

Defendant: Council of the European Union (represented by: J.-P. Hix, S. Lejeune and H. Marcos Fraile, acting as Agents)

Re:

Application based on Article 263 TFEU seeking annulment of Council Decision (CFSP) 2017/2282 of 11 December 2017 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2017 L 328, p. 19), of Council Implementing Decision (CFSP) 2018/569 of 12 April 2018 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2018 L 95, p. 21), and of Council Implementing Regulation (EU) No 2018/566 of 12 April 2018 implementing Article 9 of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (OJ 2018 L 95, p. 9), in so far as they concern the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Alex Kande Mupompa to pay the costs.

⁽¹⁾ OJ C 161, 7.5.2018.

Judgment of the General Court 12 February 2020 — Boshab v Council

(Case T-171/18) ⁽¹⁾

(Common foreign and security policy — Restrictive measures taken in view of the situation in the Democratic Republic of the Congo — Freezing of funds — Renewal of the listing of the applicant's name on the list of persons concerned — Obligation to state reasons — Rights of the defence — Obligation for the Council to communicate the new elements justifying the renewal of the restrictive measures — Error of law — Manifest error of assessment — Right to property — Right to respect for private and family life — Proportionality — Presumption of innocence — Plea of illegality)

(2020/C 103/32)

Language of the case: French

Parties

Applicant: Évariste Boshab (Kinshasa, Democratic Republic of the Congo) (represented by: T. Bontinck, P. De Wolf, M. Forgeois and A. Guillerme, lawyers)

Defendant: Council of the European Union (represented by: J.-P. Hix, S. Lejeune and H. Marcos Fraile, acting as Agents)

Re:

Application based on Article 263 TFEU seeking annulment of Council Decision (CFSP) 2017/2282 of 11 December 2017 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2017 L 328, p. 19), in so far as it concerns the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Évariste Boshab to pay the costs.

(¹) OJ C 161, 7.5.2018.

Judgment of the General Court of 12 February 2020 — Akili Mundos v Council

(Case T-172/18) (¹)

(Common foreign and security policy — Restrictive measures taken in view of the situation in the Democratic Republic of the Congo — Freezing of funds — Renewal of the listing of the applicant's name on the list of persons covered by restrictive measures adopted autonomously by the Union — First listing of applicant's name on the list of persons covered by the Sanctions Committee of the United Nations Security Council — Obligation to state reasons — Rights of the defence — Obligation for the Council to communicate the new elements justifying the renewal of the restrictive measures — Error of law — Manifest error of assessment — Right to property — Proportionality — Presumption of innocence — Plea of illegality)

(2020/C 103/33)

Language of the case: French

Parties

Applicant: Muhindo Akili Mundos (Kinshasa, Democratic Republic of the Congo) (represented by: T. Bontinck, P. De Wolf, M. Forgeois and A. Guillerme, lawyers)

Defendant: Council of the European Union (represented by: J.-P. Hix, S. Lejeune and H. Marcos Fraile, acting as Agents)

Re:

Application based on Article 263 TFEU seeking annulment of Council Decision (CFSP) 2017/2282 of 11 December 2017 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2017 L 328, p. 19), of Council Implementing Decision (CFSP) 2018/202 of 9 February 2018 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2018 L 38, p. 19), and of Council Implementing Regulation (EU) No 2018/197 of 9 February 2018 implementing Article 9 of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (OJ 2018 L 38, p. 2), in so far as they concern the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Muhindo Akili Mundos to pay the costs.

(¹) OJ C 161, 7.5.2018.