The first three pleas in law concern the amendment of Annex X to the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union ('the Staff Regulations').

1. The first plea alleging an infringement of Article 10 of the Staff Regulations, Articles 12, 27 and 28 of the Charter of Fundamental Rights of the European Union ('the Charter') and Article 11 of the European Convention on the Protection of Human Rights and Fundamental Freedoms ('the ECHR'), in particular by the failure to consult the Committee on the reform of Annex X to the Staff Regulations.

2. Second plea alleging infringement of Articles 12, 27 and 28 of the Charter and Article 11 of the ECHR by the lack of information and genuine and appropriate consultation of the unions, officials and other servants as regards the reform of Annex X.

3. Third plea in law alleging a breach of the principles of sound legislation and in particular the duty of thoroughness and the duty to state reasons

   The last three pleas concern the amendment of Article 45 and Annex I to the Staff Regulations, and the addition of Section 5 in Annex XIII thereof.

4. Fourth plea alleging an infringement of Article 10 of the Staff Regulations, Articles 12, 27 and 28 of the Charter and Article 11 of the ECHR, in particular the lack of consultation of the Staff Regulations Committee concerning the reform of AD careers

5. Fifth plea alleging an infringement of Articles 12, 27 and 28 of the Charter and Article 11 of the ECHR by the lack of information and genuine and adequate consultation of the unions, officials and other servants regarding the reform of AD careers.

6. Sixth plea alleging breach of the principles of sound legislation and in particular the duty of thoroughness and the duty to state reasons.

Action brought on 8 January 2014 — Nguyen v Parliament and Council

(Case T-20/14)

(2014/C 112/55)

Language of the case: French

Parties

Applicant: Huynh Duong Vi Nguyen (Woluwe-Saint-Lambert, Belgium) (represented by: M. Velardo, lawyer)

Defendants: Council of the European Union and European Parliament

Form of order sought

— Annul provisions including Article 7 (travelling time) of Annex V to the Staff Regulations and Article 8 (travel expenses) of Annex VII to the Staff Regulations, as amended by 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)], in so far as the entitlement to travel expenses and travelling time is linked to the expatriation or foreign-residence allowance;

— Order the defendant to pay the applicant the amount of EUR 169 051,96 for the pecuniary loss suffered and the amount of EUR 40 000 for the non-pecuniary harm;

— Order the defendant to pay damages with late-payment and compensatory interest at the rate of 6,75 % in respect of the pecuniary and non-pecuniary loss suffered;

— Order the defendant to pay the costs incurred by the applicant in the present proceedings.

Pleas in law and main arguments

In support of the action, the applicant — whose place of origin is New York, but who does not receive the expatriation or foreign-residence allowance and, as a result, following the reform of the Staff Regulations of Officials of the European Union, loses the right to the lump-sum payment of the travel expenses and the increase in annual leave by additional days of leave for travelling time, relies on five pleas in law, alleging:

— infringement of an essential procedural requirement and of Article 27 of the Charter of Fundamental Rights of the European Union concerning the right to information and the consultation of workers, since the Staff Regulations Committee was side-lined in the review of the Staff Regulations of Officials;

— infringement of the principle of due regard for established rights, the principles concerning intertemporal law and the principle of legal certainty;

— infringement of the right to legitimate expectations;

— infringement of the principle of equal treatment; and

— infringement of the principle of proportionality.

Action brought on 8 January 2014 — Bergallou v Parliament and Council

(Case T-22/14)

(2014/C 112/56)

Language of the case: French

Parties

Applicant: Amal Bergallou (Lot, Belgium) (represented by: M. Velardo, lawyer)

Defendants: Council of the European Union and European Parliament

Form of order sought

— Annul provisions including Article 7 (travelling time) of Annex V to the Staff Regulations and Article 8 (travel expenses) of Annex VII to the Staff Regulations, as amended by 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)], in so far as the entitlement to travel expenses and travelling time is linked to the expatriation or foreign-residence allowance;

— Order the defendant to pay the applicant the amount of EUR 165 596,42 for the pecuniary loss suffered and the amount of EUR 40 000 for the non-pecuniary harm;

— Order the defendant to pay damages with late-payment and compensatory interest at the rate of 6,75 % in respect of the pecuniary and non-pecuniary loss suffered;

— Order the defendant to pay the costs incurred by the applicant in the present proceedings.

Pleas in law and main arguments

In support of the action, the applicant — whose place of origin is in Morocco, but who does not receive the expatriation or foreign-residence allowance and, as a result, following the reform of the Staff Regulations of Officials of the European Union, loses the right to the lump-sum payment of the travel expenses and the increase in annual leave by additional days of leave for travelling time, relies on five pleas in law, which are, in essence, identical to those put forward in Case T-20/14 *Nguyen* v *Parliament and Council*.
