



C/2023/1144

4.12.2023

Judgment of the General Court of 18 October 2023 — MAZ — upravljajusaja kompanija holdinga Belavtomaz v Council

(Case T-532/21) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted in view of the situation in Belarus — Freezing of funds — Lists of persons, entities and bodies subject to the freezing of funds and economic resources — Inclusion and maintenance of the applicant's name on the lists — Concept of 'support for the regime' — State-owned enterprise — Error of assessment)

(C/2023/1144)

Language of the case: English

Parties

Applicant: AO Minskii Avtomobilnyi Zavod — upravljajusaja kompanija holdinga Belavtomaz (Minsk, Belarus) (represented by: D. O'Keeffe, Solicitor, and N. Tuominen, lawyer)

Defendant: Council of the European Union (represented by: A. Boggio-Tomasaz and A. Antoniadis, acting as Agents)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment, first, of Council Implementing Decision (CFSP) 2021/1002 of 21 June 2021 implementing Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus (OJ 2021 L 219 I, p. 70), and of Council Implementing Regulation (EU) 2021/997 of 21 June 2021 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ 2021 L 219 I, p. 3) ('the initial acts'), and, second, Council Decision (CFSP) 2023/421 of 24 February 2023 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ 2023 L 61, p. 41), and Council Implementing Regulation (EU) 2023/419 of 24 February 2023 implementing Article 8a of Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine (OJ 2023 L 61, p. 20) ('the maintaining acts'), in so far as those acts concern it.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders OAO Minskii Avtomobilnyi Zavod — upravljajusaja kompanija holdinga Belavtomaz to pay the costs.

⁽¹⁾ OJ C 422, 18.10.2021.