

4. Fourth plea in law, alleging infringement of a number of norms of international law, including the right to self-determination, the relative effect of the Treaties and the essential provisions of international humanitarian law.
5. Fifth plea in law, alleging that the contested acts are unlawful, since the illicit nature of the European Union's conduct under international law makes those acts unlawful.

- order the respondent to pay EUR 1 000 in damages;
- grant the appellant's first form of order sought at first instance also on the basis of the substantive plea which he has raised and, accordingly, annul EESC vacancy notice No 43/09 also by virtue of those substantive pleas;
- order the respondent to pay all of the costs incurred at both instances.

**Appeal brought on 5 December 2012 by Moises Bermejo Garde against the judgment of the Civil Service Tribunal of 25 September 2012 in Case F-51/10, Bermejo Garde v EESC**

(Case T-529/12 P)

(2013/C 55/27)

*Language of the case: French*

**Parties**

*Appellant:* Moises Bermejo Garde (Brussels, Belgium) (represented by L. Levi, lawyer)

*Other party to the proceedings:* European Economic and Social Committee (EESC)

**Form of order sought by the appellant**

The appellant claims that the General Court should:

- set aside the judgment of the Civil Service Tribunal of the European Union of 25 September 2012 in Case F-51/10 in so far as (i) it rejects as inadmissible the forms of order seeking the annulment of all of the decisions adopted on the basis of EESC vacancy notice No 43/09, (ii) it does not give judgment on the forms of order seeking that the respondent be ordered to pay EUR 1 000 in damages, and (iii) does not give judgment on the substantive pleas raised in support of his first form of order seeking the annulment of EESC vacancy notice No 43/09;
- consequently,
- grant the appellant's second and third forms of order sought at first instance and thus,
- annul all of the decisions adopted on the basis of EESC vacancy notice No 43/09;

**Grounds of appeal and main arguments**

The appellant raises three grounds in support of his appeal.

1. First ground of appeal: infringement of the requirement to comply with the pre-litigation procedure and an infringement of Article 90(2) of the Staff Regulations of Officials of the European Union, in so far as the Civil Service Tribunal rejected as inadmissible the appellant's head of claim seeking the annulment of all of the decisions adopted on the basis of EESC vacancy notice No 43/09.
2. Second ground of appeal: a denial of justice, an infringement of the fundamental right of access to justice and an infringement of the duty to state reasons, since the Civil Service Tribunal did not give judgment on the appellant's head of claim seeking damages.
3. Third ground of appeal: infringement of the duty to state reasons and of the principle of the proper administration of justice, since the Civil Service Tribunal did not give judgment on the substantive pleas raised at first instance in support of the appellant's head of claim seeking the annulment of EESC vacancy notice No 43/09.

**Appeal brought on 5 December 2012 by Moises Bermejo Garde against the judgment of the Civil Service Tribunal of 25 September 2012 in Case F-41/10, Bermejo Garde v EESC**

(Case T-530/12 P)

(2013/C 55/28)

*Language of the case: French*

**Parties**

*Appellant:* Moises Bermejo Garde (Brussels, Belgium) (represented by L. Levi, lawyer)

*Other party to the proceedings:* European Economic and Social Committee (EESC)