

The applicant maintains that the competition selection board breached Articles 29(1)(a) and 30 of the Staff Regulations, Article 5 of Annex III to the Staff Regulations and the competition notice, in so far as a manifest error of assessment vitiates the evaluation of the applicant's professional experience and the decision not to accept his candidature. Furthermore, the decision contains only inadequate reasons.

The applicant further criticises the competition selection board and the appointing authority for having breached Article 25 of the Staff Regulations, Article 7 of Annex III to the Staff Regulations and also the competition notice and the principle of equal treatment for candidates. In particular, the use of unreliable computer systems in correspondence with the applicant gave rise to discrimination against the applicant by comparison with other candidates.

As an ancillary point, in case the Tribunal should not grant his application for annulment of the contested decisions, the applicant contends that the award of compensation would constitute the most appropriate form of reparation for the non-pecuniary and pecuniary damage that those decisions caused to him.

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**Action brought on 21 December 2005 — Economidis v Commission**

**(Case F-122/05)**

(2006/C 60/98)

*Language of the case: French*

**Parties**

*Applicant:* Ioannis Economidis (Woluwe-St-Etienne, Belgium) (represented by: S. Orlandi, A. Coolen, J-N Louis, E. Marchal, lawyers)

*Defendant(s):* Commission of the European Communities

**Form of order sought**

The applicant claims that the Court should:

- annul the Commission's decision appointing Mr S. Hogan to the post of Head of Unit 'Biotechnology and applied genomics';
- annul the decision rejecting the applicant's candidature for that post;
- order the defendant to pay the costs.

**Pleas in law and main arguments**

The applicant, an official of the Commission, contests the appointing authority's rejection of his candidature for the post as Head of Unit 'Biotechnology and applied genomics' (vacancy notice COM/R/7012/04).

In support of the form of order sought, he relies on the unlawfulness of the recruitment procedure, breach of Articles 29(1) and 31 of the Staff Regulations, breach of the obligation to state reasons and a manifest error of assessment.

He claims, specifically, that:

- by failing to fix the grade at which the post would be filled, the appointing authority did not inform candidates as precisely as possible of the nature of the conditions required to occupy the vacant post in order to put them in a position to determine whether it was appropriate to apply for it;
- the reasons provided by the Commission are irrelevant, in so far as they do not permit the applicant to examine the merits of the decision or the Community judicature to exercise its power of review;
- the contested decisions are vitiated by a manifest error of assessment in that the candidate chosen does not have all the general and special qualifications required, unlike the applicant, whose professional experience demonstrates his high abilities, notably in management.

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**Action brought on 13 December 2005 — Jean-Marc Bracke v Commission of the European Communities**

**(Case F-123/05)**

(2006/C 60/99)

*Language of the case: French*

**Parties**

*Applicant(s):* Jean-Marc Bracke (Watermael-Boitsfort, Belgium) (represented by: P. Bruwier, lawyer)

*Defendant(s):* Commission of the European Communities