



Reports of Cases

Judgment of the General Court (First Chamber) of 17 May 2017 — PG v Frontex

(Case T-583/16)

(Civil service — Temporary staff — Non-renewal of a fixed-term contract — Renewal procedure —
Article 266 TFEU — Duty of care — Non-contractual liability)

1. *Actions for annulment — Judgment annulling a measure — Effects — Obligation to implement — Scope — Both the operative part and the grounds of the judgment to be taken into account — Retroactive effect of annulment — Decision not necessarily having to be on the same grounds as those appearing in the annulled measure*

(Art. 266 TFEU)

(see paras 41-45, 47, 48, 53)

2. *Officials — Members of the temporary staff — Recruitment — Renewal of a fixed-term contract — Administration's discretion — Administration's duty to have regard for the interests of officials — Account taken of the interests of the staff member concerned — Judicial review — Limits*

(Conditions of Employment of Other Servants of the European Communities, Art. 8)

(see paras 71-74)

3. *Judicial proceedings — Application initiating proceedings — Formal requirements — Identification of the subject-matter of the dispute — Brief summary of the pleas in law on which the application is based — Action seeking compensation for loss caused by an EU institution — Factors enabling identification of the conduct of which the institution is accused, the causal link and the reality and certainty of the damage caused*

(Statute of the Court of Justice, Arts 21, first para., and 53, first para.; Rules of Procedure of the General Court, Art. 76(d))

(see paras 90-92)

4. *Actions brought by officials — Application for damages linked to an application for annulment — Dismissal of claim for annulment leading to dismissal of the claim for compensation*

(Staff Regulations, Art. 91)

(see para. 94)

5. *Officials — Non-contractual liability of the institutions — Conditions — Unlawfulness — Damage — Causal link — Cumulative conditions*

(Art. 340 TFEU)

(see para. 97)

6. *Officials — Non-contractual liability of the institutions — Failure in the obligation to implement an annulling judgment within a reasonable time — Service-related fault*

(Art. 266 TFEU)

(see para. 98)

Re:

ACTION based on Article 270 TFEU and seeking, first, annulment of the decision of 9 June 2015, taken by the authority in Frontex empowered to conclude contracts of employment, not to renew the applicant's contract and, second, compensation for the harm allegedly suffered by the applicant.

Operative part

The Court:

1. Dismisses the action;
2. Orders Mr PG to pay the costs.