



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 October 2012

15600/12

**JUR 557
COEST 370
RELEX 984**

INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Case before the EU General Court
– Case T-275/12, JCSC Football Club Dinamo-Minsk v. Council

1. By an application notified to the Council on 10 July 2012, JCSC Football Club Dinamo-Minsk has brought an action pursuant to Article 263 TFUE for the annulment of Council Implementing Regulation (EU) No 265/2012 of 23 March 2012 implementing Article 8a(1) of the Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus and of Council Implementing Decision 2012/171/CFSP of 23 March 2012 implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus, to the extent that they concern the applicant.
2. In support of the action, the applicant relies on five pleas in law:
 - First plea in law, alleging that the contested measures are vitiated by errors of law and manifest errors of assessment because the Council failed to take into account the specific nature of sport and/or the fundamental right of cultural diversity when it imposed the restrictive measures upon the applicant.

- Second plea in law, alleging that the contested measures breach the obligation to state adequate reasons for the inclusion of the applicant in the lists of persons and entities to which restrictive measures apply.
 - Third plea in law, alleging that the contested measures infringe the right to property.
 - Fourth plea in law, alleging that the contested measures infringe the rights of the defence, the right to a fair hearing, and the right to an effective judicial remedy.
 - Fifth plea in law, alleging that the contested measures infringe the principle of proportionality.
3. In accordance with Article 46 of the Rules of Procedure of the Court, the Council had to lodge its statement of defence within two months of receipt of the notification of the application. The Director-General of the Council Legal Service has appointed Mr. Frederik NAERT and Ms. Emer FINNEGAN, members of the Legal Service, as the Council's agents in this case.
-