



Brussels, 28 February 2023  
(OR. en)

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JUR 147  
CORLX 261  
COAFR 91  
CFSP/PESC 361

## INFORMATION NOTE

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From: Legal Service  
To: Permanent Representatives Committee (Part 2)  
Subject: Cases before the General Court of the European Union  
- Cases T-6/23 and T-6/23 R (UC v. Council) - Action for annulment -  
restrictive measures DRC

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1. By application notified to the Council on 17 January 2023, the applicant has brought an action pursuant to Article 263 TFEU for the annulment of (1) Council Implementing Decision (CFSP) 2022/2398 of 8 December 2022 implementing Decision 2010/788/CFSP and (2) Council Implementing Regulation (EU) 2022/2397 of 8 December 2022 implementing Regulation (EC) No 1183/2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo, insofar as these acts concern the applicant.
2. In support of his action the applicant submits six pleas:
  - breach of Articles 31 TEU and 75 and 215 TFEU;
  - violation of the principles of legal certainty and proportionality;
  - infringement of the duty to state reasons and manifest error of assessment;
  - violation of the right to property;
  - violation of free movement and disproportionality of the visa ban;
  - violation of the rights of defence and of the right to effective judicial protection.

3. The applicant has also lodged a request for interim measures pursuant to Articles 278 and 279 TFEU (Case T-6/23 R), seeking the suspension of the implementation of the contested acts pending the judgment in case T-6/23.
  4. The Acting Director-General of the Legal Service has appointed Mr Bart DRIESSEN and Ms Marie-Cécile CADILHAC, legal advisers in the Council Legal Service, as the Council's agents in those case.
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