

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Third Chamber) of 6 May 2009 — Campos Valls v Council

(Case F-39/07) ⁽¹⁾

*(Staff case — Officials — Recruitment — Appointment —
Post of Head of Unit — Rejection of the applicant's candi-
dature — Conditions required for the notice of vacancy —
Manifest error of assessment)*

(2009/C 193/55)

Language of the case: French

Parties

Applicant: Manuel Campos Valls (Brussels, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

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

Re:

First, annulment of the decisions of the appointing authority to reject the applicant's candidature for the post of head of the Spanish Language Unit of DG A, Directorate 3 — Translation and Document Production — Language Service, referred to in Staff Note CP46/06 and, second, of the decision to appoint another candidate to that post.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*

2. *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 129, 9.6.2007, p. 28.

Judgment of the Civil Service Tribunal (Third Chamber) of 6 May 2009 — Sergio v Commission

(Case F-137/07) ⁽¹⁾

*(Staff case — Rights and obligations — Freedom of
association — Protocol of Agreement between the
Commission and the trade union or professional organisations
— Individual decisions on secondment/release from service
based on a protocol — Act adversely affecting an official
— Locus standi — Official acting on his own account and
not on the account of a trade union — Admissibility —
Notification of the rejection of the complaint to the
applicants' lawyer — Starting point for the time-limit for
bringing an action)*

(2009/C 193/56)

Language of the case: French

Parties

Applicants: Giovanni Sergio (Brussels, Belgium) and Others (represented by: M. Lucas, lawyer)

Defendant: Commission of the European Communities (represented by: J. Currall and B. Eggers, Agents)

Re:

First, annulment of the 'Protocol of Agreement between the trade union or professional organisations and the Directorate General for Personnel and Administration (DG ADMIN)' and the decisions of the appointing authority confirmed by the Protocol of 19 December 2006 and the decision of 14 November 2006 and, second, a claim for damages in the form of a symbolic EUR 1.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*

2. *Orders Mr Sergio, Mr Blanchard, Mr Marquez-Garcia, Mr Scheuer and Mr Wurzler to pay the costs.*

⁽¹⁾ OJ C 79, 29.3.2008, p. 37.