

JUDGMENT OF THE COURT (Third Chamber)

16 July 2026 (*)

(Appeal – Restrictive measures taken in view of the military aggression against Ukraine – Decision 2014/145/CFSP – Article 1(1)(b) and Article 2(1)(d) – Restrictive measures taken against a natural person providing financial support to Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine – Article 21 TFEU – Article 45(1) of the Charter of Fundamental Rights of the European Union – Citizenship of the Union – Freedom of movement – Restrictive measures affecting the freedom of movement and residence of an EU citizen)

In Case C-400/25 P,

APPEAL under Article 56 of the Statute of the Court of Justice of the European Union, brought on 13 June 2025,

Gennady Nikolayevich Timchenko, residing in Moscow (Russia), represented by S. Bonifassi, T. Bontinck, E. Fedorova and J. Goffin, avocats,

appellant,

the other party to the proceedings being:

Council of the European Union, represented by M.-C. Cadilhac and V. Piessevaux, acting as Agents,

defendant at first instance,

THE COURT (Third Chamber),

composed of C. Lycourgos, President of the Chamber, O. Spineanu-Matei (Rapporteur), S. Rodin, N. Piçarra and N. Fenger, Judges,

Advocate General: J. Kokott,

Registrar: A. Calot Escobar,

having regard to the written procedure,

having decided, after hearing the Advocate General, to proceed to judgment without an Opinion,

gives the following

Judgment

- 1 By his appeal, Mr Gennady Nikolayevich Timchenko seeks to have set aside the judgment of the General Court of the European Union of 2 April 2025, *Timchenko v Council* (T-297/23, EU:T:2025:352; ‘the judgment under appeal’), by which the General Court dismissed his action seeking, pursuant to Article 263 TFEU, (i) annulment of, first, 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 (OJ 2023 L 75I, p. 134) and 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 (OJ 2023 L 75I, p. 1) (together, ‘the March 2023 acts’) and, second, 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 (OJ 2023 L 226, p. 104) and 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 (OJ 2023 L 226, p. 3) (together, ‘the September 2023 acts’), in so far as the March 2023 and September 2023 acts (together, ‘the acts at issue’) concern him; and (ii) compensation, pursuant to Article 268 TFEU, in respect of the non-material harm which he claims to have suffered as a result of the adoption of the acts at issue.

Legal context and background to the dispute

- 2 The factual and legal background to the present case is set out in paragraphs 2 to 32 of the judgment under appeal. For the purposes of the present proceedings, it may be summarised and supplemented as follows.
- 3 The present case arises in the context of the restrictive measures adopted by the European Union since 2014 in response to actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.
- 4 The appellant is a businessperson of Russian and Finnish nationality.
- 5 On 17 March 2014, on the basis of Article 29 TEU, the Council of the European Union adopted Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 16).
- 6 On the same date, on the basis of Article 215(2) TFEU, the Council adopted Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2014 L 78, p. 6).
- 7 Following the invasion of Ukraine by the armed forces of the Russian Federation on 24 February 2022, on 25 February 2022, the Council adopted Decision (CFSP) 2022/329 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 50, p. 1). The same day, the Council adopted Regulation (EU) 2022/330 amending 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 51, p. 1).

Directive 2004/38/EC

- 8 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ 2004 L 158, p. 77), was adopted pursuant to the EC Treaty, in particular Articles 12, 18, 40, 44 and 52 EC.
- 9 Recital 2 of Directive 2004/38 states:

‘The free movement of persons constitutes one of the fundamental freedoms of the internal market, which comprises an area without internal frontiers, in which freedom is ensured in accordance with the provisions

of the Treaty.’

10 Article 1 of that directive, headed ‘Subject’, provides:

‘This Directive lays down:

- (a) the conditions governing the exercise of the right of free movement and residence within the territory of the Member States by Union citizens and their family members;
- (b) the right of permanent residence in the territory of the Member States for Union citizens and their family members;
- (c) the limits placed on the rights set out in (a) and (b) on grounds of public policy, public security or public health.’

11 Opening Chapter VI of that directive, which is headed ‘Restrictions on the right of entry and the right of residence on grounds of public policy, public security or public health’, Article 27 thereof, headed ‘General principles’, is worded as follows:

‘1. Subject to the provisions of this Chapter, Member States may restrict the freedom of movement and residence of Union citizens and their family members, irrespective of nationality, on grounds of public policy, public security or public health. These grounds shall not be invoked to serve economic ends.

2. Measures taken on grounds of public policy or public security shall comply with the principle of proportionality and shall be based exclusively on the personal conduct of the individual concerned. Previous criminal convictions shall not in themselves constitute grounds for taking such measures.

The personal conduct of the individual concerned must represent a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society. Justifications that are isolated from the particulars of the case or that rely on considerations of general prevention shall not be accepted.

...’

12 That directive is, under Article 42 thereof, addressed to the Member States.

Decision 2014/145, in the version applicable when the March 2023 acts were adopted

13 Article 1(1) of Decision 2014/145, as amended, in particular, by Decision 2022/329, prohibits the entry into, or transit through, the territories of the Member States of, inter alia, natural persons meeting the criteria laid down, in particular, in paragraphs (a), (b) and (e) of that article, while Article 2(1) of Decision 2014/145 provides for the freezing of the funds and economic resources of natural persons meeting the criteria laid down, inter alia, in paragraphs (a), (d) and (g) of that article; the latter criteria are, in essence, identical to those laid down in Article 1(1)(a), (b) and (e) of that decision.

14 Article 1 of that decision, in the version applicable when the March 2023 acts were adopted, provided:

‘1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:

- (a) natural persons responsible for, supporting or implementing actions or policies which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, or stability or security in Ukraine, or which obstruct the work of international organisations in Ukraine;
- (b) natural persons supporting, materially or financially, or benefitting from Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine;

...

- (e) leading businesspersons involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for the annexation of Crimea and the destabilisation of Ukraine,

and natural persons associated with them, as listed in the Annex.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

- (a) as a host country to an international intergovernmental organisation;
- (b) as a host country to an international conference convened by, or under the auspices of the United Nations;
- (c) under a multilateral agreement conferring privileges and immunities; or
- (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and [the Italian Republic].

