

JUDGMENT OF THE CIVIL SERVICE TRIBUNAL  
(Second Chamber)  
13 December 2007

Case F-27/07

**Asa Sundholm**  
**v**  
**Commission of the European Communities**

(Civil service — Officials — Appraisal — Career development report —  
2001/2002 appraisal — Absence on medical grounds — Enforcement of a  
judgment of the Court of First Instance — Article 233 EC)

Full text in French . . . . . II-A-1 - 2563

**Application:** brought under Articles 236 EC and 152 EA, in which Mrs Sundholm seeks annulment of the Commission's decision of 2 June 2006 establishing her career development report for the period from 1 July 2001 to 31 December 2002, adopted pursuant to the judgment of the Court of First Instance of 20 April 2005 in Case T-86/04 *Sundholm v Commission*, not published in the ECR.

**Held:** The action is dismissed. The parties are ordered to bear their own costs.

## Summary

*1. Officials — Reports procedure — Career development report — Judicial review — Limits (Staff Regulations, Art. 43)*

*2. Officials — Reports procedure — Career development report — Duty to state reasons — Scope (Staff Regulations, Art. 43)*

1. It is not for the Tribunal to substitute its assessment for that of the persons responsible for appraising the work of the official under appraisal. The institutions of the Community enjoy a wide discretion in appraising the work of their officials. Value judgements relating to officials in career development reports are not subject to review by the Tribunal except as regards any irregularities of form or manifest errors of fact vitiating the assessments made by the administration or any misuse of power.

(see para. 39)

See:

T-285/04 *Andrieu v Commission* [2006] ECR-SC I-A-2-161 and II-A-2-775, para. 99; T-249/04 *Combescot v Commission* [2007] ECR-SC I-A-2-181 and II-A-2-1219, para. 78

2. Particular care must be taken with the statement of reasons for the career development report in certain situations, particularly where the appeal assessor does not follow the recommendations of the Joint Evaluation Committee, where the career development report includes appraisals which are less favourable than those in a previous report, or where the report is drawn up late and the reporting officer is no longer the immediate superior who was acting as assessor during the period reported on.

(see para. 47)

See:

T-16/03 *Ferrer de Moncada v Commission* [2004] ECR-SC I-A-261 and II-1163, paras 49, 50, 53 and 54; *Combescot v Commission*, para. 84