

— order that the Council pays the applicant's costs for this action.

Pleas in law and main arguments

In support of the action, the applicants rely on two pleas in law.

1. First plea in law, alleging that by including the applicants in the annexes to the Contested Measures, the Council made a manifest error of assessment. Namely, the applicants claim that the Contested Measures provide unsubstantiated, factually incorrect and unfounded reasons for his designation. Further, the deficient reasons provided do not demonstrate a sufficiently substantive link to the scope of the measures
2. Second plea in law, alleging that the Contested Measures do not meet the standard of proof required for adopting individual sanctions. By attempting to use individual measures in order to achieve the objective of restricting business activities and profits of a foreign state-owned enterprise, the Council applied an unlawful type of measure.

⁽¹⁾ OJ L 430 I, p. 16.

⁽²⁾ OJ L 430 I, p. 1.

Action brought on 30 March 2022 — Seifert v Council

(Case T-166/22)

(2022/C 222/52)

Language of the case: German

Parties

Applicant: Evgenia Seifert (Munich, Germany) (represented by: T. Seifert, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Article 1(9) of Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine;
- order the European Union to pay the costs of the proceedings including expenses necessarily incurred by the applicant.

Pleas in law and main arguments

According to the applicant, Article 1(9) of Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, ⁽¹⁾ discriminates against her on grounds of her origin as a Russian national and, therefore, infringes Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms read in conjunction with her rights enshrined in Article 8(1) of the European Convention for the Protection of Human Rights and Fundamental Freedoms. In that respect, the Council cannot rely on a time of emergency under Article 15(1) of that convention and on a derogation within the meaning of Article 15(3) of that convention.

⁽¹⁾ OJ 2022 L 49, p. 1.