

Re:

Application under Article 263 TFEU for annulment of Council Decision (CFSP) 2019/354 of 4 March 2019 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2019 L 64, p. 7), and of Council Implementing Regulation (EU) 2019/352 of 4 March 2019 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2019 L 64, p. 1), in so far as those acts maintain the applicant's name on the list of persons, entities and bodies subject to those restrictive measures.

Operative part of the judgment

The Court:

1. Annuls Council Decision (CFSP) 2019/354 of 4 March 2019 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2019/352 of 4 March 2019 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as the name of Mr Oleksandr Viktorovych Yanukovych was maintained on the list of persons, entities and bodies subject to those restrictive measures;
2. Orders the Council of the European Union to pay the costs.

(¹) OJ C 238, 15.7.2019.

Judgment of the General Court of 9 June 2021 — Yanukovych v Council

(Case T-303/19) (¹)

(Common foreign and security policy — Restrictive measures taken in view of the situation in Ukraine — Freezing of funds — List of persons, entities and bodies subject to the freezing of funds and economic resources — Maintenance of the applicant's name on the list — Council's obligation to verify that the decision of an authority of a third State was taken in accordance with the rights of the defence and the right to effective judicial protection)

(2021/C 297/40)

Language of the case: English

Parties

Applicant: Viktor Fedorovych Yanukovych (Rostov-on-Don, Russia) (represented by: M. Anderson, R. Kiddell, Solicitors, E. Dean and J. Marjason-Stamp, Barristers)

Defendant: Council of the European Union (represented by: P. Mahnič, A. Vitro and T. Haas, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Council Decision (CFSP) 2019/354 of 4 March 2019 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2019 L 64, p. 7), and of Council Implementing Regulation (EU) 2019/352 of 4 March 2019 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2019 L 64, p. 1), in so far as those acts maintain the applicant's name on the list of persons, entities and bodies subject to those restrictive measures.

Operative part of the judgment

The Court:

1. Annuls Council Decision (CFSP) 2019/354 of 4 March 2019 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2019/352 of 4 March 2019 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as the name of Mr Viktor Fedorovych Yanukovych was maintained on the list of persons, entities and bodies subject to those restrictive measures;
2. Orders the Council of the European Union to pay the costs.

⁽¹⁾ OJ C 238, 15.7.2019.

Judgment of the General Court of 9 June 2021 — DI v ECB

(Case T-514/19) ⁽¹⁾

(Civil service — ECB staff — Reimbursement of medical expenses and education expenses — Forgery — Disciplinary proceedings — Dismissal — Criminal proceedings — No further action taken — Acquittal — Competence of the Executive Board — Legal certainty — Time-barred disciplinary proceedings — Adage according to which ‘disciplinary proceedings arising out of a criminal offence must await the outcome of the criminal trial’ — Presumption of innocence — Impartiality of the Disciplinary Committee — Error of law — Probative value of the evidence — Reasonable time — Proportionality of the penalty — Intensity of the judicial review — Liability)

(2021/C 297/41)

Language of the case: English

Parties

Applicant: DI (represented by: L. Levi, lawyer)

Defendant: European Central Bank (represented by: F. Malfrère and F. von Lindeiner, acting as Agents, and by B. Wägenbaur, lawyer)

Re:

Action under Article 270 TFEU and Article 50a of the Statute of the Court of Justice of the European Union seeking, first, annulment of the ECB's decision of 7 May 2019 dismissing the applicant without notice on disciplinary grounds and of its decision of 25 June 2019 refusing to reopen the disciplinary proceedings, second, an order that the applicant be reinstated as from 11 May 2019 and, third, compensation for the non-material damage which the applicant claims to have suffered as a result of those decisions and by reason of the length of the disciplinary proceedings.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders DI to bear his own costs and to pay three quarters of the costs of the European Central Bank (ECB), which shall bear the rest of its costs.

⁽¹⁾ OJ C 363, 28.10.2019.