

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

Re:

Application under Article 263 TFEU seeking the annulment, first, of Council Decision (CFSP) 2018/1940 of 10 December 2018 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2018 L 134, p. 47) and, second, Council Implementing Regulation (EU) 2018/1931 of 10 December 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 314, p. 1), in so far as those acts concern the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Ilunga Kampete to pay the costs.

⁽¹⁾ OJ C 139, 15.4.2019.

Judgment of the General Court of 3 February 2021 — Kande Mupompa v Council

(Case T-116/19) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted in view of the situation in the Democratic Republic of the Congo — Freezing of funds — Retention of the applicant's name on the lists of persons covered — Obligation to state reasons — Right to be heard — Proof that inclusion and retention on the lists is well founded — Manifest error of assessment — Continuation of the factual and legal circumstances which led to the adoption of the restrictive measures — Right to private and family life — Right to property — Presumption of innocence — Proportionality — Plea of illegality)

(2021/C 98/22)

Language of the case: French

Parties

Applicant: Alex Kande Mupompa (Kinshasa, Democratic Republic of the Congo) (represented by: T. Bontinck, P. De Wolf, A. Guillerme and T. Payan, lawyers)

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

Re:

Application under Article 263 TFEU seeking annulment, first, of Council Decision (CFSP) 2018/1940 of 10 December 2018 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2018 L 134, p. 47) and, second, Council Implementing Regulation (EU) 2018/1931 of 10 December 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 314, p. 1), in so far as those acts 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 139, 15.4.2019.

Judgment of the General Court of 3 February 2021 — Amisi Kumba v Council

(Case T-118/19) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted in view of the situation in the Democratic Republic of the Congo — Freezing of funds — Retention of the applicant's name on the lists of persons covered — Obligation to state reasons — Right to be heard — Proof that inclusion and retention on the lists is well founded — Manifest error of assessment — Continuation of the factual and legal circumstances which led to the adoption of the restrictive measures — Right to private and family life — Presumption of innocence — Proportionality — Plea of illegality)

(2021/C 98/23)

Language of the case: French

Parties

Applicant: Gabriel Amisi Kumba (Kinshasa, Democratic Republic of the Congo) (represented by: T. Bontinck, P. De Wolf, A. Guillerme and T. Payan, lawyers)

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

Re:

Application under Article 263 TFEU seeking annulment, first, of Council Decision (CFSP) 2018/1940 of 10 December 2018 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ 2018 L 134, p. 47) and, second, Council Implementing Regulation (EU) 2018/1931 of 10 December 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 314, p. 1), in so far as those acts concern the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Gabriel Amisi Kumba to pay the costs.

⁽¹⁾ OJ C 139, 15.4.2019.