

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 28 November 2011 — ZZ v Commission

(Case F-126/11)

(2012/C 174/49)

Language of the case: French

Parties

Applicant: ZZ (represented by: M. Boury, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

The application to annul the decision of the Appointing Authority as far as it imposes a disciplinary measure in the form of a written reprimand on the applicant.

Form of order sought

- annul the Appointing Authority's decision CMS 10/038 to issue a written reprimand to the applicant, and Appointing Authority Decision No R/393/11 which confirmed the first decision;
- declare that the written reprimand issued by the Appointing Authority to the applicant, without the production of cogent evidence of the alleged acts of harassment of which he is accused and without a proper independent, impartial and fair investigation being carried out which would establish the truth about the alleged harassment which the applicant is accused of committing against his colleague, is a discretionary sanction which constitutes an act of discrimination by the Appointing Authority against the applicant;
- declare that throughout the case the applicant has suffered serious material and non-material damage and that he is, as a result, entitled to compensation for that damage, which is to be determined according to the criteria to be laid down by the Tribunal;
- declare, in particular that throughout the proceedings and the previous connected cases, the applicant has been the victim of serious infringements of his human rights, rights enshrined in the Treaties, in the Charter of Fundamental Rights of the European Union and the European Convention

on Human Rights and that he is, as a result, entitled to compensation for those infringements, which is for the Tribunal to decide.

Action brought on 29 March 2012 — ZZ v Commission

(Case F-28/12)

(2012/C 174/50)

Language of the case: Italian

Parties

Applicant: ZZ (represented by: G. Cipressa, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Application for annulment of the implied decision rejecting the applicant's request, first, to remove a sentence from the medical report of 28 February 2008, second, to send the report thus amended to the doctor chosen by the applicant and, third, to remove in general from the file on the work-related injury any information relating the claim, which the applicant maintains is incorrect, that the powder with which the applicant came into contact was ultimately shown to be the white dust of a copy of a newspaper to which the applicant subscribed.

Form of order sought

- Annul the decision rejecting the applicant's claims set out in the request of 23 December 2010;
 - In so far as necessary, annul the decision rejecting the complaint of 10 July 2011 against the decision rejecting the request of 23 December 2010;
 - Order the Commission to pay the costs.
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