



C/2024/4096

8.7.2024

Action brought on 23 May 2024 – Pumpyanskiy v Council

(Case T-272/24)

(C/2024/4096)

Language of the case: English

Parties

Applicant: Dmitry Alexandrovich Pumpyanskiy (Ekaterinburg, Russia) (represented by: G. Lansky, P. Goeth, A. Egger, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare, pursuant to Article 263, 275(2) and 277 TFEU, the inapplicability of:
 - Article 2(1)(f) of Council Decision No 2014/145/CFSP, as amended by Council Decision No 2022/329/CFSP of 25 February 2022; and of Article 3(1)(f) of Council Regulation (EU) 269/2014 as amended by Council Regulation (EU) 2022/330 of 25 February 2022, and
 - Article 2(1)(g) of Council Decision No 2014/145/CFSP as amended by Council Decision (CFSP) 2023/1094 of 5 June 2023 and of Article 3(1)(g) of Council Regulation (EU) 269/2014 as amended by Council Regulation (EU) 2023/1089 of 5 June 2023;(together the "contested listing criteria"); and/or
- annul, pursuant to Article 263(4) TFEU, the Council Decision (CFSP) 2024/847 of 12 March 2024 amending Decision 2014/145/CFSP; ⁽¹⁾ as well as of Council Implementing Regulation (EU) 2024/849 of 12 March 2024 implementing Regulation (EU) No 269/2014 ⁽²⁾ (together the "contested acts"), in so far as those acts concern the applicant; and/or
- annul, in the context of the contested acts (pursuant to Article 263(4) TFEU), listing entry No. 722, as promulgated by Council Decision (CFSP) 2023/1767 of 13 September 2023 amending Decision 2014/145/CFSP; and by Council Implementing Regulation (EU) 2023/1765 of 13 September 2023 implementing Regulation (EU) No 269/2014;
- order the Council to pay the costs pursuant to Article 134 of the Rules of Procedure.

Pleas in law and main arguments

In support of the action, the applicant raises a plea of illegality of the contested listing criteria as infringing the EU Treaties as well as the rule of law relating to their application in respect of the applicant.

Moreover, the applicant relies on four pleas in law.

1. First plea in law, alleging that the Council infringed the applicant's right to be heard under Article 41 of the Charter of Fundamental Rights.
2. Second plea in law, alleging an error of assessment.
3. Third plea in law, alleging the infringement of the obligation to state reasons laid down in the second paragraph of Article 296 TFEU.
4. Fourth plea in law, alleging that the applicant's designation unlawfully infringes certain of the applicant's rights protected under the Charter of Fundamental Rights.

⁽¹⁾ Council Decision (CFSP) 2024/847 of 12 March 2024 amending Decision 2014/145/CFSP (OJ L, 2024/847).

⁽²⁾ Council Implementing Regulation (EU) 2024/849 of 12 March 2024 implementing Regulation (EU) No 269/2014 (OJ L, 2024/849).