

Pleas in law and main arguments

By its action, the Commission criticises the Kingdom of Belgium for not having taken the measures necessary to comply with the judgment delivered by the Court on 12 April 2018.

Appeal brought on 28 November 2019 by the Bolivarian Republic of Venezuela against the judgment of the General Court (Fourth Chamber, Extended Composition) delivered on 20 September 2019 in Case T-65/18, Venezuela v Council**(Case C-872/19 P)**

(2020/C 45/25)

*Language of the case: English***Parties**

Appellant: Bolivarian Republic of Venezuela (represented by: L. Giuliano and F. Di Gianni, avvocati)

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 under appeal insofar as it dismissed the action as inadmissible;
- declare the action brought by the appellant admissible and refer the case back to the General Court to rule on the merits of the case; and
- order the Council to pay the costs of these proceedings and of the proceedings before the General Court.

Pleas in law and main arguments

In support of the appeal, the appellant relies on a sole ground of appeal divided into three limbs.

The General Court wrongly interpreted the criterion of direct concern provided for in the fourth paragraph of Article 263 TFEU in light of *Almaz-Antey* case law:

1. The General Court applied the wrong test to assess whether the Bolivarian Republic of Venezuela is directly concerned by the contested provisions ⁽¹⁾.
2. The General Court erred in law since it overlooked some essential circumstances of the present case when applying the direct concern criterion as established in *Almaz-Antey*.
3. The General Court neglected to consider the factual effects of the contested provisions on the Bolivarian Republic of Venezuela.

⁽¹⁾ Council Decision (CFSP) 2017/2074 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela (OJ 2017, L 295, p. 60).
