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INFORMATION NOTE

From: Legal Service

To: Permanent Representatives Committee (Part 2)

Subject: Case before the General Court - Russia restrictive measures:
– Case T- 742/22 (Dmitry Arkadievich MAZEPIN v. Council)

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (10.07.2023)

1. By an application notified to the Council on 5 December 2022,
Mr Dmitry Arkadievich MAZEPIN has brought an action, pursuant to Articles 263 and 264 TFEU, for the annulment 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 Ukraine¹; and of Council Implementing Regulation (EU) 2022/1529 of 14 September 2022, implementing Regulation (EU) 269/2014² concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine³, in so far as those acts include the applicant in the list of persons and entities made subject to the restrictive measures as well as the decision to maintain him on the list of persons and entities subject to restrictive measures under Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2022/1530, and Council Regulation No 269/2014, as implemented Council Implementing Regulation (EU) 2022/1529, by letter of 15 September 2022.

¹ OJ L 239, 15.9.2022, p. 149–29.

² OJ L 239, 15.9.2022, p. 1–148.

³ OJ L 78, 17.3.2014, p. 6–15.

2. The applicant invokes six pleas in law in support of its application:
- breach of the principle of sound administration and manifest error of assessment by the Council,
 - infringement of the obligation to state reasons, and breach of the right of the principle of effective judicial protection,
 - exception of illegality (violation of the principle of proportionality and of the principle of legal certainty of the listing criteria set out in Article 1(1)(g) and 2(1)(g) of Council Decision 2014/145/CFSP and in Article 3(1)(g) of Council Regulation no 269/2014),
 - exception of illegality (violation of the principle of legal certainty of the listing criteria set out in Article 1(1)(g) and 2(1)(g) of Council Decision 2014/145/CFSP and in Article 3(1)(g) of Council Regulation no 269/2014),
 - manifest error of assessment,
 - breach of the principle of proportionality and the applicant's fundamental rights to property and freedom to conduct a business.
3. The Acting Director-General of the Council Legal Service has appointed **DELETED** and **DELETED**, legal advisors in the Council Legal Service, as the Council's agents in this case.
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