

### Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging an infringement of the right to sound administration.

The applicant claims in support of his action, inter alia, that the Council of the European Union did not exercise due care and attention in the adoption of Decision (CFSP) 2018/333 of 5 March 2018, since before the adoption of the contested decision it did not address the applicant's arguments and the evidence he had adduced, which supports his case, and it primarily based that decision on the brief summary by the Prosecutor-General's Office of Ukraine and did not request any supplementary information on the course of the investigations in the Ukraine.

2. Second plea in law, alleging an infringement of the applicant's right to property.

The applicant claims in this connection that the restrictive measures which have been taken against him are disproportionate, go beyond what is necessary and amount to an infringement of guarantees under international law of protection of the applicant's right to property.

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### Action brought on 4 May 2018 — Pšonka v Council

(Case T-285/18)

(2018/C 249/47)

*Language of the case: Czech*

### Parties

*Applicant:* Viktor Pavlovič Pšonka (Kiev, Ukraine) (represented by: M. Mleziva, lawyer)

*Defendant:* Council of the European Union

### Form of order sought

The applicant claims that the Court should:

- Annul Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2018/326 of 5 March 2018, in so far as that Decision and that Regulation relate to the applicant.
- Declare that the Council of the European Union is to bear its own costs and order it to pay the costs incurred by the applicant.

### Pleas in law and main arguments

In support of the action, the applicant relies on three pleas in law.

1. First plea in law, alleging an infringement of the right to sound administration.

— The applicant claims in support of his action, inter alia, that the Council of the European Union did not exercise due care and attention in the adoption of Decision (CFSP) 2018/333 of 5 March 2018, since before the adoption of the contested decision it did not address the applicant's arguments and the evidence he had adduced, which supports his case, and it relied primarily on the brief summary by the Prosecutor-General's Office of Ukraine and did not request any supplementary information on the course of the investigations in the Ukraine.

2. Second plea in law, alleging an infringement of the applicant's right to property.
  - The applicant claims in this connection that the restrictive measures which have been taken against him are disproportionate, go beyond what is necessary and amount to an infringement of guarantees under international law of protection of the applicant's right to property.
3. Third plea in law, alleging an infringement of the applicant's fundamental rights as guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms
  - The applicant claims in this connection that in the adoption of the restrictive measures his rights to a fair trial and to the presumption of innocence were infringed, as was his right to the protection of private property.

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**Action brought on 4 May 2018 — Pšonka v Council**

**(Case T-289/18)**

(2018/C 249/48)

*Language of the case: Czech*

**Parties**

*Applicant:* Artem Viktorovič Psonka (Kramatorsk, Ukraine) (represented by: M. Mleziva, lawyer)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- Annul Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2018/326 of 5 March 2018, in so far as that Decision and that Regulation relate to the applicant.
- Declare that the Council of the European Union is to bear its own costs and order it to pay the costs incurred by the applicant.

**Pleas in law and main arguments**

In support of the action, the applicant relies on three pleas in law.

1. First plea in law, alleging an infringement of the right to sound administration.
  - The applicant claims in support of his action, inter alia, that the Council of the European Union did not exercise due care and attention in the adoption of Decision (CFSP) 2018/333 of 5 March 2018, since before the adoption of the contested decision it did not address the applicant's arguments and the evidence he had adduced, which supports his case, and it relied primarily on the brief summary by the Prosecutor-General's Office of Ukraine and did not request any supplementary information on the course of the investigations in the Ukraine.
2. Second plea in law, alleging an infringement of the applicant's right to property.
  - The applicant claims in this connection that the restrictive measures which have been taken against him are disproportionate, go beyond what is necessary and amount to an infringement of guarantees under international law of protection of the applicant's right to property.