

Russian Business Couple Fails before EU Court

Thomas Wahl



News

On 6 September 2023, in Cases [T-270/22](#) and [T-272/22](#), the General Court of the European Union (GC) dismissed the actions brought by *Dmitry Alexandrovich Pumpyanskiy* and *Galina Evgenyevna Pumpyanskaya* against the restrictive measures adopted against them by the Council.

By decision of the Council on 9 March 2022, the two spouses were added to the list of persons to which restrictive measures apply due to their involvement in the Russian aggression against Ukraine; subsequently, their funds were frozen.

The GC found that although Dmitry Pumpyanskiy had not been directly involved in the acts of military aggression in Ukraine, he was active in economic sectors that serve as important sources of income for the government of the Russian Federation. The inclusion of Ms Pumpyanskaya was justified because of her family and business relationship considering that she holds relevant positions in her husband's companies.

Moreover, in the absence of investigative powers in third countries, the assessment of the Union authorities could be based on publicly available sources of information, reports, press articles or similar sources of information.

The restrictive measures in question are precautionary measures which undeniably lead to a restriction on the exercise of certain fundamental rights. However, according to established case law, these fundamental rights must be assessed in the light of their social function. The conditions for a restriction are met against this background in the present case. The Court found that impacts on the persons concerned are mitigated by the possibilities to use frozen funds for basic needs and to get specific authorisations permitting funds or other economic resources to be released. In addition, entering the territory of the EU is not completely excluded, for instance, in case of urgent humanitarian grounds.

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