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Judgments of the General Court in Cases T-270/22 | Pumpyanskiy v Council and T-272/22 Pumpyanskaya v Council

### **War in Ukraine: the General Court dismisses the actions brought by Mr Dmitry Alexandrovich Pumpyanskiy and Ms Galina Evgenyevna Pumpyanskaya against the restrictive measures adopted by the Council**

*Although Mr Pumpyanskiy has not played a direct role in military offensive in Ukraine, he is involved in economic sectors which constitute a substantial source of revenue for the Government of the Russian Federation.*

From the beginning of Russia's war against Ukraine in February 2022, the Council has included on the restrictive measures lists of members of the Government, banks and leading businesspersons supporting, benefiting from or providing a substantial source of revenue to the Government of the Russian Federation.<sup>1</sup> Mr Dmitry Pumpyanskiy, Chairman of the Board of Directors of PJSC Pipe Metallurgical Company (TMK) and President of the board of the Sinara Group, was added to the list on the grounds, first, that he supported the authorities of the Russian Federation and State-owned companies and, second, that he is a leading businessperson involved in economic sectors that constitute a substantial source of revenue for the Government of the Russian Federation. Ms Galina Evgenyevna Pumpyanskaya is also included on the restrictive measures list as the spouse of Mr Pumpyanskiy and Chairwoman of the BF Sinara Foundation's Board of Trustees.

They brought actions against those decisions before the General Court of the European Union.

By its judgments delivered today, the Court upholds the decisions adopted against Mr Pumpyanskiy and Ms Pumpyanskaya and maintains **their names** on the restrictive measures list.

Contrary to what is claimed by Mr Pumpyanskiy, the Court finds that the evidence adduced by the Council makes it possible to conclude that including him on the restrictive measures list is well founded since he can be classified as a leading businessperson involved in the oil and gas industry sectors which provide a substantial source of revenue to the Russian Government.

As regards including Ms Pumpyanskaya on the restrictive measures list, the Court recalls that she is connected to her husband because of their family relationship and a business relationship in view of their respective positions within TMK, the Sinara group and the BF Sinara foundation.

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<sup>1</sup> Council Decision (CFSP) 2022/397 of 9 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 80, p. 31). Council Implementing Regulation (EU) 2022/396 of 9 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 80, p. 1).

The Court also notes that, contrary to what is claimed by Mr Pumpyanskiy and Ms Pumpyanskaya, including their names on the lists does not constitute an unjustified, arbitrary and disproportionate limitation of their fundamental rights, which include, inter alia, the right to respect for private and family life, home and communications. The Court finds, in particular, that EU law provides for the possibility of authorising the use of frozen funds in order to meet basic needs and of granting specific authorisations permitting funds or other economic resources to be released.

As regards the exercise of the right to respect for private and family life and home, the Court points out that **the competent authority of a Member State may authorise listed persons to enter the territory of the European Union, inter alia on urgent humanitarian grounds.**

**NOTE:** An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to EU law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

**NOTE:** An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months and ten days of notification of the decision.

Unofficial document for media use, not binding on the General Court.

The full text of the judgments ([T-270/22](#) and [T-272/22](#)) is published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit ☎ (+352) 4303 3355.

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