

Action brought on 29 April 2015 — Azarov v Council**(Case T-215/15)**

(2015/C 221/34)

*Language of the case: German***Parties**

Applicant: Mykola Yanovych Azarov (Kiev, Ukraine) (represented by: G. Lansky and 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) 2015/364 of 5 March 2015 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2015 L 62, p. 25) and Council Implementing Regulation (EU) 2015/357 of 5 March 2015 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2015 L 62, p. 1), in so far as they concern the applicant;
- prescribe, pursuant to Article 64 of the Rules of Procedure of the General Court, certain measures of organisation of procedure;
- order the Council, pursuant to Article 87(2) of the Rules of Procedure, to pay the costs.

Pleas in law and main arguments

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

1. First plea in law: Infringement of the obligation to state reasons

In this regard, it is claimed, inter alia, that the statement of reasons for the contested acts is too general with respect to the applicant.

2. Second plea in law: Infringement of fundamental rights

In the context of this plea in law, the applicant invokes infringement of the right to property and infringement of the freedom to conduct a business. He also complains that the restrictive measures imposed are disproportionate. Lastly, he submits that there has been infringement of his rights of the defence.

3. Third plea in law: Misuse of powers

In this regard, the applicant submits inter alia that the Council misused its powers because the imposition of restrictive measures against him predominantly pursued objectives other than those of actually consolidating and supporting the rule of law and respect for human rights in Ukraine.

4. Fourth plea in law: Infringement of the principle of good administration

In the context of this plea in law, the applicant complains in particular of infringement of the right to impartial treatment, infringement of the right to just or fair treatment and infringement of the right to a careful investigation of the facts.

5. Fifth plea in law: Manifest error of assessment
