2014/145/CFSP of 17 March 2014 and in Article 3 (1) (g) of Council Regulation (EU) No 269/2014 of 17 March 2014.
5. Fifth plea in law, alleging exception of illegality; violation of the principle of legal certainty by the listing criteria set forth in Article 1 (1) (g) and 2 (1) (g) of Council Decision 2014/145/CFSP of 17 March 2014 and in Article 3 (1) (g) of Council Regulation (EU) No 269/2014 of 17 March 2014.
6. Sixth plea in law, alleging manifest error of assessment; failure to discharge the burden of proof; breach of the listing criteria set forth in Article 1 (1) (g) and 2 (1) (g) of Council Decision 2014/145/CFSP of 17 March 2014 and in Article 3 (1) (d), (g) of Council Regulation (EU) No 269/2014 of 17 March 2014, both concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
7. Seventh plea in law, alleging breach of the principle of proportionality and of the applicant's fundamental rights; breach of the applicant's fundamental rights to property and freedom to conduct business and breach of Articles 16 and 17 of the Charter of Fundamental Rights.

⁽¹⁾ OJ 2022, L 239, p. 149.

⁽²⁾ OJ 2022, L 239, p. 1.

⁽³⁾ OJ 2014, L 78, p. 16.

Action brought on 25 November 2022 — Tokareva v Council

(Case T-744/22)

(2023/C 24/102)

Language of the case: French

Parties

Applicant: Maya Tokareva (Moscow, Russia) (represented by: T. Bontinck, A. Guillerme and L. Burguin, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2022/1530 of 14 September 2022,⁽¹⁾ published in the Official Journal on 15 September 2022, in so far as it makes Council Decision 2014/145/CFSP of 17 March 2014 (as amended by Council Decision (CFSP) 2022/1272 of 21 July 2022, which included the applicant's name as entry No 1201 in the annex to Council Decision 2014/145) applicable until 15 March 2023;
- annul Council Implementing Regulation (EU) 2022/1529 of 14 September 2022,⁽²⁾ in so far as it maintains the applicant's name as entry No 1201 in Annex I to Regulation (EU) 2014/269;