

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Regulation (EU) 2020/2100 of 15 December 2020 imposing a definitive anti-dumping duty on imports of ammonium nitrate originating in Russia following an expiry review pursuant to Article 11(2) of the Regulation (EU) 2016/1036 of the European Parliament and of the Council;
2. Orders the European Commission to bear its own costs and to pay the costs incurred by AO Nevinnomysskiy Azot and AO Novomoskovskaya Aktsionernaya Kompania NAK 'Azot';
3. Orders Fertilizers Europe to bear its own costs.

(¹) OJ C 148, 26.4.2021.

Judgment of the General Court of 5 July 2023 — SE v Commission

(Case T-223/21) (¹)

(Civil service — Members of the temporary staff — Recruitment — Contract of employment — Article 2(b) of the CEOS — Rejection of an application — Promotion — Reclassification — New contract — Expiry of the contract — Article 8, second paragraph, and Article 10(3) of the CEOS — Error of law — Equal treatment — Action for annulment — Admissibility)

(2023/C 296/31)

Language of the case: English

Parties

Applicant: SE (represented by: L. Levi, lawyer)

Defendant: European Commission (represented by: T. Bohr, L. Vernier and I. Melo Sampaio, Agents)

Re:

By his action under Article 270 TFEU, the applicant seeks, first, the annulment of the decision of the European Commission of 4 August 2020 rejecting his application for the vacant post published under reference COM/2020/1474, and of the reply of 28 October 2020 to his request under Article 90(1) of the Staff Regulations of Officials of the European Union, pertaining to his eligibility to be promoted, reclassified or assigned to another post and, secondly, compensation for the harm which he claims to have suffered as a consequence of those decisions.

Operative part of the judgment

The Court:

1. Annuls the decision of the European Commission of 4 August 2020 rejecting the application of SE for the vacant post published under reference COM/2020/1474;
2. Orders the Commission to pay SE the sum of EUR 10 000 as compensation for the material damage suffered;
3. Dismisses the action as to the remainder;
4. Orders the Commission to pay the costs.

(¹) OJ C 278, 12.7.2021.