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(OR. en)

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LIMITE

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### INFORMATION NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 1)

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Subject: Case before the Court of Justice of the European Union: Case C-362/25 P (Rems Kargins v Commission and Council)

- appeal lodged against the judgment of the General Court in Case T-350/23 (plea of illegality against Article 29(2) of Council Regulation (EU) 2015/1589 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union)

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**REDACTED DOCUMENT ACCESSIBLE TO THE PUBLIC (31.07.2025).**

**ONLY MARGINAL PERSONAL DATA HAVE BEEN REDACTED.**

1. On 3 June 2025, the Council was notified that Mr Rems Kargins has lodged an appeal against the judgment of the General Court in Case T-350/23 (Kargins v Commission).<sup>1</sup>
2. The appellant inter alia claims that the General Court wrongly rejected the plea of illegality pursuant to Article 277 TFEU, that Article 29(2) of Council Regulation (EU) 2015/1589 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union<sup>2</sup> lacks a sufficient legal basis and is inconsistent with Article 267 TFEU.
3. Since the validity of an act of the Council is thus called into question, it is appropriate for the Council to submit a response pursuant to Article 172 of the Rules of Procedure of the Court of Justice. The Council's response will be limited to defending the legality of Article 29(2) of

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<sup>1</sup> Judgment of the General Court of 19 March 2025, *Kargins v Commission*, T-350/23, EU:T:2025:312.

<sup>2</sup> OJ L 248, 24.9.2015, p. 9–29.

Council Regulation (EU) 2015/1589 of which it is the author, and which is challenged by the appellant.

4. The Director General of the Legal Service of the Council has appointed **DELETED**, legal advisers in the Legal Service of the Council, as the Council's agents in this case.

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