4. Paragraph 3 shall be considered as also applying in cases where a Member State is host country to the Organisation for Security and Cooperation in Europe (OSCE).

5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraphs 3 or 4.

6. Member States may grant exemptions from the measures imposed under paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, and those promoted or hosted by the Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes the policy objectives of the restrictive measures, including support for the territorial integrity, sovereignty and independence of Ukraine.

...'

15 Article 2(1)(a), (d) and (g) and *in fine*, of Decision 2014/145, in the version applicable when the March 2023 acts were adopted, was worded as follows:

‘All funds and economic resources belonging to, or owned, held or controlled by:

- (a) natural persons responsible for, supporting or implementing actions or policies which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, or stability or security in Ukraine, or which obstruct the work of international organisations in Ukraine;

...

- (d) natural or legal persons, entities or bodies supporting, materially or financially, or benefitting from Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine;

...

- (g) leading businesspersons or legal persons, entities or bodies involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for

the annexation of Crimea and the destabilisation of Ukraine,

and natural or legal persons, entities or bodies associated with them, as listed in the Annex, shall be frozen.’

Decision 2014/145, in the version applicable when the September 2023 acts were adopted

- 16 On 5 June 2023, the Council adopted Decision (CFSP) 2023/1094 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2023 L 146, p. 20). In particular, the criteria set out in Article 1(1)(e) and Article 2(1)(g) of Decision 2014/145, as amended by Decision 2023/1094, cover leading businesspersons operating in Russia and their immediate family members, other natural persons, benefitting from them, as well as businesspersons, legal persons, entities or bodies involved in economic sectors providing a substantial source of revenue to the Government of the Russian Federation, which is responsible for the annexation of Crimea and the destabilisation of Ukraine. By contrast, the criteria set out in Article 1(1)(a) and (b), and in Article 2(1)(a) and (d), of Decision 2014/145 were the same as those laid down in Decision 2014/145 in the version applicable when the March 2023 acts were adopted.

Regulation No 269/2014, in the version applicable when the March 2023 acts were adopted

- 17 Article 3(1) of Regulation No 269/2014, as amended by Regulation 2022/330, sets out the criteria governing, inter alia, the inclusion, on the list in Annex I to that regulation, of the names of natural persons whose funds and economic resources are frozen in accordance with Article 2(1) of that regulation. The criteria set out in Article 3(1)(a), (d) and (g) of Regulation No 269/2014 are, in essence, identical to those set out in paragraph 15 of the present judgment.

Regulation No 269/2014, in the version applicable when the September 2023 acts were adopted

- 18 On 5 June 2023, the Council adopted Regulation (EU) 2023/1089 amending Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2023 L 146, p. 1). In particular, the criterion laid down in Article 3(1)(g) of Regulation No 269/2014, as amended by Regulation 2023/1089, is the result of an amendment essentially identical to that described in paragraph 16 of the present judgment. By contrast, the criteria set out in Article 3(1)(a) and (d) of Regulation No 269/2014 were the same as those laid down in that regulation in the version applicable when the March 2023 acts were adopted.

The acts at issue

- 19 The March 2023 acts maintained the restrictive measures taken against the appellant by way of Council Decision (CFSP) 2022/337 of 28 February 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 59, p. 1) and by way of Council Implementing Regulation (EU) 2022/336 of 28 February 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 58, p. 1), on the following grounds:

‘[The appellant] is a long-time acquaintance of the President of the Russian Federation [Mr] Vladimir Putin and is broadly described as one of his confidants.

He is benefitting from his links with Russian decision-makers. He is founder and shareholder of the Volga Group, an investing group with a portfolio of investments in key-sectors of the Russian economy. The Volga Group contributes significantly to the Russian economy and its development.

He is also a shareholder of Bank Rossiya which is considered to be the bank of Putin and his associates. Since the illegal annexation of Crimea, Bank Rossiya has opened branches across Crimea and Sevastopol,

thereby consolidating their integration into the Russian Federation.

Furthermore, Bank Rossiya has stakes in the National Media Group, a media holding, controlling 28 media enterprises in Russia which are actively spreading propaganda and disinformation related to the Russian war of aggression against Ukraine.

He is therefore responsible for supporting actions or policies which undermine the territorial integrity, sovereignty and independence of Ukraine.

He ... also [provides] financial or material support [for], and [benefits] from Russian decision-makers responsible for the annexation of Crimea and the destabilisation of Ukraine.’

- 20 The September 2023 acts maintained the restrictive measures previously maintained against the appellant for the first time by the March 2023 acts, on grounds that were, in essence, identical and supplemented by the detail that the appellant was ‘a leading businessperson operating in Russia’.

The action before the General Court and the judgment under appeal

- 21 By application of 24 May 2023, the appellant brought an action before the General Court seeking, inter alia, annulment of the acts at issue. To that end, he raised six pleas in law, the first of which alleged manifest error of assessment on the part of the Council, while the fifth plea alleged infringement of the fundamental right to freedom of movement laid down in Article 21 TFEU, of Article 52(1) of the Charter of Fundamental Rights of the European Union (‘the Charter’) and of the constitutional traditions common to the Member States.
- 22 By the judgment under appeal, the General Court rejected the first plea by which the appellant claimed, inter alia, that the Council had made a manifest error of assessment in considering that, in both the March 2023 and the September 2023 acts, the criterion laid down in Article 1(1)(b) and Article 2(1)(d) of Decision 2014/145 in the versions applicable when the acts at issue were adopted (‘Decision 2014/145’), and in Article 3(1)(d) of Regulation No 269/2014 in the versions applicable at those two points in time (‘criterion (d)’) was satisfied in respect of the appellant.
- 23 As regards the March 2023 acts, the General Court found, in paragraphs 143 to 147 of the judgment under appeal, that the Council was able to consider, without erring in its assessment, that the appellant, in his capacity as an important shareholder in Bank Rossiya – which had itself provided financial support to Mr Putin – had supported the latter financially, with the result that the appellant satisfied the conditions laid down in criterion (d).
- 24 In paragraphs 161 to 164 of the judgment under appeal, the General Court found, on the same grounds, that the Council could legitimately consider, in so far as concerns the September 2023 acts, that the appellant satisfied the conditions laid down by criterion (d), particularly since the Council had shown that, through tax exemptions, the appellant ‘[benefitted] from Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine’, within the meaning of that criterion.
- 25 The General Court also rejected the fifth plea raised by the appellant. In paragraphs 179 to 182 of the judgment under appeal, it held, in essence, that restrictions on the exercise of the right to freedom of movement and of residence of Union citizens enshrined in Article 21 TFEU and Article 45(1) of the Charter may be imposed by decisions coming within the Common Foreign and Security Policy (CFSP) which are adopted on the basis of Article 29 TEU. The General Court also held, in paragraphs 183 to 193 of that judgment, that limitations on the exercise of that right, such as those imposed by the restrictive measures to which the appellant was subject, satisfied the conditions set out in Article 52(1) of the Charter, pursuant to which such limitations must be provided for by law, respect the essence of the right in question and, subject to the principle of proportionality, be necessary and genuinely meet objectives of general interest recognised by the Union or the need to protect the rights and freedoms of others.

