Action brought on 1 May 2019 — Arbuzov v Council

(Case T-289/19)

(2019/C 246/30)

Language of the case: Czech

Parties

Applicant: Sergej Arbuzov (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) 2019/354 of 4 March 2019 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) 2019/352 of 4 March 2019 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as that Decision and that Regulation relate to the applicant; and

— 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 two pleas in law.

1.   First plea in law, alleging 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) 2019/354 of 4 March 2019, 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 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.