

3. Third plea in law, alleging violations of the applicant's fundamental rights. The applicant submits that:
- the Council failed to provide the applicant with the individual and specific factual and legal reasons in violation of Article 296 TFUE;
 - the applicant was not given the right to make his views known to the Council;
 - the contested measures identify the applicant as being responsible for the misappropriation of Ukrainian State funds in the absence of any judgment and any proof thereof, which constitutes a violation of the applicant's right to be presumed innocent until proven guilty;
 - the applicant was not informed of any evidence adduced against him, thus making him unable to contest it before the Court, which constitutes a violation of his right to an effective legal remedy;
 - the appellant is directly deprived of his property rights;
 - the contested sanctions are disproportionate compared to the circumstances of the case and the available evidence, and
 - the way in which applicant is portrayed in the contested measures seriously harms his reputation.

Action brought on 30 May 2014 — Pshonka v Council

(Case T-381/14)

(2014/C 261/63)

Language of the case: English

Parties

Applicant: Viktor Pavlovych Pshonka (Moscow, Russia) (represented by: C. Constantina and J.-M. Reymond, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- partially annul, on the basis of Article 263 of the Treaty on the Functioning of the European Union (TFEU), Council Decision 2014/119/CFSP of 5 March 2014 and Council Regulation No 208/2014 of 5 March 2014, insofar as they concern the applicant and, more specifically, order:
 - to remove the applicant's name from Annex I of the Council Regulation N. 208/2014 of 5 March 2014;
 - to remove the applicant's name from Annex I of the Council Decision 2014/119/CFSP of 5 March 2014;
- partially annul, on the basis of Article 263 TFEU, Council Decision 2014/119/CFSP of 5 March 2014 and Council Regulation No 208/2014 of 5 March 2014, insofar as they do not conform to the Joint Proposal;
- order the Council to bear the costs of this suit and award costs to the applicant.

Pleas in law and main arguments

In support of the action, the applicant relies on three pleas in law which are essentially identical or similar to those relied on in Case T-380/14, *Pshonka v Council*.