26 Since it had also rejected the other pleas raised by the appellant, the General Court, in paragraph 221 of the judgment under appeal, dismissed the action in its entirety.

Forms of order sought by the parties to the appeal

27 By his appeal, the appellant claims that the Court should:

- set aside the judgment under appeal, including in so far as it ordered the appellant to bear his own costs and to pay those incurred by the Council;
- dispose of the action on the merits and annul the acts at issue in so far as they concern the appellant; and
- order the Council to pay the costs at first instance and on appeal.

28 The Council contends that the Court should:

- dismiss the appeal; and
- order the appellant to pay the costs.

The appeal

29 In support of his appeal, the appellant raises 10 grounds: the first, second, third, fourth and eighth grounds alleging errors of law on the part of the General Court in relation to the criterion laid down in Article 1(1) (e) and Article 2(1)(g) of Decision 2014/145 and Article 3(1)(g) of Regulation No 269/2014; the fifth, errors of law on the part of the General Court in relation to the criterion set out in Article 1(1)(a) and Article 2(1)(a) of Decision 2014/145 and Article 3(1)(a) of Regulation No 269/2014; the sixth, error of law and infringement of the obligation to state reasons in relation to criterion (d); the seventh, errors of law in relation to that criterion; the ninth, error of law in the examination, by the General Court, of the restriction imposed by the acts at issue on the freedom of movement and residence from which the appellant benefits as an EU citizen; and the tenth, errors of law and infringement of the obligation to state reasons in the assessment of the proportionality of those acts and respect for the essence of that freedom.

30 The Court deems it appropriate to examine, first, the sixth and seventh grounds, then the ninth and tenth grounds and, lastly, the first, second, third, fourth, fifth and eighth grounds of appeal.

The sixth ground of appeal

Arguments of the parties

31 By way of his sixth ground of appeal, which covers paragraphs 144, 146 and 147 of the judgment under appeal concerning the examination of whether the March 2023 acts were well founded in the light of criterion (d), the appellant submits that the General Court erred in law by adopting an overly broad interpretation of the concept of ‘supporting, materially or financially’ Russian decision-makers, within the meaning of that criterion, and that it infringed its obligation to state reasons.

32 First, in paragraphs 146 and 147 of the judgment under appeal, the General Court recognised – arbitrarily, erroneously and contrary to the principle of legal certainty and to its own case-law – the existence of such support, on the sole ground that Bank Rossiya, in which the appellant is ‘an important shareholder’, provides financial support to the President of the Russian Federation, Mr Putin. The appellant argues that material or financial support under criterion (d) must be of a degree of quantitative or qualitative significance such that it effectively enables the Government of the Russian Federation to pursue its actions

against Ukraine, and must be provided directly by the person concerned on account of acts committed by that person, and not through another entity such as, in the present case, Bank Rossiya.

33 Second, the General Court also infringed its obligation to state reasons, in the appellant's submission, in so far as it did not seek to determine any involvement, on the part of the appellant, in the alleged financial support provided by Bank Rossiya to Mr Putin; in fact, there is no reference to the appellant's name in paragraph 144 of the judgment under appeal.

34 Furthermore, the General Court failed to specify the relevance of the appellant's status as an indirect minority shareholder for the purposes of applying criterion (d), and failed, moreover, to address the appellant's arguments relating to that status as shareholder. In that connection, the appellant refers to the arguments put forward on that point in the context of his fifth ground of appeal, which concerns the findings set out by the General Court in paragraphs 132 to 136 of that judgment in relation to the description of the appellant as a 'significant shareholder' in Bank Rossiya. By way of those arguments, the appellant takes the view in essence that the General Court failed to explain how an indirect minority shareholder in a company such as Bank Rossiya could be regarded as significant when such a shareholder is in no way able to direct the activities of that company or the day-to-day running thereof, or exert any influence on its decision-making process.

35 The Council disputes the merits of the appellant's arguments.

Findings of the Court

36 As regards, in the first place, the complaint alleging infringement of the obligation to state reasons, it should be recalled that the statement of reasons for a judgment or an order of the General Court must clearly and unequivocally disclose the General Court's reasoning, in such a way as to enable the persons concerned to ascertain the reasons for the decision taken and to enable the Court of Justice to exercise its power of review. The obligation to state reasons incumbent on the General Court does not require the General Court to provide an account which follows exhaustively and one by one all the arguments put forward by the parties to the case, and the reasoning may thus be implicit, on condition that it enables the persons concerned to ascertain the reasons why it has not upheld their arguments and provides the Court of Justice with sufficient material for it to exercise its power of review (judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraph 101 and the case-law cited).

37 In the present case, the appellant complains, first, that the General Court did not sufficiently explain why he could be described, in paragraph 147 of the judgment under appeal, as 'an important shareholder' in Bank Rossiya, when he was only an indirect minority shareholder therein.

38 In that connection, it should be observed that paragraph 147 of that judgment must be read in conjunction with the findings set out by the General Court in paragraphs 132 to 136 of that judgment on the subject of the appellant's status and role as a shareholder in Bank Rossiya.

39 It should be noted that, far from disregarding the appellant's status as an indirect minority shareholder, the General Court explained, in paragraphs 132 to 135 of the judgment under appeal, the reasons why it could be found, in the light of the facts that the General Court had examined and in respect of which the appellant claims no distortion in the context of the sixth ground or, moreover, in that of the fifth ground of appeal, that the appellant should nonetheless be described as an important shareholder.

40 In fact, on the one hand, in paragraphs 132 and 133 of the judgment under appeal, the General Court, having noted that the appellant was an indirect shareholder in Bank Rossiya in so far as the shares were held by a company wholly owned by a group in which he was the sole shareholder, explained to the requisite legal standard that, in such a shareholding pattern which lay entirely in the appellant's hands, that company's position between him and Bank Rossiya had no effect on the fact that the shares in that bank were to be regarded as being held by the appellant himself.

- 41 On the other hand, the General Court also found, in paragraph 133 of the judgment under appeal, that the appellant was a minority shareholder in Bank Rossiya in that he held, through the company and the group referred to in the preceding paragraph of the present judgment, only 10.323% of the shares in that bank, which nevertheless made him its second largest shareholder. In paragraph 134 of that judgment, the General Court added that close to 60% of the shares in that bank were held by four individuals, including the appellant, who were close to Mr Putin's entourage and had for more than 10 years been a stable group of shareholders in Bank Rossiya. It inferred from the above, in paragraphs 135 and 136 of the judgment under appeal, that, as the second largest shareholder in that bank amongst three other members who were part of the long-standing stable group of shareholders in that bank, the appellant should be described as a 'significant' shareholder.
- 42 In those circumstances, the appellant could readily understand that his status as shareholder was 'important', irrespective of the amount of his shareholding, on account of the close and stable links that he maintained with the three other shareholders in that bank and with Mr Putin's entourage.
- 43 As regards, second, the appellant's argument that the General Court infringed its obligation to state reasons in so far as it did not seek to determine any involvement, on the part of the appellant, in the alleged financial support provided by Bank Rossiya to Mr Putin, since there was in fact no reference to his name in paragraph 144 of the judgment under appeal, this must also be rejected.
- 44 In fact, on the one hand, the appellant could readily understand, from paragraphs 146 and 147 of the judgment under appeal read in conjunction with paragraphs 132 to 136 thereof, that the financial support provided by Bank Rossiya to the President of the Russian Federation, Mr Putin, could be attributed to him as an important shareholder in that bank, without prejudice to the question whether, by adopting such an interpretation of the concept of 'financial support', the General Court erred in law. On the other hand, paragraph 144 of the judgment under appeal relates solely to the finding of fact that Bank Rossiya provides that financial support, with the result that the fact that the appellant's name does not appear in paragraph 144 of that judgment is irrelevant.
- 45 As regards, in the second place, the complaint alleging misinterpretation, by the General Court, of the concept of 'supporting, materially or financially' under criterion (d), it should be borne in mind that that criterion is intended to enable the Council to take restrictive measures against, in particular, natural persons supporting, materially or financially, or benefitting from Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine, even though, in the present case, only the part of the criterion relating to financial support provided to Russian decision-makers is relevant.
- 46 The Court has ruled that a criterion which, like criterion (d), is aimed at support given, inter alia, by natural persons is of a general nature and does not contain any definition of the concept of 'support', or any details on how those matters are to be proved. In those circumstances, the determination as to whether the taking of restrictive measures against natural persons such as the appellant is well founded always requires evidence showing that the person in question has provided such support. There is, in fact, no presumption of support in the wording of such a criterion (see, by analogy, judgments of 21 April 2015, *Anbouba v Council*, C-630/13 P, EU:C:2015:247, paragraphs 42 to 44, and of 9 July 2020, *Haswani v Council*, C-241/19 P, EU:C:2020:545, paragraphs 61 to 63 and the case-law cited).
- 47 In that connection, it should be observed, first, that the finding made in paragraph 147 of the judgment under appeal, whereby the Council was able to consider, without erring in its assessment, that when the March 2023 acts were adopted, the appellant provided 'financial support', within the meaning of criterion (d), to Mr Putin was based on the findings and assessments made by the General Court in paragraphs 143 to 146 of that judgment, along with, as is clear from paragraph 38 of the present judgment, the considerations set out by the General Court in paragraphs 132 to 136 of the judgment under appeal.
- 48 It is clear from all of these various paragraphs of the judgment under appeal that the General Court found, in the light of the facts and evidence that it examined and in respect of which the appellant does not claim distortion at the appeal stage, that (i) Bank Rossiya, a banking institution that is very close to the entourage

of Mr Putin, had inter alia provided considerable financial support to the latter, and (ii) the appellant, who is a friend of Mr Putin and the second biggest shareholder in that bank, was, along with three other friends of Mr Putin, the stable majority core of the partners in that bank and that the appellant was thus an important shareholder therein.

49 Thus, in order to arrive at its finding in paragraph 147 of the judgment under appeal, the General Court essentially considered, without erring in law, that the concept of ‘financial support’, within the meaning of criterion (d), could cover, depending on the relevant circumstances of the case, support which is not directly provided by the natural person subject to restrictive measures under that criterion, but which can be attributed to that person on account of the fact that he or she acts within or through a legal person directly providing the support concerned (see, to that effect, judgment of 1 August 2025, *Timchenko v Council*, C-702/23 P, EU:C:2025:605, paragraphs 33 to 35).

50 Second, it cannot be considered that, by ruling that the concept of ‘supporting financially’ referred to in criterion (d) could cover such a scenario, the General Court infringed the principle of legal certainty since that principle does not require that the Courts of the European Union refer in detail to the hypotheses in which the concept could apply and that how that concept is to be understood depends broadly on the context and circumstances of the case (see, by analogy, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraph 191).

51 Third, in so far as concerns the appellant’s argument that the General Court disregarded its own case-law under which the financial support for which criterion (d) provides must be of a degree of quantitative or qualitative significance, it should be noted that, as the appellant claimed in his written pleadings before the General Court, the case-law that he cites relates to the concept of ‘financial support’ laid down by a criterion similar to criterion (d), which the Council adopted in its legislation on restrictive measures against the Islamic Republic of Iran.

