



C/2024/4338

15.7.2024

**Action brought on 22 May 2024 – Bazhaev v Council**

**(Case T-270/24)**

(C/2024/4338)

*Language of the case: French*

**Parties**

*Applicant:* Musa Yusopovich Bazhaev (Moscow, Russia) (represented by: T. Bontinck, M. Brésart and J. Goffin, lawyers)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- primarily, declare unlawful the listing criterion laid down in Article 1(1)(e) and in Article 2(1)(g) of Decision 2014/145/CFSP, and in Article 3(1)(g) of Regulation (EU) 2014/269, in so far as it refers to ‘leading businesspersons operating in Russia and their immediate family members, or other natural persons, benefitting from them, or businesspersons involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for the annexation of Crimea and the destabilisation of Ukraine’, and, consequently:
  - annul Council Decision (CFSP) 2024/847 <sup>(1)</sup> of 12 March 2024, in so far as it includes the applicant’s name in the annex to Council Decision 2014/145/CFSP of 17 March 2014;
  - annul Council Implementing Regulation (EU) 2024/849 <sup>(2)</sup> of 12 March 2024, in so far as it includes the applicant’s name in the annex to Council Regulation (EU) No 2014/269 of 17 March 2014;
- in the alternative, as regards the other pleas in law raised by the applicant:
  - annul Council Decision (CFSP) 2024/847 of 12 March 2024, in so far as it includes the applicant’s name in the annex to Council Decision 2014/145/CFSP of 17 March 2014;
  - annul Council Implementing Regulation (EU) 2024/849 of 12 March 2024, in so far as it includes the applicant’s name in the annex to Council Regulation (EU) No 2014/269 of 17 March 2014;
- order the Council to pay the costs.

**Pleas in law and main arguments**

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

1. First plea in law, alleging illegality of criterion (g) laid down in Article 2(1) of Decision 2014/145.
2. Second plea in law, alleging a manifest error of assessment.
3. Third plea in law, alleging a breach of the right to effective judicial protection.
4. Fourth plea in law, alleging failure to observe the principle of proportionality.
5. Fifth plea in law, alleging a breach of the applicant’s fundamental rights.
6. Sixth plea in law, alleging a breach of the right to be heard.

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<sup>(1)</sup> Council Decision (CFSP) 2024/847 of 12 March 2024 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 2024/847).

<sup>(2)</sup> Council Implementing Regulation (EU) 2024/849 of 12 March 2024 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 L 2024/849).