

# General Court Judgments on Anti-War Sanctions

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## News

The CJEU had to deal with several actions brought by individuals against the EU's regime imposing restrictive measures on Russian individuals and entities due to Russia's aggression against Ukraine. The following provides an overview of recent judgments delivered by the General Court (GC).

- On 8 November 2023, the [General Court confirmed](#) that the assets of *Dmitry Arkadievich Mazepin*, a businessperson of Russian nationality, must remain frozen ([Case T-282/22, \*Mazepin v Council\*](#)). The Council imposed sanctions on Mazepin, owner of a chemical enterprise in Russia, alleging his close association with Putin, his influential business role, and his perceived support for policies threatening Ukraine. Mazepin's challenge to the Council's decision before the GC has been rejected. The GC found that the Council provided a clear justification for its decision, and Mazepin had access to the evidence against him to defend himself. The Council presented specific and consistent evidence indicating Mazepin's role as a leading businessperson contributing substantial revenue to the Russian government. The imposed sanctions are seen as a measure to increase the costs of Russia's actions in Ukraine and pressure the Russian authorities into ceasing destabilizing policies in Ukraine.
- On 20 December 2023, the GC upheld the restrictive measures taken against *Roman Arkadyevich Abramovich*, who is the majority shareholder of the company Evraz, one of the leading Russian groups in the steel and mining sector ([Case T-313/22, \*Abramovich v Council\*](#)). Mr Abramovich challenged the inclusion and retention of his name on the lists of persons and entities subject to restricted measures because of the Russian war against Ukraine. The GC deems justified the Council's decision to include and maintain Mr Abramovich's name on the list by considering his role in the Evraz group. Additionally, Mr. Abramovich's claim for compensation is dismissed, as he fails to demonstrate the unlawfulness of his inclusion on the lists. Abramovich is a Russian businessman who became famous as former owner of British Premier League soccer club Chelsea. He also holds Israeli and Portuguese citizenship. Forbes estimates his net worth at \$9.2 billion.
- Also on 20 December 2023, the GC ruled on economic trade sanctions. The [Court clarified](#) the EU regulation on restrictive measures with regard to the prohibition on the use of Russian-related aircraft in the EU territory as a consequence of Russia's actions destabilising the situation in Ukraine. In the case at issue ([Case T-233/22, \*Isentyeva v Council\*](#)), a pilot, who has dual Russian and Luxembourg citizenship, contested the EU regulation (in particular Art. 1(2) of Decision (CFSP) 2022/335, inserting Article 4e of Council Decision 2014/512/CFSP of 31 July 2014) and the decision by the Directorate for Civil Aviation of the Grand Duchy of Luxembourg refusing recognition of her right to use her private pilot

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Published in  
2023, Vol. 18(4) [eucrim](#)  
ISSN: 1862-6947  
<https://eucrim.eu>

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license to land in, take off from or overfly the territory of the EU. The authority argued that the EU regulation also applies to pilots of Russian nationality who exercise effective and material control of an aircraft. The GC clarifies that the term "control" in said EU Decision only applies in cases of economic or financial control of an airplane, but does not extend to Russian citizens holding private pilot licenses. It stresses that the interpretation according to which that prohibition also includes Russian citizens who hold a private pilot license would be manifestly inappropriate in the light of the objective of exerting pressure on the Russian President and his government capable of halting the violations of international law and upholding the territorial integrity of Ukraine. In conclusion, the applicant's action was dismissed inadmissible since she was not "directly concerned" by the EU measures. The GC also adds that it has no jurisdiction over the claim requesting it to recognise the applicant's right to use her private pilot licence because it cannot deliver declaratory or confirmatory judgments if it exercises its judicial review under Art. 263 TFEU.

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