

5. Fifth plea in law, alleging manifest errors of assessment and breach of the rules relating to the protection of personal data.
6. Sixth plea in law, alleging infringement of the principle of proportionality.

Action brought on 3 July 2020 — KU v EEAS

(Case T-425/20)

(2020/C 297/56)

Language of the case: English

Parties

Applicant: KU (represented by: R. Wardyn, lawyer)

Defendant: European External Action Service (EEAS)

Form of order sought

The applicant claims that the Court should:

- annul the decision of the EEAS of 17 September 2019 rejecting the applicant's request of assistance;
- annul the decision of 3 April 2020 rejecting the applicant's complaint under Article 90(2) of the Staff Regulations;
- order the defendant to pay EU 15 000 as fair compensation of the harassment suffered by the applicant;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law.

1. First plea in law, alleging insufficient motivation and failure to review evidence.
 - It is argued that the decisions of 17 September 2019 and 3 April 2020 of the EEAS are not sufficiently motivated, which is contrary to the duty of the administration to give reasons for its decisions (Article 41(2) of the Charter of Fundamental Rights of the European Union and Article 18 of the European Code of Good Administrative Behaviour).
 2. Second plea in law, alleging an error of law: infringement of Article 12a of the Staff Regulations.
 - The EEAS violated Article 12a of the Staff Regulations while refusing to consider that the behaviour of X described in the request for assistance of the applicant constituted psychological harassment within the meaning of this article.
 3. Third plea in law, alleging a manifest error of assessment.
 - The EEAS committed a manifest error of assessment while refusing to consider that the behaviour of X described in the request for assistance constituted psychological harassment.
 4. Fourth plea in law, alleging violation of the duty to provide assistance: infringement of Article 24 of the Staff Regulations.
 - It is argued that the period of more than sixteen months was an unreasonable period of time for an inquiry and that the EEAS, conjointly with the IDOC, violated the principle of reasonable time as well as the duty to act quickly and thus, Article 24 of the Staff Regulations.
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