

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (First Chamber) of 2 June 2016 — Bermejo Garde v EESC

(Case F-41/10 RENV) ⁽¹⁾

(Civil service — Referral back to the Tribunal after setting aside — Article 12a of the Staff Regulations — Official who has been the victim of harassment — Article 22a of the Staff Regulations — Official, whistleblower — Request for assistance — Rejection — Right to protection — Conditions — Rejection — Consequences — Application for compensation)

(2016/C 251/54)

Language of the case: French

Parties

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

Defendant: European Economic and Social Committee EESC (represented by: initially U. Schwab and M. Lernhart, acting as Agents, B. Wägenbaur, lawyer, then K. Gambino, acting as Agent, B. Wägenbaur, lawyer, finally K. Gambino and X. Chamodraka, acting as Agents, B. Wägenbaur, lawyer)

Re:

Civil service — Application for annulment of several decisions terminating the applicant's service as the Head of Unit of the Legal Service with immediate effect, reassigning him to the Directorate for Logistics and refusing his formal application for assistance and the application for damages.

Operative part of the judgment

The Tribunal:

- 1) *Annuls the decisions of the President of the European Economic and Social Committee of 24 March 2010 terminating Mr Moises Bermejo Garde's previous duties as Head of Unit of the Legal Service and of 13 April 2010 relating to his reassignment;*
- 2) *Orders the European Economic and Social Committee to pay Mr Bermejo Garde the sum of EUR 25 000;*
- 3) *Orders the European Economic and Social Committee to bear its own costs and to pay the costs incurred by Mr Bermejo Garde in Cases F-41/10, T-530/12 P and F-41/10 RENV.*

⁽¹⁾ OJ C 209, 31/7/2010, p. 55.