



Council of the
European Union

Brussels, 10 January 2024
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LIMITE

JUR 19
CORLX 30
COEST 22
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INFORMATION NOTE

From:	Legal Service
To:	Permanent Representatives Committee (Part 2)
Subject:	Case before the General Court of the European Union: Case T - 1112/23 - Action for annulment - restrictive measures Ukraine territorial integrity

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (20.03.2024)

1. By an application notified to the Council on 12 December 2023, Siberian Coal Energy Company AO (Suek) has brought an action, pursuant to Article 263 TFEU, for the partial annulment of Council Implementing Regulation (EU) 2023/1765 of 13 September 2023 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine¹, and Council Decision (CFSP) 2023/1767 of 13 September 2023 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine² insofar as they apply to the applicant.

¹ OJ L 226, 14.9.2023, p. 3–101.

² OJ L 226, 14.9.2023, p. 104–202.

2. The applicant invokes four pleas in law in support of its application:
- manifest error of assessment,
 - failure to state reasons,
 - infringement of the rights of the defence, of the right to a fair hearing and of the right to an effective judicial remedy,
 - breach of the principle of proportionality and of the applicant's fundamental rights.
3. The 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. They will be assisted by **DELETED** (**DELETED**).
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