

Action brought on 11 May 2021 — Aquino v Parliament**(Case T-253/21)**

(2021/C 252/41)

*Language of the case: French***Parties***Applicant:* Roberto Aquino (Brussels, Belgium) (represented by: L. Levi, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

— declare the present action admissible and well founded;

accordingly,

— annul the decision of 7 July 2020 by which the Director-General of the Directorate-General for Personnel annulled the election of the president of the Staff Committee and decided to rerun that election;

— annul the constitutive meeting of 14 September 2020 and the elections which were held during that meeting and, in particular, the election of the president of the Staff Committee;

— annul the decision of 5 February 2021 rejecting the complaint filed by the applicant on 6 October 2020;

— order the defendant to pay compensation for the non-material harm suffered, *ex aequo et bono* at EUR 2 000;

— order the defendant to pay the entirety of the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging infringement by the defendant of its duty to ensure that officials and those elected by them have complete freedom to choose their representatives in accordance with established rules. The applicant also alleges infringement of Article 4 of the Staff Committee's Rules of Procedure and of the duty of due diligence.
2. Second plea in law, alleging infringement of the right to a hearing and of Article 41 of the Charter of Fundamental Rights of the European Union.

Action brought on 10 May 2021 — Armadora Parleros v Commission**(Case T-254/21)**

(2021/C 252/42)

*Language of the case: Spanish***Parties***Applicant:* Armadora Parleros, SL (Santa Eugenia de Ribeira, Spain) (represented by: J. Navas Marqués, lawyer)*Defendant:* European Commission

Form of order sought

The applicant claims that the Court should:

- declare that the European Commission has infringed Article 118 of Regulation No 1224/2009 regulating the common fisheries policy (CFP), through a failure to act, by not carrying out an adequate control and monitoring as to whether that regulation has been correctly applied by the Kingdom of Spain, which may constitute an act adversely affecting the applicant ARMADORA PARLEROS, S.L.;
- declare that the infringement by the Commission has caused damage to the applicant ARMADORA PARLEROS, S.L., consisting in loss of profit from mackerel and hake fishing during the period from 2006 to 2020;
- order the European Commission to pay the commercial entity ARMADORA PARLEROS, S.L. the sum of NINE MILLION, EIGHT HUNDRED AND EIGHTY-ONE THOUSAND, FOUR HUNDRED AND THIRTY-FOUR EURO AND SIXTY-ONE CENTS (EUR 9 881 434,61) as compensation for damage, together with interest at the statutory rates, and capitalisation of the above interest;
- order the European Commission to pay all the legal costs incurred.

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law.

The applicant effectively complains of illegal conduct on the part of the European Commission. That relates, in particular, to the Commission's failure to carry out its duty of monitoring and control regarding the Kingdom of Spain in relation to the effective application of the CFP, and specifically of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (OJ 1993 L 261, p. 1), and Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy (OJ 2009 L 343, p. 1). Particular reference is made in that respect to 'the failure to verify the engine power of the trawlers which operate in the waters of the Cantabrian and North-western regions'.

As a result of that failure to act, the applicant suffered damage between 2006 and 2020 due to the fact that it was not possible to make use of the vessel 'Vianto Tercero' which, due to an incorrect application of the CFP, had to be scrapped and, consequently, became completely unusable. That caused financial loss to the company ARMADORA PARLEROS, S.L.

Action brought on 14 May 2021 — Basaglia v Commission

(Case T-257/21)

(2021/C 252/43)

Language of the case: Italian

Parties

Applicant: Giorgio Basaglia (Milan, Italy) (represented by: G. Balossi, F. Fimmanò and G. Borriello, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should order the European Commission to pay compensation for the damage suffered by Mr Giorgio Basaglia for the reasons referred to in the application, by way of damages for non-contractual liability, in an amount not lower than EUR 5 013 328,64.

Pleas in law and main arguments

In support of the action, the applicant relies on one plea in law and a chapter concerning the quantification of the damage suffered.