52 However, bearing in mind the fact that the General Court found, in essence, in paragraphs 143 and 144 of the judgment under appeal, that Bank Rossiya and, accordingly, the appellant himself as an important shareholder in that bank, had provided financial support of considerable quantitative significance to close allies of Mr Putin’s entourage in the form of ‘rivers’ of United States dollars (USD) and to Mr Putin himself and his friends, amounting to USD 2 billion offshore, it cannot be claimed that the General Court disregarded that case-law, without it being necessary, moreover, to ascertain whether that case-law can be transposed by analogy to criterion (d).

53 In the light of the foregoing, the sixth ground of appeal must be rejected as unfounded.

The seventh ground of appeal

Arguments of the parties

54 By way of his seventh ground of appeal, which is divided into two parts, the appellant submits, in the first of those two parts, that the General Court erred in law by substituting its own reasoning for that of the Council, by finding, in paragraphs 143 and 144 of the judgment under appeal, that, as regards the March 2023 acts, criterion (d) could be applied to his case on the ground that Bank Rossiya had diverted funds to Mr Putin and his friends, whereas such an allegation had not been made by the Council in the statement of reasons for those acts and had not, in any event, been demonstrated by that institution. In particular, the General Court sought, in the appellant’s submission, to remedy the shortcomings of the Council’s statement of reasons, since the latter confined itself, before the General Court, to demonstrating the existence of financial support on the part of Bank Rossiya to Mr Putin.

55 In the second part of the seventh ground of appeal, the appellant submits that, in its examination of whether the September 2023 acts were well founded, the General Court erred in law by substituting its own reasoning for that of the Council by finding, in paragraph 162 of the judgment under appeal, that the

appellant had enjoyed tax exemptions and that two companies, in which the appellant was a shareholder, had received aid from the Government of the Russian Federation, whereas no such grounds appear in the statement of reasons for those acts or were stated by the Council before the General Court to justify applying criterion (d) to the appellant.

56 The Council disputes the merits of the appellant's arguments.

Findings of the Court

57 As regards the first part of the seventh ground of appeal, it should be recalled that the effectiveness of the judicial review guaranteed by Article 47 of the Charter requires, inter alia, that the Courts of the European Union are to ensure that the decision, which affects the person or entity concerned individually, is taken on a sufficiently solid factual basis. That entails a verification of the factual allegations in the statement of reasons underpinning that decision, with the consequence that judicial review cannot be restricted to an assessment of the cogency in the abstract of the reasons relied on, but must concern whether those reasons, or, at the very least, one of those reasons, deemed sufficient in itself to support that decision, is substantiated. To that end, it is for the Courts of the European Union, in order to carry out that examination, to request the competent EU authority, when necessary, to produce information or evidence, confidential or not, relevant to such an examination. Although there is no requirement that that authority produce before the Courts of the European Union all the information and evidence underlying the reasons alleged in the act of which annulment is sought: it is, however, necessary that the information or evidence produced should support the reasons relied on against the person concerned (judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraph 327 and the case-law cited).

58 In the present case, it should be observed that the statement of reasons set out in the March 2023 acts explains that the appellant provides 'financial or material support [to] Russian decision-makers responsible for the annexation of Crimea or the destabilisation of Ukraine' and that he is 'a shareholder of Bank Rossiya which is considered to be the bank of [Mr] Putin and his associates'. Consequently, and having regard to the fact that it is not disputed by the parties that those passages in the statement of reasons refer to criterion (d), the General Court had, as part of its judicial review of the lawfulness of those acts and pursuant to the case-law recalled in the preceding paragraph, to ascertain whether the appellant provided, be it directly or through that bank, financial support to Russian decision-makers, examining in that regard the evidence produced by the Council that has been the subject of exchanges before the General Court.

59 The General Court did precisely that in paragraphs 143 to 147 of the judgment under appeal. In particular, the fact that, in paragraphs 143 and 144 of that judgment, the general Court examined items of evidence supporting the finding that Bank Rossiya provided financial support to Mr Putin and his close allies by diverting funds falls within the scope of the General Court's judicial review in so far as the existence of such support on the part of that bank had to be found in the first place before determining whether that support could be attributed to the appellant as a shareholder in that bank. In those circumstances, the General Court cannot be criticised for substituting its own reasoning for that adopted by the Council.

60 As regards the second part of the seventh ground of appeal, it should be borne in mind that, according to settled case-law, arguments directed against grounds included in a decision of the General Court purely for the sake of completeness cannot lead to the decision being set aside and are therefore ineffective (judgment of 2 October 2019, *Crédit Mutuel Arkéa v ECB*, C-152/18 P and C-153/18 P, EU:C:2019:810, paragraph 68 and the case-law cited).

61 Paragraph 162 of the judgment under appeal, which opens with the phrase 'in addition', is included purely for the sake of the completeness of the grounds set out in paragraph 161 of that judgment, which is not disputed at the appeal stage and in which the General Court noted that, as regards the September 2023 acts, the appellant had failed to show that his personal situation had changed compared to his situation when the March 2023 acts were adopted.

62 Since, on the one hand, the General Court essentially ruled, in paragraphs 161 and 164 of that judgment, that the Council was able, without erring in its assessment, to consider that the appellant continued to satisfy the conditions of criterion (d), as had been the case as regards the March 2023 acts, and that, on the other hand, it follows from the examination of the sixth ground of appeal and the first part of the seventh ground of appeal that the General Court did not err in law in finding that the latter acts were well founded, any error in the examination of the supplementary evidence on which the Council relied in so far as concerns the September 2023 acts and examined by the General Court in paragraphs 162 and 163 of the judgment under appeal, cannot lead to the setting aside of that judgment.

63 In the light of the foregoing considerations, the seventh ground of appeal must be rejected as, in the first part thereof, unfounded and, in the second part thereof, ineffective.

