

The applicant relies moreover on the infringement of Article 110(4) of the Staff Regulations and Article 126 of the Conditions of Employment of other Servants. It follows from these provisions that regular consultations must take place between the administrations of the institutions and agencies, with the participation of Staff Committees, in order to ensure a uniform application of the Staff Regulations.

It is claimed that the contested decision also infringes the principle of good management and sound administration.

Action brought on 19 January 2007 — Skoulidi v Commission

(Case F-4/07)

(2007/C 56/83)

Language of the case: French

Parties

Applicant: Eleni-Eleftheria Skoulidi (Brussels, Belgium) (represented by: G. Vandersanden)

Defendant: Commission of the European Communities

Forms of order sought

- Award the applicant compensation for non-pecuniary damage suffered as a result of the decision of the Appointing Authority of 28 March 2006 refusing to allow her to benefit under the exchange agreement concluded between the Commission and the Greek Government;
- Assess that damage on equitable principles at EUR 200 000;
- Order the defendant to pay the costs.

Pleas in law and main arguments

The applicant, after having been made available to the Greek Ministry of National Education and Religious Affairs for eight months, applied to be able to benefit under the Scheme of Exchanges of officials between the Commission and the Member States in order to complete the tasks she had performed during that period. After having obtained the agreement of a number of Commission departments and the Greek Government, the applicant received a negative decision from her institution, on the grounds that the exchange was contrary to the applicable provisions governing the making available of officials.

In her action, the applicant considers that the Commission is guilty of misconduct on a number of points, namely:

- failure to demonstrate the diligence required of every administration;
- failure to comply with the commitments resulting from the exchange agreement which it itself concluded with the Greek Government, thereby infringing the applicant's legitimate expectations and the general Community interest;
- inappropriate remarks about the applicant;
- discrimination against the applicant in relation to other officials who were made available to certain national administrations for a longer period.

Action brought on 21 January 2007 — Nijs v Court of Auditors

(Case F-5/07)

(2007/C 56/84)

Language of the case: French

Parties

Applicant: Bart Nijs (Bereldange, Belgium) (represented by: F. Rollinger, lawyer)

Defendant: European Court of Auditors

Form of order sought

- annul the Appointing Authority's decision to appoint the applicant's superior to his current post;
- annul the result, so far as it concerns the applicant, of competition CC/LA/1/99 and all connected and/or subsequent decisions;
- annul the decision of the polling office of the Court Auditors to reject the applicant's challenge to the ballot of 2, 3, and 4 May 2006;
- annul the result of the Court Auditors' Staff Committee elections of 2, 3 and 4 May 2006 and all connected and subsequent decisions;
- annul the decisions not to promote the applicant, and to promote Mr X, in 2006;
- order the payment of compensation for the material and non-material loss suffered by the applicant;
- order the defendant to pay the costs.