

Action brought on 17 October 2014 — Agrotikos Sinetairismos Profiti Ilia v Council**(Case T-731/14)**

(2015/C 016/64)

*Language of the case: Greek***Parties**

Applicant: Agrotikos Sinetairismos Profiti Ilia (Skidra, Greece) (represented by: C. Chrysogonos, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the General Court should:

- annul the contested Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ 2014. L 229, p. 1) and declare that the claim for annulment should be admissible in so far as the General Court of the European Union decides that all the conditions for the admissibility of the action for annulment are met; and
- declare that the Council is liable to meet the costs incurred by the applicant and order the Council to pay its costs.

Pleas in law and main arguments

In support of the action the applicant relies on a single plea in law.

1. The ground for annulment is an error in the choice of legal basis:

- The applicant maintains that the contested regulation was erroneously adopted on the legal basis of Article 215 TFEU, although it is apparent from the objective and content of the regulation that it ought to have been adopted on the basis of Article 207 TFEU (formerly Article 133 EC) with regard to the common commercial policy and, consequently, ought to have been adopted under the ordinary legislative procedure. The applicant's legal interest to bring proceedings is based on the fact that the contested measure is a regulatory act which does not entail any implementing measures within the meaning of the fourth paragraph of Article 263 TFEU and is of direct concern to the applicant.

Action brought on 23 October 2014 — Sberbank of Russia v Council**(Case T-732/14)**

(2015/C 016/65)

*Language of the case: English***Parties**

Applicant: Sberbank of Russia OAO (Moscow, Russia) (represented by: D. Rose, QC, M. Lester, Barrister, P. Crowther and J. Fearn, Solicitors)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision 2014/512/CFSP of 31 July 2014, Council Regulation (EU) No 833/2014 of 31 July 2014, Council Decision 2014/659/CFSP of 8 September 2014 and Council Regulation (EU) No 960/2014 of 8 September 2014 insofar as they apply to the applicant;

- make a declaration of illegality as regards the provisions summarised at paragraph 52 of the application;
- order that the Council should pay the applicant's costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the Council manifestly erred in considering that any of the criteria for including the applicant on the lists of persons, entities and bodies subject to restrictive measures in view of Russia's actions destabilising the situation in Ukraine were fulfilled as regards the applicant. The applicant alleges that it does not fulfil the listing criteria and that the Council thus acted ultra vires in listing it in the contested measures.
2. Second plea in law, alleging that the Council breached its obligation to give reasons for listing the applicant insofar as it failed to give adequate or sufficient reasons for including the applicant in the contested measures.
3. Third plea in law, alleging that the Council failed to safeguard the applicant's rights of defence and right to effective judicial review insofar as it did not inform the applicant of its inclusion in the contested measures and failed to provide any evidence to support the applicant's inclusion.
4. Fourth plea in law, alleging that the inclusion of the applicant in the contested measures amounts to an unjustified and disproportionate restriction of its fundamental rights including its right to protection of its business and reputation.

Action brought on 18 October 2014 — European Dynamics Luxembourg and Evropaiki Dinamiki v Parliament

(Case T-733/14)

(2015/C 016/66)

Language of the case: Greek

Parties

Applicants: European Dynamics (Luxembourg (Luxembourg) and Evropaiki Dinamiki — Proigmena Sistimata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: E. Veletsanou and M. Sfiri, lawyers)

Defendant: European Parliament

Form of order sought

The applicants claim that the General Court should:

- annul the contested decision of the Parliament D(2014)38802 dated 18 September 2014, whereby the Parliament rejected the applicants' tender for Lot 3 in the open procurement procedure 2014/S 066-111912 titled 'PE/ITEC-ITS14 — External provision of IT services'; and
- order the European Parliament to pay all the applicants' costs.

Pleas in law and main arguments in support of annulment

In support of the action the applicants rely on the following: