

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 14 December 2010 — Bleser v Court of Justice

(Case F-25/07) ⁽¹⁾

(Civil Service — Officials — Appointment — Classification in grade by application of new, less favourable, rules — Articles 2 and 13 of Annexe XIII to the Staff Regulations — Principle of transparency — Principle of correspondence between the grade and the post — Prohibition of discrimination on grounds of age — Duty of care — Principle of sound administration — Principles of legal certainty and non-retroactivity — The prohibition on reformatio in pejus — Principle of the protection of legitimate expectations — Principle of good faith — Principle patere legem quam ipse fecisti)

(2011/C 38/33)

Language of the case: German

Parties

Applicant: Thomas Bleser (Nittel, Germany) (represented by: P. Goergen and M. Wehrheim, lawyers)

Defendant: Court of Justice of the European Union (represented initially by: M. Schauss, Agent, later by A. V. Placco and M. Glaeser, Agents)

Intervener in support of the defendant: Council of the European Union (represented by: M. Arpio Santacruz and M. Simm, Agents)

Re:

Annulment of the decision of the Court of Justice classifying the applicant, who was placed on a reserve list before the entry into force of the new Staff Regulations, in accordance with the less favourable provisions thereof (Article 12 of Annex XII to Regulation (EC, Euratom) No 723/2004 of 22 March 2004 amending the Staff Regulations of officials)

Operative part of the judgment

The Tribunal:

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

⁽¹⁾ OJ C 117, 26.5.2007, p. 36.

Judgment of the Civil Service Tribunal (Third Chamber) of 15 December 2010 — Almeida Campos and Others v Council

(Case F-14/09) ⁽¹⁾

(Civil Service — Officials — Promotion — 2008 promotion procedure — Comparative examination of the merits of administrators assigned to language posts and administrators assigned to general posts)

(2011/C 38/34)

Language of the case: French

Parties

Applicants: Ana Maria Almeida Campos (Brussels, Belgium) and Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

Defendant: Council of the European Union (represented by: M. Bauer, G. Kimberley, Agents)

Re:

Annulment of the appointing authority's decisions not to promote the applicants to grade AD 12 under the 2008 promotion procedure and, so far as necessary, the decisions to promote to that grade, under the same promotion procedure, the officials whose names are included on the list of promoted officials published in Staff Note No 72/08 of 21 April 2008.

Operative part of the judgment

The Tribunal:

1. Annuls the decisions of the Council of the European Union refusing to promote to grade AD 12 Ms Almeida Campos, Ms Dariol, Ms Morello and Ms Verstreken under the 2008 promotion procedure;
2. Dismisses the rest of the action;
3. Orders the Council of the European Union to pay all the costs.

⁽¹⁾ OJ C 90, 18.4.2009, p. 40.