



Reports of Cases

Order of the President of the General Court of 24 November 2022 – Belavia v Council

(Case T-116/22 R)

(Interim relief – Common foreign and security policy – Restrictive measures in view of the situation in Belarus – Application for suspension of operation of a measure – Lack of urgency)

1. *Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Prima facie case – Urgency – Serious and irreparable damage – Cumulative nature – Balancing of all the interests involved – Order of examination and method of verification – Discretion of the court hearing the application for interim relief*

(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))

(see paragraphs 15-18)

2. *Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Urgency – Serious and irreparable damage – Burden of proof – Financial loss – Obligation to provide specific and precise information, supported by detailed documentary evidence – Situation liable to endanger the existence of the applicant company – Assessment in the light of its size and turnover and the situation of the group to which it belongs*

(Arts 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))

(see paragraphs 21, 24, 31, 32, 38)

3. *Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Urgency – Serious and irreparable damage – Burden of proof – Financial loss – Irremediable effect on market share – Included – Conditions – Assessment having regard to the size of the undertaking and the situation of the group to which it belongs*

(Arts 278 and 279 TFEU)

(see paragraphs 39, 45)

4. *Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Serious and irreparable damage – Financial loss – Damage which cannot be quantified – Damage not reparable by means of an action for damages – Irreparable character*

(Arts 268, 278, 279 and 340 TFEU)

(see paragraphs 49, 50)

Operative part

1. The application for interim measures is dismissed.
2. The costs are reserved.