

GENERAL COURT

Action brought on 19 August 2022 — Sberbank of Russia v Commission and SRB

(Case T-525/22)

(2022/C 441/27)

Language of the case: English

Parties

Applicant: Sberbank of Russia OAO (Moscow, Russia) (represented by: D. Rovetta, M. Campa, M. Pirovano, M. Moretto and V. Villante, lawyers)

Defendants: European Commission and Single Resolution Board (SRB)

Form of order sought

The applicant claims that the Court should:

- annul the decision SRB/EES/2022/21 on the adoption of a resolution scheme in respect of Sberbank d.d., issued by the Single Resolution Board on 1 March 2022, together with the Valuation Report 1 issued by the Single Resolution Board on 27 February 2022 and the Valuation Report 2 issued by the Single Resolution Board on 27 or 28 February 2022;
- annul the European Commission decision (EU) 2022/948 of 1 March 2022 endorsing the resolution scheme for Sberbank d.d.;⁽¹⁾
- order the Single Resolution Board and the European Commission to bear the costs of the proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of essential procedural requirements.
2. Second plea in law, alleging infringement of the obligation to state reasons, of Article 296 of the Treaty on the Functioning of the European Union and of Article 41(2)(c) of the Charter of Fundamental Rights of the European Union, and breach of the right to effective judicial protection and of Article 47 of the Charter of Fundamental Rights of the European Union.
3. Third plea in law, alleging manifest error of assessment in the overall evaluation of the conditions related to the resolution scheme and breach of Article 6 of Regulation (EU) No 806/2014,⁽²⁾ as well as breach of Article 39 of Directive 2014/59/EU,⁽³⁾ and infringement of the fundamental right to property and of the freedom to conduct a business.

⁽¹⁾ OJ 2022 L 164, p. 65.

⁽²⁾ Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 225, p. 1).

⁽³⁾ Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ 2014 L 173, p. 190).