



C/2025/1418

10.3.2025

Judgment of the General Court of 22 January 2025 – Melnichenko v Council

(Case T-271/22) ⁽¹⁾

(Common foreign and security policy – Restrictive measures adopted in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine – Freezing of funds – List of persons, entities and bodies subject to the freezing of funds and economic resources – Inclusion and maintenance of the applicant's name on the list – Concept of 'leading businessperson involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation' – Article 2(1)(g) of Council Decision 2014/145/CFSP – Article 3(1)(g) of Regulation (EU) No 269/2014 – Error of assessment – Proportionality – Right to property – Right to respect for private life)

(C/2025/1418)

Language of the case: English

Parties

Applicant: Andrey Melnichenko (Saint-Moritz, Switzerland) (represented by: A. Miron, D. Müller, H. Bajer Pellet, R. Pieri, A. Beauchemin, lawyers, and C. Zatschler, Senior Counsel)

Defendant: Council of the European Union (represented by: B. Driessen, S. Van Overmeire and E. Kübler, acting as Agents)

Intervener in support of the defendant: European Commission (represented by: J.-F. Brakeland, M. Carpus Carcea and L. Puccio, acting as Agents)

Re:

By his action based on Article 263 TFEU, the applicant seeks annulment, first, of Council Decision (CFSP) 2022/397 of 9 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 80, p. 31) and of Council Implementing Regulation (EU) 2022/396 of 9 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 80, p. 1), 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 of 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 of 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 I, p. 1), in so far as those acts include and maintain his name on the lists annexed to those acts.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Andrey Melnichenko to bear his own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to pay its own costs.

⁽¹⁾ OJ C 257, 4.7.2022.