

# GENERAL COURT

## Judgment of the General Court of 16 November 2017 — USFSPEI v Parliament and Council

(Case T-75/14) <sup>(1)</sup>

*(Action for annulment — Time limit for bringing proceedings — Inadmissibility — Non-contractual liability — Reform of the Staff Regulations and of the CEOS — Regulation (EU, Euratom) No 1023/2013 — Irregularities during the procedure for the adoption of the acts — Failure to consult the Staff Regulations Committee and the staff unions — Sufficiently serious breach of a rule of law intended to confer rights on individuals)*

(2018/C 005/33)

Language of the case: French

### Parties

*Applicant:* Union syndicale fédérale de services publics européens et internationaux (USFSPEI) (Brussels, Belgium) (represented initially by: J.-N. Louis and D. de Abreu Caldas and subsequently by: J.-N. Louis, lawyers)

*Defendants:* European Parliament (represented by: A. Troupiotis and E. Taneva, acting as Agents) and Council of the European Union (represented initially by: M. Bauer and A. Bisch, and subsequently by: M. Bauer and M. Veiga, acting as Agents)

*Intervener in support of the defendants:* European Commission (represented initially by: G. Gattinara and J. Currall, and subsequently by: G. Gattinara and G. Berscheid, acting as Agents)

### Re:

Firstly, application on the basis of Article 263 TFEU seeking the annulment of Article 1(27), (32), (46), (61), (64)(b), (65)(b) and (67)(d) of Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ 2013 L 287, p. 15) and, secondly, application on the basis of Article 268 TFEU seeking compensation for the loss which the applicant allegedly suffered following the adoption of Regulation No 1023/2013 in breach of the agreement on the 2004 Reform, of Articles 12 and 27 of the Charter of Fundamental Rights of the European Union, of Article 10 of the Staff Regulations and of the consultation procedure provided for in the Council Decision of 23 June 1981.

### Operative part of the judgment

*The Court:*

1. Dismisses the action;
2. Orders Union syndicale fédérale de services publics européens et internationaux (USFSPEI) to bear its own costs and to pay the costs incurred by the European Parliament and the Council of the European Union;
3. Orders the European Commission to bear its own costs.

<sup>(1)</sup> OJ C 194, 24.6.2014.