

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (Third Chamber) of 8 May 2008 — Suvikas v Council

(Case F-6/07)

*(Staff case — Members of the temporary staff — Preliminary plea — Confidential documents — Documents obtained unlawfully — Removal of documents — Recruitment — Vacant post — Unlawful rejection of candidature — Annulment — Action for damages — Loss of the opportunity to be recruited — Equitable assessment)*

(2008/C 158/39)

*Language of the case: French*

#### Parties

*Applicant:* Risto Suvikas (Helsinki, Finland) (represented by: M.-A. Lucas, lawyer)

*Defendant:* Council of the European Union (represented by: M. Arpio Santacruz and I. Šulce, Agents)

#### Re:

First, annulment of the decision of the Advisory Selection Committee not to include the applicant's name on the list of the best candidates for selection in relation to Council notice of vacancy B/024 and, second, annulment of that list and the Council decisions to recruit the candidates whose names were included therein to the posts to be filled and not to recruit the applicant — Claim for damages.

#### Operative part of the judgment

*The Tribunal:*

1. Orders that the documents produced by Mr Suvikas in Annex A 14 to A 16 to the application be removed from the case file;
2. Annuls the decision of the contracting authority of 20 February 2006 not to include Mr Suvikas on the list of the best candidates following the selection of Council/B/024 members of the temporary staff;
3. Orders the Council of the European Union to pay to Mr Suvikas the sum of EUR 20 000 to compensate him for the material damage which he has suffered;

4. Dismisses the action as to the remainder;

5. Orders the Council of the European Union to pay the costs.

### Judgment of the Civil Service Tribunal (Third Chamber) of 30 April 2008 — Dragoman v Commission

(Case F-16/07)

*(Staff case — Competition — Selection Board — Principle of impartiality of the Selection Board — Article 11a of the Staff Regulations — Equal treatment of internal and external candidates — Exclusion of a candidate — Duty to state reasons — Scope — Respect for the secrecy of the deliberations of the selection board)*

(2008/C 158/40)

*Language of the case: Romanian*

#### Parties

*Applicant:* Adriana Dragoman (Brussels, Belgium) (represented by: G.-F. Dinulescu, lawyer)

*Defendant:* Commission of the European Communities (represented by: K. Herrmann, F. Telea and M. Velardo, Agents)

#### Re:

Annulment of the decisions of the selection board of competition EPSO/AD/34/05 (for the constitution of a reserve list for the recruitment of Romanian-speaking conference interpreters) to award the applicant a mark for the first interpreting test which did not permit her to be admitted to the subsequent tests of that competition — Plea of illegality in respect of Article 6 of Annex III of the Staff Regulations.

#### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action;
2. Orders each party to bear its own costs.