

Plea in law and main arguments

In support of the action, the applicant relies on one plea in law, alleging that the Council made manifest errors of assessment in determining that the designation criterion had been satisfied. In particular, the Council accepted at face value, without any attempted verification whatsoever, unsubstantiated and largely historic assertions, allegations and even opinions from various media reports of questionable reliability. The Council presented these claims and accusations as fact, despite the many inaccuracies and inconsistencies identified by the applicant in his observations. The Council should have undertaken further investigation and conducted a proper examination of the sufficiency, credibility, and reliability of the material upon which it relied, but failed to do so. In consequence, there is no sufficiently solid factual basis for the 2022 August Sanctions and they should accordingly be annulled.

⁽¹⁾ OJ 2022, L 204 I, p. 4.

⁽²⁾ OJ 2022, L 204 I, p. 1.

Action brought on 14 October 2022 — Yanukovych v Council

(Case T-643/22)

(2022/C 451/30)

Language of the case: English

Parties

Applicant: Viktor Fedorovych Yanukovych (Rostov-on-Don, Russia) (represented by: B. Kennelly, Barrister)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should annul Council Decision (CFSP) 2022/1355 of 4 August 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⁾ and Council Implementing Regulation (EU) 2022/1354 of 4 August 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⁾, insofar as they apply to the applicant. The applicant also seeks his costs.

Plea in law and main arguments

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