

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (1st Chamber) of 12 December 2013 — BV v Commission

(Case F-133/11) ⁽¹⁾

(Civil service — Appointment — Candidates entered on reserve lists for competitions the notice for which was published prior to the entry into force of the new Staff Regulations — Classification in grade — Principle of equal treatment — Discrimination on grounds of age — Freedom of movement for persons)

(2014/C 39/48)

Language of the case: German

Parties

Applicant: BV (Berlin, Germany) (represented by: P. Goergen, lawyer)

Defendant: European Commission (represented by: J. Currall and B. Eggers, Agents)

Intervener: Council of the European Union (represented by: J. Herrmann and A.F. Jensen, Agents)

Re:

Annulment of the Commission's decision classifying the applicant — entered on the reserve list for competition EPSO/A/17/04, the notice for which was published prior to the entry into force of the new Staff Regulations — at Grade AD 6, step 2, pursuant to less advantageous provisions.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders BV to bear his own costs and to pay the costs incurred by the European Commission;
3. Orders the Council of the European Union to bear its own costs.

⁽¹⁾ OJ C 133, 5.5.2013, p. 29.

Judgment of the Civil Service Tribunal (First Chamber) of 12 December 2013 — Simpson v Council

(Case F-142/11) ⁽¹⁾

(Civil service — Promotion — Decision not to promote the applicant to grade AD 9 after he passed a competition for grade AD 9 — Equal treatment)

(2014/C 39/49)

Language of the case: English

Parties

Applicant: Erik Simpson (Brussels, Belgium) (represented by: M. Velardo, lawyer)

Defendant: Council of the European Union (represented by: M. Bauer and A.F. Jensen, Agents)

Re:

Application for the annulment of the decision not to promote the applicant to grade AD9 after he passed competition EPSO/AD/113/07 'Heads of unit (AD9) in the field of translation having Czech, Estonian, Hungarian, Lithuanian, Latvian, Maltese, Polish, Slovak and Slovene as their main language', and an application for damages

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Council of the European Union of 9 December 2010;
2. Dismisses the action as to the remainder;
3. Declares that the Council of the European Union is to bear its own costs and orders it to pay the costs incurred by Mr Simpson.

⁽¹⁾ OJ C 65, 3.3.2013, p. 26.