

Judgment of the General Court of 14 July 2021 — AQ v eu-LISA(Case T-164/19) ⁽¹⁾

(Civil service — Members of the temporary staff — Sick leave — Termination of the contract without notice — Article 16 of the CEOS — Article 48(b) of the CEOS — Duty of care — Article 34 of the Charter of Fundamental Rights — Liability — Material harm — Non-material harm — Causal link)

(2021/C 357/29)

Language of the case: English

Parties

Applicant: AQ (represented by: L. Levi and N. Flandin, lawyers)

Defendant: European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (represented by: M. Chiodi, acting as Agent, and by D. Waelbroeck and A. Duron, lawyers)

Intervener in support of the defendant: Council of the European Union (represented by: R. Meyer and M. Alver, acting as Agents)

Re:

Action under Article 270 TFEU seeking, first, annulment of the decision of eu-LISA of 8 May 2018 to terminate the applicant's contract as a member of the temporary staff and, secondly, compensation for the loss which the applicant claims to have suffered as a result of that decision.

Operative part of the judgment

The Court:

1. Annuls the decision of 8 May 2018 by which the Executive Director of the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) terminated the employment of AQ as a temporary agent;
2. Dismisses the action as to the remainder;
3. Orders AQ and eu-LISA to bear their own costs;
4. Orders the Council of the European Union to bear its own costs.

⁽¹⁾ OJ C 164, 13.5.2019.

Judgment of the General Court of 14 July 2021 — BG v Parliament(Case T-253/19) ⁽¹⁾

(Civil service — Accredited parliamentary assistants — Termination of the contract — Breakdown in the relationship of trust — Obligation to state reasons — Right to be heard — Psychological harassment — Request for assistance — Retaliation — Manifest errors of assessment — Liability)

(2021/C 357/30)

Language of the case: English

Parties

Applicant: BG (represented by: L. Levi, A. Champetier and A. Tymen, lawyers)

Defendant: European Parliament (represented by: I. Lázaro Betancor and I. Terwinghe, acting as Agents)

Re:

Application under Article 270 TFEU for, first, annulment of the Parliament's decision of 18 May 2018 to terminate the applicant's contract as an accredited parliamentary assistant and, secondly, compensation for the non-material damage which she claims to have suffered.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders BG to pay the costs.

⁽¹⁾ OJ C 213, 24.6.2019.

Judgment of the General Court of 14 July 2021 — Carbajo Ferrero v Parliament

(Case T-670/19) ⁽¹⁾

(Civil service — Officials — Procedure of appointment to a director's post — Notice of vacancy — Rejection of the applicant's application and appointment of another applicant — Obligation to state reasons — Plea of illegality in respect of the measures setting the internal rules of procedure — Irregularity of the recruitment procedure — Manifest error of assessment — Inaccuracy of the information sent to the Appointing Authority — Transparency — Equal treatment — Liability — Material and non-material damage)

(2021/C 357/31)

Language of the case: French

Parties

Applicant: Fernando Carbajo Ferrero (Brussels, Belgium) (represented by: L. Levi and M. Vandebussche, lawyers)

Defendant: European Parliament (represented by: I. Terwinghe and C. González Argüelles, acting as Agents)

Re:

Application under Article 270 for, first, annulment of the decision of the Parliament of 10 December 2018 rejecting the applicant's application and appointing another applicant to the post of director for media in the Directorate-General for Communication, and, secondly, for compensation for the damage the applicant allegedly suffered owing to that decision.

Operative part of the judgment

The Court:

1. Annuls the decision of the European Parliament of 10 December 2018 rejecting the applicant's application and appointing another applicant to the post of director for media in the Directorate-General for Communication;
2. Orders Parliament to pay the sum of EUR 40 000 to the applicant in compensation for material damage;
3. Dismisses the action as to the remainder;
4. Orders the Parliament to pay the costs.

⁽¹⁾ OJ C 399, 25.11.2019.