



Action brought on 3 January 2025 – HD and Others v European Parliament and EEAS

(Case T-5/25)

(C/2025/1444)

Language of the case: Spanish

Parties

Applicants: HD, HE, HF (represented by: J. Navas Marqués, lawyer)

Defendants: European Parliament, European External Action Service

Forms of order sought

The applicants claim that the General Court should:

- Find the European Parliament (EP) and the European External Action Service (EEAS) to be non-contractually liable and order full compensation for the loss and damage caused to the applicants.
- Order the EP and the EEAS to pay compensation for material damage consisting of consequential damage and loss of income, for non-material damage and for damage due to loss of opportunity, quantified in accordance with the criteria set out in the corresponding chapters and sections of this application, by payment of the following sums:
 - (i) For non-material damage caused to the applicants as a result of psychological suffering during their period of living together in New York, quantified as EUR 50 000,00 per person;
 - (ii) For material damage caused to the applicant as a result of loss of income due to her inability to leave the couple's apartment, of EUR 40 923,42, calculated on the basis of what she would have received as salary if she had had protection and had been able to leave the United States, based on her earlier contract with FRONTEX;
 - (iii) For medical expenses and the fees of psychologists that the applicant had to pay out of her own pocket, totalling EUR 166.12;
 - (iv) Accordingly, a total of EUR 191 089,54;
 - (v) default interest calculated from 22 May 2023, the date of the act adversely affecting the applicant and on which the applicant informed the European institutions of the situation being experienced, until actual payment of the compensation;
 - (vi) in the alternative, payment of such various sums as may be determined during the proceedings to the extent that the Court finds them to be fair.
- Order the defendants to pay the costs.

Pleas in law and main arguments

In support of their action, the applicants rely on three pleas in law.

1. First plea in law, alleging a sufficiently serious breach of rules of law. That breach took the form of serious omissions by failing to grant the applicant appropriate protection, assistance and resources, constituting a failure to fulfil obligations imposed by binding legal instruments, such as the Convention of Istanbul and the Charter of Fundamental Rights of the European Union ('the Charter') and failure to comply with the case-law of the Court of Justice of the European Union. In the present case, the failure by the defendant institutions to act in accordance with their duties of protection has led to a manifest and serious infringement of fundamental rights.

2. Second plea in law, alleging that the acts and omissions of the defendant institutions have caused actual, genuine and economically quantifiable damage to the applicant and to those on whose behalf she acts. The failure to act by the institutions in question, in particular in relation to their obligation to ensure resources and assistance for the applicant, has caused specific and economically quantifiable material and non-material damage. That damage includes, inter alia, a failure to provide protection against episodes of gender-based violence and coercion, and the psychological and social impact arising from the lack of institutional support.
 3. Third plea in law, alleging the existence of a direct causal link between the omissions by the defendant institutions and the damage suffered by the applicant. The acts or omissions of those institutions, by failing to comply with the rules, have contributed to the occurrence and the continuance of the damage claimed.
-