



C/2023/324

30.10.2023

Judgment of the General Court of 6 September 2023 — Khudaverdyan v Council

(Case T-335/22) ⁽¹⁾

(Common foreign and security policy — Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine — Freezing of funds — Restrictions on entry into the territories of the Member States — Inclusion and retention of the applicant's name on the lists of persons, entities and bodies concerned — Obligation to state reasons — Error of assessment — Concept of 'leading businessperson' — Equal treatment — Proportionality — Right to property — Freedom to conduct a business — Right to respect for private life)

(C/2023/324)

Language of the case: French

Parties

Applicant: Tigran Khudaverdyan (Moscow, Russia) (represented by: F. Bélot, lawyer)

Defendant: Council of the European Union (represented by: L. Vétillard and S. Van Overmeire, acting as Agents, and by B. Maingain, lawyer)

Re:

By his action, pursuant to Article 263 TFEU, the applicant seeks the annulment, first, of Council Decision (CFSP) 2022/429 of 15 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 87I, p. 44), and Council Implementing Regulation (EU) 2022/427 of 15 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 87 I, p. 1) and, second, of Council Decision (CFSP) 2022/1530 of 14 September 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 239, p. 149), and Council Implementing Regulation (EU) 2022/1529 of 14 September 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 239, p. 1), and, third, of Council Decision (CFSP) 2023/572 of 13 March 2023 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2023 L 75 I, p. 134), and Council Implementing Regulation (EU) 2023/571 of 13 March 2023 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2023 L 75, p. 1), in so far as those acts include and retain his name on the lists annexed to those acts.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Tigran Khudaverdyan to bear his own costs and to pay those incurred by the Council of the European Union.

⁽¹⁾ OJ C 284, 25.7.2022.