

Brussels, on 17 December 2025

To the attention of:

António Costa, President of the European Council

Kaja Kallas, High Representative of the Union for Foreign Affairs and Security Policy

OPEN LETTER

Dear Mister President, Dear High Representative,

We, the undersigned Members of the European Parliament, express our grave concern regarding the sanctioning of a further 12 individuals under Council Decision (CFSP) 2025/2572 of 15 December 2025, which are added to the already 47 persons that were previously sanctioned under the same regime. We consider these sanctions a direct assault on the rule of law and a profound violation of European and international law. By imposing such measures, the very foundations of justice, democracy, and fundamental freedoms in Europe are being eroded, and we demand their immediate reconsideration and reversal.

The sanctions imposed, including an EU-wide travel ban, asset freeze, and prohibition on economic activity, are exceptionally severe, quasi-penal in nature, and have been applied indefinitely without any defined time limit.

They were adopted without prior judicial determination and without full respect for fundamental EU and human rights, including:

- Freedom of expression (Article 10 ECHR)
- The right to a fair trial (Article 6 ECHR)
- The right to an effective remedy (Article 13 ECHR)
- Freedom of movement (Article 2, Protocol 4)
- Protection of property (Article 1, Protocol 1)
- The right to be heard (Article 41 Charter)
- Effective judicial protection (Article 47 Charter)
- The presumption of innocence and rights of the defence (Article 48 Charter)

To reinforce our opposition to EU sanctions targeting natural persons, we enclose a professional legal opinion prepared by Prof. Dr. Ninon Colneric, former Judge at the European Court of Justice, and Prof. Dr. Alina Miron, Professor of International Law at the University of Angers. Their analysis concludes that “*the EU has crossed the Rubicon*” by introducing restrictions on freedom of expression through its new “disinformation” regime that do not conform with European basic rights nor with International Law.

Given that one of the EU’s core objectives is to uphold the rule of law and safeguard the credibility of its institutions, we strongly urge you to give this legal opinion the serious consideration it deserves.

We are particularly shocked by the Council’s decision to include Colonel Jacques Baud, a Swiss national, in the sanctions list. The statement of reasons relies on vague and

unsubstantiated allegations that Mr. Baud acts as a “mouthpiece for pro-Russian propaganda” and engages in “information manipulation and interference,” without citing identifiable sources, verifiable facts, or evidence of coordination with or support from the Russian government. The near-identical reasoning used for another listed individual raises serious doubts as to whether an individualized assessment and the required standard of care were applied.

While the Union has a legitimate interest in countering genuine state-directed destabilisation, this cannot justify conflating critical or dissenting speech with “information manipulation” in the absence of demonstrable intent, coordination, and material effect. Such an approach sets a dangerous precedent and risks transforming restrictive measures into instruments for suppressing lawful expression.

We therefore call for:

- The immediate reassessment and suspension of Mr. Baud’s listing, as well as all listings of natural persons, pending a full, evidence-based review and proper court-based decisions that safeguard fundamental rights.
- The strict limitation of restrictive measures to clearly demonstrated state-directed conduct.
- Meaningful transparency regarding the factual and legal basis of listings, including full access to Council deliberations on sanctions against natural persons.
- The restoration and strengthening of procedural safeguards and effective judicial remedies.

Sanctions are among the Union’s most intrusive instruments. Their legitimacy depends on precision, evidence, and strict adherence to fundamental rights. These principles must remain non-negotiable, especially, and not least, in times of geopolitical crisis.

Respectfully,

MEP Ondřej Dostál
MEP Ľuboš Blaha
MEP Ruth Firmenich
MEP Thomas Geisel
MEP Fernand Kartheiser
MEP Kateřina Konečná
MEP Fabio de Masi
MEP Branislav Ondruš
MEP Fidias Panayiotou
MEP Friedrich Pürner
MEP Katarína Roth Neveďalová
MEP Volker Schnurrbusch
MEP Michael von der Schulenburg
MEP Jan-Peter Warnke