



C/2023/326

30.10.2023

**Judgment of the General Court of 6 September 2023 — Timchenko v Council**

(Case T-361/22) <sup>(1)</sup>

***(Common foreign and security policy — Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine — Freezing of funds — Inclusion and retention of the applicant's name on the lists of persons, entities and bodies concerned — Obligation to state reasons — Article 1(1) of Decision 2014/145/CFSP — Concept of 'association' — Right to be heard)***

(C/2023/326)

Language of the case: French

**Parties**

*Applicant:* Elena Petrovna Timchenko (Geneva, Switzerland) (represented by: T. Bontinck, S. Bonifassi, E. Fedorova, A. Guillerme, L. Burguin, J. Goffin and J. Bastien, lawyers)

*Defendant:* Council of the European Union (represented by: N. Rouam, M.-C. Cadilhac and D. Laurent, acting as Agents)

*Intervener in support of the defendant:* European Commission (represented by: C. Giolito and M. Carpus Carcea, acting as Agents)

**Re:**

By her action, the applicant seeks, in the first place, annulment, pursuant to Article 263 TFEU, first, of Council Decision (CFSP) 2022/582 of 8 April 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 110, p. 55), and Council Implementing Regulation (EU) 2022/581 of 8 April 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 110, p. 3) and, second, annulment of 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), and 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), in so far as those acts concern the applicant. The applicant seeks, in the second place, compensation, pursuant to Article 268 TFEU, for the non-material harm she claims to have suffered as a result of the adoption of those acts.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Ms Elena Petrovna Timchenko to bear her own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to pay its own costs.

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<sup>(1)</sup> OJ C 303, 8.8.2022.