



## PRESS RELEASE No 49/24

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Judgment of the General Court in Case T-743/22 | Mazepin v Council

### War in Ukraine: the General Court annuls the acts maintaining Mr Nikita Mazepin on the lists of persons subject to restrictive measures

*The family connection with his father, Russian businessperson Dmitry Mazepin, is not sufficient for him to be regarded as being linked to his father by common interests and, therefore, for him to be maintained on those lists*

In March 2022, Mr Nikita Mazepin was included on the list of persons subject to restrictive measures adopted by the European Union in response to the Russian aggression against Ukraine. This has resulted, in particular, in his funds being frozen and in his being prohibited from entering the territory of the Member States. His inclusion on that list was based on the association with his father, Mr Dmitry Mazepin, a leading businessperson involved in economic sectors providing a substantial source of revenue to the Russian Government <sup>1</sup>. According to the Council, Mr Dmitry Mazepin was the major sponsor, through the companies to which he is linked, of his son's activities as a driver in the Haas F1 Team.

Pursuant to the maintaining acts adopted in September 2022, March 2023 and September 2023 <sup>2</sup>, the Council extended the restrictive measures taken against Mr Nikita Mazepin until 15 March 2024.

Mr Nikita Mazepin claimed that the General Court of the European Union should annul those acts <sup>3</sup>, submitting, *inter alia*, that they are vitiated by an error of assessment made by the Council.

**By its judgment, the General Court upholds his claim and annuls the acts maintaining Mr Nikita Mazepin on the lists of persons targeted by restrictive measures.**

The General Court recalls that the 'association' criterion, applied in respect of Mr Nikita Mazepin, covers persons who are, generally speaking, linked by common interests. In accordance with settled case-law, **that criterion implies the existence of a link going beyond a family relationship**, established in the light of a set of indicia sufficiently specific, precise and consistent.

In the circumstances of the present case, the General Court holds that the Council did not discharge its burden of proof to establish such a link. The association between Mr Nikita Mazepin and his father is in no way established from an economic or capital perspective or by the existence of common interests linking them at the time when the maintaining acts were adopted. As regards the alleged sponsoring of Mr Nikita Mazepin by his father, the General Court finds, *inter alia*, that, since March 2022, Mr Nikita Mazepin has no longer been a driver for the Haas F1 Team. **The maintaining acts are therefore based, *de facto*, solely on the family connection**, which is not sufficient to maintain his name on the lists of persons subject to restrictive measures.

**NOTE:** An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to European Union 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 and, as the case may be, the abstract](#) of the judgment is published on the CURIA website on the day of delivery.

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Pictures of the delivery of the judgment are available from "[Europe by Satellite](#)" ☎ (+32) 2 2964106.

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<sup>1</sup> As regards Mr Dmitry Mazepin, see, *inter alia*, judgment of the General Court of 8 November 2023, Mazepin v Council, [T-282/22](#) (see also Press Release [No 166/23](#)). Mr Dmitry Mazepin has lodged an appeal against that judgment of the General Court (see pending case Mazepin v Council, [C-35/24 P](#)).

<sup>2</sup> Council [Decision \(CFSP\) 2022/1530](#) of 14 September 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine; Council [Implementing Regulation \(EU\) 2022/1529](#) of 14 September 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; Council [Decision \(CFSP\) 2023/572](#) of 13 March 2023 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine; Council [Implementing Regulation \(EU\) 2023/571](#) of 13 March 2023 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine; Council [Decision \(CFSP\) 2023/1767](#) of 13 September 2023 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine; Council [Implementing Regulation \(EU\) 2023/1765](#) of 13 September 2023 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

<sup>3</sup> Mr Nikita Dmitrievich Mazepin has not challenged before the General Court the initial acts of the Council by which he was included on the list.