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Judgments of the General Court in Cases T-301/22 | Aven v Council and T-304/22 | Fridman v Council

War in Ukraine: the General Court annuls the inclusion of Petr Aven and Mikhail Fridman on the lists of persons subject to restrictive measures between February 2022 and March 2023

The reasons given by the Council cannot be taken into account in order to place and maintain the two businessmen on those lists

Petr Aven, of Russian and Latvian nationality, and Mikhail Fridman, of Russian and Israeli nationality, are major shareholders of Alfa Group, a conglomerate including Alfa Bank, one of Russia's major banks. In February 2022, in response to the Russian invasion in Ukraine, the Council adopted the initial acts by which it placed, inter alia, the names of Mr Aven and Mr Fridman on the lists of restrictive measures, so that their funds and economic resources were frozen. The Council maintained their inclusion on those lists by measures adopted the following September.

The Council maintains that Petr Aven and Mikhail Fridman are associated with persons who are also subject to restrictive measures, as well as with Vladimir Putin himself. According to the Council, they provided material or financial support to Russian decision-makers, and supported actions and policies that undermine or threaten the territorial integrity, sovereignty and independence of Ukraine. Mr Aven and Mr Fridman, on the contrary, submit that the evidence adduced by the Council is neither reliable nor credible, and that the Council's assessments are incorrect.

The General Court **upholds the requests of Petr Aven and Mikhail Fridman and annuls both the initial acts and the acts maintaining the lists of restrictive measures for the period from 28 February 2022 to 15 March 2023**¹.

The General Court considers that none of the reasons set out in the initial acts is **sufficiently substantiated** and that the inclusion of Mr Aven and Mr Fridman on the lists at issue was therefore **not justified**. As regards the maintaining acts, the General Court holds that the Council adduced **no additional evidence** compared to that on which it had relied in the initial acts.

According to the General Court, although the grounds put forward by the Council may be such as to establish, as the case may be, a degree of proximity between Petr Aven and Mikhail Fridman and Vladimir Putin or his entourage, they do not demonstrate that they have supported actions or policies that undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, or that they have provided material or financial support to the Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine, or that they have benefited from those decision-makers.

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 2 months and 10 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, an abstract of the judgments ([T-301/22](#) and [T-304/22](#)) are published on the CURIA website on the day of delivery.

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Images of the delivery of the judgments are available on '[Europe by Satellite](#)' ☎ (+32) 2 2964106.

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¹By acts of 13 March 2023, the Council once more maintained the names of Mr Aven and Mr Fridman on the lists of restrictive measures. Mr Aven and Mr Fridman have challenged those acts by separate actions before the General Court; see pending Cases *Aven v Council*, [T-283/23](#), and *Fridman v Council*, [T-296/23](#).