

C/2025/2368

28.4.2025

Appeal brought on 28 February 2025 by TBANK SA, formerly Tinkoff Bank SA, against the judgment of the General Court (First Chamber) delivered on 18 December 2024 in Case T-275/23, Tinkoff Bank v Council**(Case C-171/25 P)**

(C/2025/2368)

*Language of the case: French***Parties***Appellant:* TBANK SA, formerly Tinkoff Bank SA (represented by: A. Genko, E. Epron, lawyers)*Other party to the proceedings:* Council of the European Union**Form of order sought**

The appellant claims that the Court should:

- set aside the judgment of the General Court (First Chamber) of 18 December 2024 in Case T-275/23;
- uphold the incidental plea of illegality of criterion (g) of Regulation (EU) 269/2014 ⁽¹⁾ and of Decision 2014/145/CFSP; ⁽²⁾
- set aside Decision 2014/145/CFSP, Council Implementing Regulation (EU) 2023/429, ⁽³⁾ Decision (CFSP) 2024/847, ⁽⁴⁾ and Implementing Regulation (EU) 2024/849, ⁽⁵⁾ in so far as those acts included the appellant and maintained its inclusion under entry number 200 on the lists of restrictive measures (entities); or,
- in the further alternative, to refer the question to the General Court for rehearing.

Grounds of appeal and main arguments

By the first ground of appeal, the judgment is criticised for an error of law in recognising that the Council is entitled not to provide specific practical information on how criterion (g) should be applied, since the General Court has not fully carried out the review that applies regarding the statement of reasons.

By the second ground of appeal, the appellant requests that the Court of Justice uphold its plea of illegality of criterion (g) for infringement of the principle of proportionality and for arbitrary and discriminatory character.

By the third ground of appeal, the appellant alleges an error of law and a distortion of evidence as well as a breach of essential procedural requirements and the obligation to state reasons under Article 296 TFEU and Article 36 of the Statute of the Court of Justice as a result of the easing of the rules on evidence and an excessively restrictive review of the error of assessment.

By the fourth ground of appeal, the appellant criticises the judgment for having willingly ignored evidence presented in its submission alleging misuse of power.

By the fifth ground of appeal, the appellant alleges an error of law due to the fact that the General Court carried out a limited review of proportionality.

⁽¹⁾ Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 6).

⁽²⁾ Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 16).

⁽³⁾ Council Implementing Regulation (EU) 2023/429 of 25 February 2023 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 2023 L 591, p. 278).

⁽⁴⁾ Council Decision (CFSP) 2024/847 of 12 March 2024 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 2024/847).

⁽⁵⁾ Council Implementing Regulation (EU) 2024/849 of 12 March 2024 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 L 2024/849).

By the sixth ground of appeal, the appellant submits that the General Court erred in law by denying the bank the right to defend its clients' ownership rights despite the clear infringement of those rights.

By the seventh and final ground of appeal, the appellant submits that the General Court erred in law by denying the bank the right to rely on the principle of non-discrimination.
