



**Brussels, 28 October 2014
(OR. en)**

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COEST 391**

INFORMATION NOTE

From: Legal Service
To: Permanent Representatives Committee (Part 2)
Subject: Case before the EU General Court
- Case T-720/14, Arkady Romanovich Rotenberg v. Council

1. By an application notified to the Council on 23 October 2014, the above-mentioned person has brought an action for the annulment of Regulation No 269/2014 of 17 March 2014 (OJ L 78/6) concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, as amended by Council Implementing Regulation (EU) No 826/2014 of 30 July 2014 (OJ L 226/16), and of Decision 2014/145/CFSP of 17 March 2014 (OJ L 78/16) concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, as amended by Council Decision 2014/508/CFSP of 30 July 2014 (OJ L 226/23), insofar as these acts apply to the applicant.
2. The contested acts list the applicant among the persons and entities to which certain restrictive measures on entry restrictions and on the freezing of funds and economic resources apply.

3. The applicant invokes the following grounds for annulment:
- failure to give adequate or sufficient reasons for designating the applicant;
 - manifest error in considering that any of the criteria for listing in the contested acts was fulfilled in the applicant's case;
 - breach of data protection principles;
 - failure to safeguard the applicant's rights of defence and to effective judicial review; and
 - infringement, without justification or proportion, of the applicant's fundamental rights, including his right to protection of his property, business, and reputation.
4. In accordance with Article 46(1) of the Rules of Procedure of the Court, the Council has 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. Jan-Peter Hix and Mr Bart Driessen, members of the Legal Service, as the Council's agents in this case.
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