

Action brought on 9 August 2019 — Spain v Commission**(Case T-554/19)**

(2019/C 319/32)

*Language of the case: Spanish***Parties***Applicant:* Kingdom of Spain (represented by: M. García-Valdecasas Dorrego, acting as Agent)*Defendant:* European Commission**Form of order sought**

The applicant claims that the Court should:

- annul the competition notice; and
- order the European Commission to pay the costs.

Pleas in law and main arguments

The present action is directed against the notice of open competition — EPSO/AD/374/19 — Administrators (AD 7) in the following fields: 1. Competition law; 2. Financial law; 3. Economic and Monetary Union Law; 4. Financial rules applicable to the EU budget; 5. Protection of euro coins against counterfeiting. ⁽¹⁾

In support of its action, the applicant raises four pleas in law.

1. Infringement of Articles 1 and 2 of Regulation No 1/58, ⁽²⁾ Article 22 of the Charter of Fundamental Rights of the European Union ('the Charter'), and Article 1d of the Staff Regulations, as a result of the restriction of communication between EPSO and the candidate solely to English, French, German or Italian, and of the restriction of the languages that may be used when filling in the talent screener section of the application form.
2. Infringement of Articles 1 and 6 of Regulation No 1/58, Article 22 of the Charter, and Article 1d(1) and (6), Article 27 and Article 28(f) of the Staff Regulations, as a result of the improper restriction of the selection of the second language to four languages only (French, English, German and Italian), excluding the other official languages of the European Union.
3. The selection of English, French, German and Italian constitutes an arbitrary selection giving rise to discrimination on the ground of language, contrary to Article 1d(1) and (6), Article 27 and Article 28(f) of the Staff Regulations.
4. The fact that the competition notice fails expressly to specify that language 1 must be the language in which candidates have a minimum C1 level gives rise to double discrimination, on the ground of nationality and on the ground of the language 'spoken', thereby infringing Article 1d(1) and (6), Article 27 and Article 28(f) of the Staff Regulations.

⁽¹⁾ OJ 2019 C 191 A, p. 1.

⁽²⁾ Regulation No 1 determining the languages to be used by the European Economic Community (OJ 1958, 17, p. 385).