

Operative part of the judgment

The Tribunal:

1. Annuls the decision of 16 October 2009 of the European Union Agency for Fundamental Rights;
2. Orders the European Union Agency for Fundamental Rights to pay Mr Allgeier the sum of EUR 5 000;
3. Dismisses the remainder of the application;
4. Orders the European Union Agency for Fundamental Rights to bear its own costs and to pay the costs incurred by Mr Allgeier.

(¹) OJ C 260, 25.9.2010, p. 27.

Action brought on 6 September 2012 — ZZ v Commission

(Case F-93/12)

(2012/C 343/39)

Language of the case: French

Parties

Applicant: ZZ (represented by: M.-A. Lucas, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Application for annulment of the decision not to renew the applicant's contract as a member of the contract staff

Form of order sought

The applicant claims that the Tribunal should:

- Annul the decision of the Director of the OIL of 1 December 2011 not to renew the applicant's appointment, which therefore ended on 15 January 2012;
- Annul in so far as necessary the decision confirming that decision stemming from the Director's letter of 6 February 2012;
- Order the Commission to pay to him, as compensation for the damage to his career as from 15 January to 30 June 2012, a sum corresponding to the difference between the net remuneration which would have been payable to him at the OIL and the net unemployment benefit which he received, provisionally assessed at EUR 11 309, and to pay

on his behalf to the Community pension scheme the contributions corresponding to the remuneration which he should have received;

- Order the applicant's appointment at the OIL to be renewed for an indefinite period, with effect from the date on which his present appointment comes to an end;
- In the alternative, order the Commission to pay to him, as compensation for the damage to his career which he would otherwise suffer as from that date, the difference between the remuneration and the pension rights which he would have acquired if his appointment at the OIL had been renewed for an indefinite period and the remuneration or income which serves as a substitute for it and the pension which he might otherwise have received;
- Order the Commission to pay to him a sum of EUR 5 000 as compensation for the non-material damage which resulted from the fact that his appointment at the OIL was not renewed;
- Order the Commission to pay to him a sum of EUR 5 000 as compensation for the non-material damage caused him by the unlawful nature of his evaluation report for 2010;
- Order the Commission to pay the costs.

Action brought on 11 September 2012 — ZZ v Commission

(Case F-96/12)

(2012/C 343/40)

Language of the case: French

Parties

Applicant: ZZ (represented by: L. Levi and A. Blot, lawyers)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the decision of the selection board EPSO/AD/207/11 upholding the decision not to include the applicant on the reserve list on the ground that the applicant does not fulfil certain specific criteria for admission to that competition and a claim for damages.

Forms of order sought

- annul the decision of the selection board of EPSO/AD/206/11 (AD5) and EPSO/AD/207/11 (AD 7) dated 1 June 2012 upholding the decision of 9 February 2012 not to place the applicant on the reserve list of the competition on the ground that the applicant does not fulfil certain specific criteria for admission;

- so far as necessary, annul the decision of the selection board of EPSO/AD/206/11 (AD5) and EPSO/AD/207/11 (AD 7) dated 9 February 2012;
- grant the applicant the sum fixed *ex aequo et bono* and provisionally EUR 3 000 by way of non-pecuniary damages;
- order the Commission to pay the costs.

Action brought on 17 September 2012 — ZZ v Council

(Case F-98/12)

(2012/C 343/41)

Language of the case: French

Parties

Applicant: ZZ (represented by: D. Abreu Caldas, S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: Council of the European Union

Subject-matter and description of the proceedings

Annulment of the decisions not to promote the applicant to Grade AD12 for the 2008 and 2009 promotion exercises.

Forms of order sought

- annul the decisions of the Appointing Authority not to promote the applicant to Grade AD12 for the 2008 and 2009 promotion exercises;
- so far as necessary, annul the decision of the Appointing Authority of 6 June 2012 rejecting the applicant's complaint directed against his non-promotion to AD12 for the 2008 and 2009 promotion exercises;

- order the Council to pay the costs.

Action brought on 18 September 2012 — ZZ v Committee of the Regions

(Case F-99/12)

(2012/C 343/42)

Language of the case: French

Parties

Applicant: ZZ (represented by: L. Levi, A. Blot, avocats)

Defendant: Committee of the Regions

Subject-matter and description of the proceedings

Annulment of the decision of the Committee of the Regions rejecting the applicant's request that the calculation of his pension rights not be made under the new GIP.

Forms of order sought

- by way of principal claim, annul the decision of the Committee of the Regions of 1 December 2011 rejecting the applicant's request of 13 July 2011, as completed on 16 August 2011;
- so far as necessary, annul the decision dated 8 June 2012 expressly rejecting the applicant's claim dated 10 February 2012;
- in the alternative, recognise the non-pecuniary loss suffered and order the defendant to pay the amount of EUR 20 000;
- order the Committee of the Regions to pay the costs.