

GENERAL COURT

Judgment of the General Court of 8 July 2020 — Ocean Capital Administration and Others v Council

(Case T-332/15) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against Iran — Freezing of funds — List of persons and entities to whom those measures apply — Inclusion of the applicants' names)

(2020/C 313/32)

Language of the case: English

Parties

Applicants: Ocean Capital Administration GmbH (Hamburg, Germany) and the other applicants whose names are set out in the annex (represented by: P. Moser QC, E. Metcalfe, Barrister, and M. Taher, Solicitor)

Defendant: Council of the European Union (represented by: M. Bishop and V. Piessevaux, acting as Agents)

Re:

Application, first, based on Article 263 TFEU for the annulment of Council Decision (CFSP) 2015/556 of 7 April 2015 amending Council Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2015 L 92, p. 101), and Council Implementing Regulation (EU) 2015/549 of 7 April 2015 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2015 L 92, p. 12), in so far as those acts concern the applicants, and, second, an application based on Article 277 TFEU for a declaration of the inapplicability of Council Decision 2013/497/CFSP of 10 October 2013 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2013 L 272, p. 46), and of Council Regulation (EU) No 971/2013 of 10 October 2013 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2013 L 272, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Ocean Capital Administration GmbH and the other applicants, whose names are set out in the annex, to pay the costs.

⁽¹⁾ OJ C 294, 7.9.2015.

Judgment of the General Court of 8 July 2020 — VQ v ECB

(Case T-203/18) ⁽¹⁾

(Economic and monetary policy — Prudential supervision of credit institutions — Article 18(1) of Regulation (EU) No 1024/2013 — Administrative pecuniary penalty imposed by the ECB on a credit institution for infringement of Article 77(a) of Regulation (EU) No 575/2013 — Rules for publication on the ECB's website — Article 18(6) of Regulation No 1024/2013 and Article 132(1) of Regulation (EU) No 468/2014)

(2020/C 313/33)

Language of the case: English

Parties

Applicant: VQ (represented by: G. Cahill, Barrister)

Defendant: European Central Bank (represented by: E. Koupepidou, E. Yoo and M. Puidokas, acting as Agents)

Intervening parties in support of the defendant: Council of the European Union (represented by: I. Gurov and J. Bauerschmidt, acting as Agents), European Commission (represented by: L. Armati, A. Steiblytė, K. P. Wojcik and A. Nijenhuis, acting as Agents)

Re:

Application based on Article 263 TFEU for annulment of Decision ECB-SSM-2018-ESSAB-4, SNC 2016-0026 of the ECB, of 14 March 2018, adopted pursuant to Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63), to the extent that, first, it imposed on the applicant an administrative pecuniary penalty of EUR 1 600 000 and, second, it decided to publish that penalty, without anonymising the name of the applicant, on the ECB's website.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders VQ to bear, in addition to its own costs, the costs incurred by the European Central Bank (ECB), including those relating to the proceedings for interim measures;
3. Orders the Council of the European Union and the European Commission to bear their own costs.

⁽¹⁾ OJ C 182, 28.5.2018.

Judgment of the General Court of 8 July 2020 — Crédit agricole v ECB

(Case T-576/18) ⁽¹⁾

(Economic and monetary policy — Prudential supervision of credit institutions — Article 18(1) of Regulation (EU) No 1024/2013 — Administrative pecuniary penalty imposed by the ECB on a credit institution — First subparagraph of Article 26(3) of Regulation (EU) No 575/2013 — Continued breach of capital requirements — Negligent breach — Retroactive application of less severe enforcement legislation — Absence — Rights of defence — Amount of the penalty — Obligation to state reasons)

(2020/C 313/34)

Language of the case: French

Parties

Applicant: Crédit agricole SA (Montrouge, France) (represented by: A. Champsaur and A. Delors, lawyers)

Defendant: European Central Bank (represented by: C. Hernández Saseta, A. Pizzolla and D. Segoin, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Decision ECB/SSM/2018-FRCAG-75 of the ECB of 16 July 2018, taken pursuant to Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63) and imposing on the applicant an administrative pecuniary penalty of EUR 4 300 000 for continued breach of the capital requirements laid down in Article 26(3) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ 2013 L 176, p. 1, and corrigenda OJ 2013 L 208, p. 68, and OJ 2013 L 321, p. 6).