The ninth ground of appeal

Arguments of the parties

64 By his ninth ground of appeal, the appellant submits that, in paragraphs 180 and 181 of the judgment under appeal, the General Court erred in law by ruling that the Council could, by way of a decision adopted under Article 29 TEU, restrict the freedom of movement that he enjoys under Article 21 TFEU and Article 45 of the Charter as an EU citizen on account of his Finnish nationality. In the appellant's submission, contrary to what the General Court held, restrictions on the free movement of EU citizens imposed by the Member States, which restrictions are to be interpreted strictly, are possible, as is apparent from Article 27 of Directive 2004/38, only on grounds of public policy, public security and public health; such restrictions must, moreover, be proportionate and based on the personal conduct of the person concerned.

65 However, it is not apparent either from the wording of Article 29 TEU or of the Treaties that that freedom of movement can be curtailed by restrictive measures adopted under Article 29 TEU. The General Court ought thus to have examined, in the present case, whether, as the EU institution that brings all the Member States together, the Council had determined that the appellant's personal conduct constituted a threat to the public policy, public security or public health of the Member States. The appellant argues that the CFSP therefore cannot be used by the Council in order to impose restrictions on the freedom of movement of EU citizens beyond the procedural safeguards usually applicable when Member States introduce such restrictions pursuant to Directive 2004/38; the appellant states in his reply that such an approach is endorsed by Article 40 TEU.

66 The Council disputes the appellant's arguments.

Findings of the Court

67 In paragraphs 180 and 181 of the judgment under appeal, the General Court ruled, in essence, that pursuant to Article 21(1) TFEU, the right of EU citizens to move and reside freely in the territories of the Member States is to be exercised subject to the limitations and conditions provided for in the Treaties and by the provisions adopted for their application, which includes decisions in the field of the CFSP adopted under Article 29 TEU. However, the wording, in broad terms, of the latter article authorises the Council, for the purposes of attaining the objectives referred to in Article 21(2) TEU, to take restrictive measures intended to limit the freedom of movement and residence of EU citizens outside the territory of the Member State of which they are nationals, irrespective of the rules laid down in that regard in Directive 2004/38.

68 In so doing, the General Court did not err in law.

69 In that connection, it should be recalled that EU citizens – who are, pursuant to Article 9 TEU and Article 20(1) TFEU, any natural person who is a national of a Member State – have the right, directly conferred in Article 20(2)(a) and Article 21(1) TFEU, to move and reside freely on the territory of the other

Member States. The latter provision states that the limitations and conditions relating to that right are laid down in the Treaties and by the measures adopted to give them effect.

- 70 It follows that, as the General Court rightly held in paragraph 180 of the judgment under appeal, the right to freedom of movement and residence of EU citizens can be restricted and subject to conditions under both the FEU Treaty and the EU Treaty.
- 71 As the General Court recalled in paragraph 181 of the judgment under appeal, in the area of the CFSP, the Council may, under Article 29 TEU, adopt decisions which define the approach of the European Union to a particular matter of a geographical or thematic nature, an approach that may encompass restrictive measures against natural or legal persons, groups or non-State entities. In that context, the Council, having broad discretion in that regard and acting unanimously, is called upon to determine or define the persons and entities to be subject to the restrictive measures adopted by the European Union in the area of the CFSP. That broad discretion is attributable to the wide scope of the European Union's aims and objectives in that field, as set out in Article 3(5) and Article 21 TEU and in the specific provisions relating to the European Union's CFSP, in particular in Articles 23 and 24 TEU (judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraphs 269 and 270 and the case-law cited).
- 72 Having regard to the broad discretion which the Council has in order to attain those objectives in the area of the CFSP and the fact that neither the wording of Article 29 TEU nor, more generally, that of the provisions of the EU and FEU Treaties relating to the CFSP neither prescribe nor proscribe, in themselves, the adoption of specific restrictive measures, it must be held, as the General Court did in paragraphs 180 and 181 of the judgment under appeal, that the Council is, in principle, authorised, under Article 29 TEU, to decide that natural persons, even where they are nationals of a Member State of the European Union and, therefore, EU citizens, can neither enter nor transit through the other Member States of the European Union, where those persons meet criteria showing an objective link between the category under which they fall and the third country on which the European Union intends to exert pressure (see, to the latter effect, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P EU:C:2026:245, paragraph 273). In those circumstances, Article 29 TEU in principle authorises the Council to adopt restrictive measures the effect of which is to restrict, within the meaning of Article 21(1) TFEU, the right to move and reside freely of EU citizens on the territory of the Member States and to require that the Member States ensure compliance with that restriction.
- 73 Consequently, as the General Court correctly ruled at the end of paragraph 181 of the judgment under appeal, it is irrelevant that such restrictions or conditions do not match those provided for by Directive 2004/38, which seeks, in accordance with Article 1(c) and Article 27 thereof, read in conjunction with Article 42 thereof, to lay down, in particular, rules pursuant to which the Member States, and not an EU institution such as the Council, may themselves impose such restrictions.
- 74 That interpretation is not invalidated, moreover, by the second paragraph of Article 40 TEU, to which the appellant refers. Under that provision, the implementation of the policies listed in Articles 3 to 6 TFEU is not to affect the application of the procedures and the extent of the powers of the institutions laid down by the Treaties for the exercise of the Union competences under the CFSP. In those circumstances, the fact that Directive 2004/38 governs, as is apparent from recital 2 thereof, the freedom of movement of persons as a fundamental freedom of the internal market, in respect of which the European Union shares competence with the Member States under Article 4 TFEU, cannot affect the scope of the competence which the Council has in the area of the CFSP pursuant to Article 29 TEU.
- 75 Moreover, contrary to what the appellant maintains, the fact that, when restrictive measures are adopted, under Article 29 TEU, seeking to limit free movement, on the territory of the Member States, of natural persons, including those who are EU citizens, the Council is not bound by the procedural rules and guarantees provided by Directive 2004/38 does not mean that that institution has power in that regard which is not limited by EU law.

