

4. Fourth plea in law, alleging a manifest error of assessment in that the elements constituting criteria (f) and (g) of Decision (CFSP) 2022/329 of 25 February 2022, which is the basis for the adoption of Regulation (EU) 2022/581 of 8 April 2022, in so far as it concerns the applicant, are not met.
5. Fifth plea in law, alleging material inaccuracy in the facts, in that the alleged evidence relied upon by the Council in adopting Regulation (EU) 2022/581 of 8 April 2022, in so far as it concerns the applicant (i) is based solely on information, sometimes more than 5 years old, taken from online sites (some of which, in particular rucompromat, are not objective) and (ii) some of which are factually inaccurate.
6. Sixth plea in law, alleging infringement of the applicant's fundamental rights in that Regulation (EU) 2022/581 of 8 April 2022, in so far as it concerns the applicant, is an unjustified and disproportionate restriction on his fundamental rights including the right to property, enshrined in Article 17 of the Charter of Fundamental Rights and freedom to conduct a business enshrined in Article 16 of that Charter.

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- (¹) Council Decision (CFSP) 2022/329 of 25 February 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 50, p. 1).
- (²) Council Implementing Regulation (EU) 2022/581 of 8 April 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 110, p. 3).

Action brought on 16 June 2022 — Berezkin v Council

(Case T-360/22)

(2022/C 294/61)

Language of the case: French

Parties

Applicant: Grigory Viktorovitsj Berezkin (Moscow, Russia) (represented by: J. Grand d'Esnon, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2022/582 (¹) of 8 April 2022 in so far as it sets out the applicant's name in the Annex to Council Decision 2014/145/CFSP of 17 March 2014;
- annul Council Implementing Regulation (EU) 2022/581 (²) of 8 April 2022 in so far as it includes the applicant's name in Annex I to Council Regulation (EU) No 2014/269 of 17 March 2014;
- order the Council of the European Union to pay EUR 1 for non-material damage;
- order the Council of the European Union to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the sanctions taken against the applicant are unlawful in that they are as a result of a manifest error of assessment, on the ground that the applicant has no link to the events taking place in Ukraine and does not support the Government of the Russian Federation.

2. Second plea in law, alleging a breach of the right to effective judicial protection and the Council's obligation to state reasons. The applicant claims that the only sources provided by the Council are press articles and website excerpts and cannot therefore satisfy the criteria of proof justifying the adoption of sanctions.
3. Third plea in law, alleging breach of the principle of proportionality and the principle of equal treatment. According to the applicant, there is no material link between him and Russia's policy in Ukraine and the sanctions are, as a result, unrelated to any of the objectives of the Decision and Regulation of 17 March 2014. ⁽¹⁾
4. Fourth plea in law, alleging breach of the principle of legality. In that regard, the applicant alleges that the criteria under points (f) and (g) of the Decision and the Regulation of 17 March 2014 are unlawful in that they breach the Council's obligations under Article 215(2) TFEU, as well as the principle of legal certainty.
5. Fifth plea in law, alleging infringement of the applicant's fundamental rights and in particular, the right to property and his freedom to come and go.
6. Sixth plea in law, alleging breach of the applicant's rights of defence in that the Council did not communicate to him individually the specific details and reasons for his inclusion on the list of sanctioned individuals. The applicant was therefore not in a position to put forward his observations on those details and reasons.
7. Seventh plea in law, concerning a claim for compensation. The applicant considers that he has suffered serious reputational damage for which he seeks compensation.

⁽¹⁾ Council Decision (CFSP) 2022/582 of 8 April 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 110, p. 55).

⁽²⁾ Council Implementing Regulation (EU) 2022/581 of 8 April 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 110, p. 3).

⁽³⁾ Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 6).

Action brought on 17 June 2022 — Akhmedov v Council

(Case T-363/22)

(2022/C 294/62)

Language of the case: English

Parties

Applicant: Farkhad Teimurovich Akhmedov (Baku, Azerbaijan) (represented by: W. Julié, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Annul Council Decision (CFSP) 2022/582 of 8 April 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽¹⁾ ('Contested Decision'), in so far as it concerns the applicant;
- Annul Council Implementing Regulation (EU) 2022/581 of 8 April 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 ⁽²⁾, in so far as it concerns the applicant;
- Order the defendant to compensate the material and non-material damage suffered by the applicant;
- Order the defendant to bear the full costs and expenses of the proceedings, including those incurred by the applicant for his defence.