

2. Dismisses the action as inadmissible in so far as it seeks annulment of Council Decision 2013/534/CFSP of 29 October 2013 amending Decision 2012/642 and Council Implementing Regulation (EU) No 1054/2013 of 29 October 2013 implementing Article 8a(1) of Regulation (EC) No 765/2006;
3. Dismisses the action as to the remainder;
4. Orders the Council of the European Union to bear its own costs and to pay the costs of Football Club 'Dynamo-Minsk.

⁽¹⁾ OJ C 250, 18.8.2012.

Judgment of the General Court of 6 October 2015 — Chyzh and Others v Council

(Case T-276/12) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted against Belarus — Freezing of funds — Action for annulment — Period allowed for modifying the form of order sought — Partial inadmissibility — Entity owned or controlled by a person or entity subject to the restrictive measures — Obligation to state reasons — Error of assessment)

(2015/C 398/40)

Language of the case: English

Parties

Applicants: Yury Aleksandrovich Chyzh (Minsk, Belarus); Triple TAA (Minsk); NefteKhimTrading STAA (Minsk); Askargoterminal ZAT (Minsk); Bereza Silicate Products Plant AAT (Bereza, Belarus); Variant TAA (Berezovsky, Belarus); Triple-Dekor STAA (Minsk); KvartsMelProm SZAT (Khotislav, Belarus); Altersolutions SZAT (Minsk); Prostoremarket SZAT (Minsk); AquaTriple STAA (Minsk); Rakovsky brovar TAA (Minsk); TriplePharm STAA (Logoysk, Belarus); and Triple-Veles TAA (Molodechno, Belarus) (represented by: D. O'Keefe, Solicitor, B. Evtimov, lawyer and M. Lester, Barrister)

Defendant: Council of the European Union (represented by: F. Naert and E. Finnegan, acting as Agents)

Re:

Application for the annulment of Council Implementing Decision 2012/171/CFSP of 23 March 2012 implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus (OJ 2012 L 87, p. 95), of Council Implementing Decision (EU) No 265/2012 of 23 March 2012 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ 2012 L 87, p. 37), Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures against Belarus (OJ 2012 L 285, p. 1), Council Implementing Regulation (EU) No 1017/2012 of 6 November 2012 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ 2012 L 307, p. 7), Council Decision 2013/534/CFSP of 29 October 2013 amending Decision 2012/642 (OJ 2013 L 288, p. 69), Council Implementing Regulation (EU) No 1054/2013 of 29 October 2013 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ 2013 L 288, p. 1), Council Decision 2014/750/CFSP of 30 October 2014 amending Council Decision 2012/642 (OJ 2014 L 311, p. 39) and Council Implementing Regulation (EU) No 1159/2014 of 30 October 2014 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus (OJ 2014 L 311, p. 2), in so far as those acts apply to the applicants.

Operative part of the judgment

The Court:

1. *Annuls Council Implementing Decision 2012/171/CFSP of 23 March 2012 implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus, Council Implementing Regulation (EU) No 265/2012 of 23 March 2012 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus, Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures against Belarus and Council Implementing Regulation (EU) No 1017/2012 of 6 November 2012 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus in so far as they relate to Mr Yury Aleksandrovich Chyzh, Triple TAA, NefteKhimTrading STAA, Askargoterminal ZAT, Bereza Silicate Products Plant AAT, Variant TAA, Triple-Dekor STAA, KvartsMelProm SZAT, Altersolutions SZAT, Prostoremarket SZAT, AquaTriple STAA, Rakovsky brovar TAA, TriplePharm STAA and Triple-Veles TAA;*
2. *Annuls Council Decision 2013/534/CFSP of 29 October 2013 amending Decision 2012/642 and Council Implementing Regulation (EU) No 1054/2013 of 29 October 2013 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus in so far as they relate to NefteKhimTrading, Askargoterminal, Bereza Silicate Products Plant, Triple-Dekor, KvartsMelProm, Altersolutions, Prostoremarket, AquaTriple, Rakovsky brovar and Triple-Veles;*
3. *Annuls Council Decision 2014/750/CFSP of 30 October 2014 amending Decision 2012/642 and Council Implementing Regulation (EU) No 1159/2014 of 30 October 2014 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus in so far as they relate to Mr Chyzh, Triple, Askargoterminal, Bereza Silicate Products Plant, Triple-Dekor, KvartsMelProm, Altersolutions, Prostoremarket, AquaTriple, Variant and Rakovsky brovar;*
4. *Dismisses the action as inadmissible in so far as it seeks annulment of Decision 2013/534 and Implementing Regulation No 1054/2013 in so far as they concern Mr Chyzh, Triple, Variant and TriplePharm;*
5. *Dismisses the action as to the remainder;*
6. *Orders the Council of the European Union to bear its own costs and to pay the costs of Mr Chyzh, Triple, NefteKhimTrading, Askargoterminal, Bereza Silicate Products Plant, Triple-Dekor, KvartsMelProm, Altersolutions, Prostoremarket, AquaTriple, Variant, Rakovsky brovar, TriplePharm and Triple-Veles.*

⁽¹⁾ OJ C 250, 18.8.2012.