- 76 In fact, first, as the General Court stated in paragraphs 181 and 186 of the judgment under appeal, the adoption of such measures must be conducted having regard to the principle of international law, reiterated in Article 3 of Protocol No 4 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on 4 November 1950, pursuant to which a Member State cannot refuse its own nationals the right to enter its territory and remain there. The Member States are bound by that principle (see, to that effect, judgment of 6 October 2021, *A (Border crossing by pleasure boat)*, C-35/20, EU:C:2021:813, paragraph 69 and the case-law cited). Accordingly, Article 1(2) of Decision 2014/145 ensures that there is no obligation that might be imposed by that decision on a Member State to refuse access to its territory to its own nationals.
- 77 Second, it should be borne in mind that any decision adopting such measures under Article 29 TEU, with the aim, as the General Court observed in paragraph 182 of the judgment under appeal, of putting pressure on a third country with a view to attaining the objectives referred to in Article 21(2)(b) and (c) TEU – namely to consolidate and support democracy, the rule of law, human rights and the principles of international law, and to preserve peace, prevent conflicts and strengthen international security – must define and delimit the objective being pursued through that pressure, the legal criteria permitting the imposition of restrictive measures and the categories of persons or entities covered by those criteria, in such a way that the restrictive measures imposed on that basis can attain the objective pursued in a manner that is not manifestly inappropriate (see, to that effect, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraphs 272 and 273 and the case-law cited).
- 78 Third, having regard to the fact that the right of EU citizens to move and reside freely on the territory of the Member States is also a fundamental right inasmuch as it is guaranteed under Article 45(1) of the Charter, the obstacle placed by decisions adopted under Article 29 TEU to that right is a ‘limitation on the exercise’ of that right, within the meaning of Article 52(1) of the Charter, with the result that, as the General Court rightly stated in paragraph 183 of the judgment under appeal, such an obstacle must satisfy the conditions laid down in the latter provision.
- 79 In the light of the foregoing, the ninth ground of appeal must be rejected as unfounded.

The tenth ground of appeal

Arguments of the parties

- 80 By way of his tenth ground of appeal, which is divided into two parts, the appellant submits in essence that the General Court erred in law and infringed its obligation to state reasons by finding that the limitation, placed by the restrictive measures to which he is subject, on his right to move and reside freely, which he enjoys as an EU citizen, complied with the principle of proportionality (first part of the tenth ground of appeal) and the requirement that such a limitation respect the essence of that right (second part of the tenth ground of appeal).
- 81 As regards the first part, the appellant argues that the General Court, in its examination of whether the limitation on the appellant’s right to move and reside freely was proportionate, erred in law and infringed its obligation to state reasons by failing to identify serious personal conduct on the part of the appellant in respect of the public policy, public security or public health of the Member States, as required under Article 27 of Directive 2004/38, or a serious threat to an interest of the European Union, and by failing to explain how such a limitation was appropriate for the attainment of the objectives pursued by the Council, as identified by the General Court in paragraph 187 of the judgment under appeal.
- 82 As regards the second part, the appellant disputes the General Court’s reasoning in paragraphs 186 and 189 of the judgment under appeal. He submits that, contrary to the finding made by the General Court, the scale of the restriction on his right to move and reside freely is particularly significant, since it concerns the territory of 26 out of the 27 Member States. Furthermore, none of the exceptions provided for in Article 1 of Decision 2014/145 takes into account the status of EU citizen or the specific situation of EU citizens

with links to several EU Member States. In addition, restrictive measures, despite the allegedly temporary nature thereof, can be maintained against a person for a number of years. Lastly, the case-law cited by analogy by the General Court in paragraph 186 of the judgment under appeal is irrelevant, in the appellant's submission.

- 83 In so far as concerns the first part of the tenth ground of appeal, the Council argues that that part is inadmissible in that the appellant fails to identify those passages of the judgment under appeal to which he objects. On the substance, the Council disputes the appellant's arguments.

Findings of the Court

- 84 As a preliminary point, as regards the admissibility of the first part of the tenth ground of appeal, it is true that, as the Council contends, the appellant has failed to identify exactly those passages of the judgment under appeal to which he refers by way of the line of argument set out in support of that first part. Nevertheless, having regard to the fact that the appellant essentially submits that the General Court erred in law in its examination of the proportionality of the restrictive measures intended to limit his right to move and reside freely as an EU citizen, it is sufficiently clear from his line of argument that he is referring to paragraphs 188 to 191 of the judgment under appeal, in which the General Court conducted that examination; moreover, the Council itself identified paragraphs 188 to 191 in its reply. In those circumstances, it must be held that, in accordance with the case-law of the Court of Justice, the first part of the tenth ground of appeal sets out with sufficient precision the contested aspects of the judgment under appeal, and the legal arguments specifically advanced in support of the appeal, with the result that it is admissible (see, to that effect, judgment of 18 December 2025, *Hamoudi v Frontex*, C-136/24 P, EU:C:2025:977, paragraphs 54 and 55 and the case-law cited).
- 85 On the substance, as regards the first part of the tenth ground of appeal, first, the appellant's argument that, in paragraphs 188 to 191 of the judgment under appeal, the General Court erred in law by failing to examine, in the light of the rules under Directive 2004/38, the proportionality of the interference in his fundamental right to move and reside freely on the territory of the Member States under Article 45(1) of the Charter, must be rejected.
- 86 It should be recalled, first, that in accordance with paragraphs 73 to 78 of the present judgment, the General Court did not err in law by essentially ruling that, by adopting, under Article 29 TEU, restrictive measures intended to limit the right to free movement and residence of natural persons who hold EU citizenship, the Council was not bound by the procedural rules and guarantees provided for by Directive 2004/38.
- 87 Second, in order to determine whether the interference with a fundamental right such as that guaranteed by Article 45(1) of the Charter as a result of limitations on that right by an EU act is proportionate, in accordance with the requirements under the second sentence of Article 52(1) of the Charter, it is necessary to ascertain whether (i) those measures meet an objective of general interest recognised by the European Union, (ii) they are not manifestly inappropriate having regard to that objective, that is to say, whether they are not manifestly unsuitable for achieving it, and, (iii) the limitation concerned manifestly exceeds what is necessary to achieve that objective (see, to that effect, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraph 233 and the case-law cited). Such an examination is conducted irrespective of the provisions laid down by Directive 2004/38.
- 88 Consequently, the General Court neither erred in law nor infringed its obligation to state reasons by failing to assess whether the limitation on the appellant's right to move and reside freely was proportionate in the light of the procedural rules and guarantees provided for by that directive.
- 89 Second, the appellant claims that the General Court infringed its obligation to state reasons by failing to ascertain, in its examination of the proportionality of the interference in his fundamental right to move and reside freely on the territory of the Member States other than the Republic of Finland, whether the

prohibition on entry or transit in question was appropriate in order to achieve the objective consisting, as is clear from paragraphs 182 to 187 of the judgment under appeal, which are not disputed in that regard at the appeal stage, in putting pressure on the authorities of the Russian Federation to bring an end to their actions and policies destabilising Ukraine.

