

CJEU Rulings on EU's Restrictive Measures against Russia (January - April 2025)

News

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This news item summarises rulings by the Court of Justice of the European Union (CJEU), i.e. General Court (GC) and Court of Justice (ECJ), taken in the period between January 2025 and April 2025 in relation to EU sanctions against Russia in response to its war in Ukraine (see also the overview at [eucrim 2/2024, 89-91](#)).

- 22 January 2025: The GC [confirms the EU's decision](#) to put *Andrey Melnichenko*, a Russian industrialist, under sanctions targeting those undermining Ukraine's sovereignty. Melnichenko, former owner of major Russian fertiliser and coal companies (EuroChem and SUEK), challenged his listing, but the Court rejects his arguments ([Case T-271/22](#)). The EU based the listing on Melnichenko's status as a leading businessman in sectors that provide significant revenue to the Russian government (fertilizers and energy). His presence at a February 2022 meeting with Putin, shortly after the invasion began, further supported this designation. Despite Melnichenko's claim of having transferred his assets to a trust and later to his wife, the GC finds that he retains economic benefits and influence. It also rules that the sanctions are proportionate and serve the EU's goal of increasing pressure on Russia. Lastly, the GC emphasised that the EU does not need to prove a personal link to the Russian government if the individual plays a leading role in key economic sectors.
- 29 January 2025: In [case T-1106/23, *Vinokurov v. Council*](#), the GC dismisses the action brought by Russian businessman *Alexander Vinokurov*, confirming the legality of his inclusion on the EU sanctions list. Vinokurov had contested several Council acts from 2023 and 2024 that maintained his listing in connection with Russia's war against Ukraine. The Council justified his listing on the basis of a new criterion introduced in 2022, which targets individuals operating in sectors that constitute a substantial source of revenue for the Russian government. The Council relied on Vinokurov's involvement in key Russian companies as well as his personal connections – most notably his marriage to the daughter of Foreign Minister Sergey Lavrov – and his presence at a meeting with President Putin on 24 February 2022. [The GC finds](#) that the new criterion used by the Council was sufficiently precise: it does not require the individual to actively support the Russian government, but merely to be engaged in economic activities that generate substantial revenue supporting it. It holds that the Council had not committed any manifest error of assessment in concluding that Vinokurov's business activities fell within this scope. The restrictive measures were proportionate in light of the EU's objective of increasing pressure on Russia to end its military aggression against Ukraine. With respect

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to legal certainty, the Court emphasises that the Council is required to conduct periodic reviews of listings and that individuals may submit requests for delisting at any time.

- 13 March 2025: The ECJ dismisses an appeal brought by former Russian Deputy Prime Minister, *Igor Shuvalov* (Case C-271/24 P). Shuvalov appealed a judgment of the GC that confirmed his inclusion on the list of persons covered by EU restrictive measures due to Russia's war against Ukraine. [The ECJ observes](#), in particular, that the GC did not err in law in holding that the Council could rely on positions held and public statements made by Mr Shuvalov prior to the adoption of the acts at issue. The GC also correctly held that the Council had established that Mr Shuvalov supported actions or policies targeting Ukraine. There were sufficient reasons for the listings in question. Lastly, the ECJ confirmed the GC's position that the acts in question do not undermine the essence of Mr Shuvalov's right to property and that the limitation imposed by the restrictive measures on that right does not appear to be manifestly inappropriate in relation to the objective which they pursue.
- 19 March 2025: The GC dismisses an action brought by a Belarusian iron and steel company that was included in the EU sanctions list in view of the serious situation in Belarus and Belarus' participation in Russia's aggression against Ukraine (Case T-1042/23, "*BMC*" holding v Council). The GC first rejects the company's arguments that the Council made an error of assessment because the company is not an important source of income for the Lukashenko regime, does not benefit from that regime or support it, and is not responsible for repression against civil society in Belarus. The GC points out, *inter alia*, that the applicant is recognised by President Lukashenko as one of the "flagships" of Belarus, is one of the five largest companies in the country, exports its products to more than 60 countries worldwide and has paid dividends amounting to millions of euro to the Belarusian State. Furthermore, the applicant has not provided any evidence to the contrary that it has not 'benefited' from the Lukashenko regime. This is supported by evidence, correctly accepted by the Council, that the applicant has benefited from extensive state subsidies and political support from the Lukashenko regime and that its general director was personally appointed by President Lukashenko. Finally, the Court rejects the argument that the freezing of funds imposed on the company constitutes a restriction on the exercise of the rights and freedoms recognised in the Charter and their essence. The conditions of Art. 52(1) of the Charter are met, and no disproportionate interference with the applicant's right to property and freedom to conduct a business can be found in the EU sanctions regime.
- 26 March 2025: An action by Dutch media outlets against restrictive measures taken by the Council in view of Russia's actions destabilising the situation in Ukraine turns out unsuccessful before the GC (Case T-307/22, *A2B Connect BV and Others*). The applicants (who are established in the Netherlands and are providers of internet services to individuals and to businesses) proceed against the Council's ban of broadcasting and advertising products in Russia following its military aggression against Ukraine. [The GC first ruled](#) that it has no jurisdiction as regards the Council Decisions adopted in the context of the common foreign and security policy (CFSP) because the applicants' names are not on the lists annexed to the contested acts establishing restrictive measures. However, the Court can review the legality of the contested Council Regulations which have been adopted on the basis of Art. 215 TFEU. Second, the GC affirmed that the Council had competence to the regulations concerned. It observes on that point: since the propaganda and disinformation campaigns conducted by media outlets under the control of the leadership of the Russian Federation are capable of undermining the foundations of democratic societies and are an integral part of the arsenal of modern warfare, the restrictive measures at issue are integral to the pursuit by the EU of the objectives assigned to it in Art. 3(1) and (5) TEU. Since the actions in question constitute, in that regard, a significant and direct threat to the public order and security of the EU, those measures, by seeking to safeguard the values, fundamental interests, security and independence of the EU and to preserve peace, are, therefore, directly linked to the aims of the CFSP. The GC also rejects other pleas brought by the applicants. It

rules, *inter alia*, with regard to the freedom to impart information that it was appropriate for the Council to take internet service providers, such as the applicants, into consideration in the same way as any of the means of content transmission or distribution, as operators that are expected to ensure the application and effectiveness of the broadcasting prohibitions in the EU territory.

- 30 April 2025: Following a request for a preliminary ruling, the ECJ clarified that EU sanctions against Russia prohibit the export of euro banknotes –even when intended to pay for medical treatments in Russia. (Case C-246/24, *ZZ/Generalstaatsanwaltschaft Frankfurt am Main*). The case concerned a traveller stopped at Frankfurt Airport carrying nearly €15,000 in cash. While she claimed the money was to fund medical procedures such as dental treatment, hormone therapy in a fertility clinic, and breast surgery, German customs officers seized most of the amount, allowing only €1,000 for travel expenses. They argued that EU law prohibits the export of banknotes denominated in euro or in any other official currency of a Member State to Russia. This prohibition does not apply only to the sums necessary for the personal use of travellers or those of members of their immediate families travelling with them. The [judges in Luxembourg affirmed](#) that this exception in EU sanctions does not extend to medical expenses. The purpose of the exemption is strictly to cover travel and subsistence, not additional costs like medical treatment. The decision confirms the strict scope of the EU's cash export ban as part of its response to Russia's war in Ukraine.
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