- 90 That argument must also be rejected in so far as, with the benefit of the case-law recalled in paragraph 36 of the present judgment, the examination of whether that prohibition is appropriate is apparent from paragraphs 190 and 191 of the judgment under appeal. In fact, by stating, in paragraphs 190 and 191 of that judgment, that, in view of the importance of the objective pursued by the restrictive measures taken against the appellant, the limitation of his right to move and reside freely on the territory of the Member States was not manifestly disproportionate, the General Court implicitly but necessarily started from the premiss that that prohibition was not manifestly inappropriate in order to achieve that objective (see, by analogy, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P, EU:C:2026:245, paragraph 237).
- 91 By the second part of the tenth ground of appeal, the appellant submits that the General Court erred in law by finding, in paragraphs 186 and 189 of the judgment under appeal, that the limitation on his right to move and reside freely on the territory of the Member States, guaranteed under Article 45(1) of the Charter, respected the essence of that right.
- 92 In that connection, it should be noted that paragraph 189 of the judgment under appeal relates to the necessity of that limitation in the light of the principle of proportionality, and that only paragraph 186 of that judgment concerns the question of respect for the essence of that right. In those circumstances, it must be held that the second part of the tenth ground of appeal concerns the latter paragraph only.
- 93 It should be recalled that, pursuant to the first sentence of Article 52(1) of the Charter, any limitation on the exercise of the fundamental rights provided for by the Charter must, in particular, respect the essence of those rights.
- 94 In paragraph 186 of the judgment under appeal, the General Court ruled that the limitation on the appellant's fundamental right to move and reside freely on the territory of the Member States respected the essence of that right in so far as that prohibition (i) did not prevent the appellant from entering and remaining in the Member State of which he is a national in accordance with the principle of international law recalled in paragraph 76 of the present judgment and reaffirmed in Article 1(2) of Decision 2014/145, and (ii) was not permanent since the maintenance of the restrictive measures to which the appellant is subject and, accordingly, of that prohibition must be reviewed periodically pursuant to Article 6 of that decision.
- 95 Without it being necessary to examine the relevance of the case-law to which the General Court referred in paragraph 186 of the judgment under appeal, it must be held that the second of the elements referred to in paragraph 186, relating to Article 6 of Decision 2014/145, is sufficient for it to be found that the acts at issue do not infringe the essence of the appellant's fundamental right to free movement (see, by analogy, judgment of 13 March 2025, *Shuvalov v Council*, C-271/24 P, EU:C:2025:180, paragraphs 78 and 79). It is in fact clear from the requirement that the restrictive measures taken against the appellant be reviewed periodically that neither the purpose nor the effect of the acts at issue is to put an end to the rights conferred on him by his EU citizenship or permanently to alter the scope of those rights.
- 96 That finding is not invalidated by the fact, stated by the appellant, that the exceptions and derogations provided for in Article 1(3), (4) and (6) of Decision 2014/145 concern, to a large extent, persons in highly specific situations in relation with international obligations, in particular. Suffice it to note in that regard that that fact in no way affects the scope of the periodic review requirement to which paragraph 186 of the judgment under appeal refers.
- 97 In the light of the foregoing, the tenth ground of appeal must be rejected as unfounded.

The first, second, third, fourth, fifth and eighth grounds of appeal

- 98 It is clear from the examination of the sixth and seventh, as well as the ninth and tenth, grounds of appeal that the General Court did not err in law by finding that the Council could, by way of the acts at issue, legitimately maintain the restrictive measures against the appellant under criterion (d), without that imposing undue restrictions on the exercise of the right to freedom of movement and of residence.
- 99 In those circumstances, the grounds of appeal alleging that the General Court erred in law in its assessment of whether the restrictive measures taken against the appellant under (i) the criterion laid down in Article 1(1)(e) and Article 2(1)(g) of Decision 2014/145 and in Article 3(1)(g) of Regulation No 269/2014 (first, second, third, fourth and eighth ground of appeal), and (ii) the criterion laid down in Article 1(1)(a) and Article 2(1)(a) of Decision 2014/145 and in Article 3(1)(a) of Regulation No 269/2014 (fifth ground of appeal) were well founded, must be found to be ineffective.
- 100 Since the operative part of the judgment under appeal was well founded, such an error of law, even if it were established, cannot lead to the setting aside of that judgment or, a fortiori, the annulment of the acts at issue (see, to that effect, judgment of 26 March 2026, *Pumpyanskiy and Others v Council*, C-696/23 P, C-704/23 P, C-711/23 P, C-35/24 P and C-111/24 P EU:C:2026:245, paragraph 440 and the case-law cited).
- 101 The appeal must therefore be dismissed in its entirety.

Costs

- 102 Pursuant to Article 184(2) of the Rules of Procedure of the Court of Justice, where the appeal is unfounded, the Court is to make a decision as to costs. Article 138(1) of those rules, which applies to appeal proceedings by virtue of Article 184(1) thereof, provides that the unsuccessful party is to be ordered to pay the costs if they have been applied for in the successful party's pleadings.
- 103 Since the Council has applied for costs and the appellant has been unsuccessful, the appellant must be ordered to pay the costs.

On those grounds, the Court (Third Chamber) hereby:

- 1. Dismisses the appeal;**
- 2. Orders Mr Gennady Nikolayevich Timchenko to pay the costs.**

[Signatures]

* Language of the case: French.