

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (2nd Chamber) of 10 April 2014 — Nieminen v Council

(Case F-81/12) <sup>(1)</sup>

*(Civil service — Promotion — 2010 promotion procedure — 2011 promotion procedure — Decision not to promote the applicant — Duty to state reasons — Examination of comparative merits — Administrators assigned to linguistic functions and administrators assigned to functions other than linguistic functions — Promotion quotas — Consistency in the duration of the merits)*

(2014/C 159/51)

Language of the case: French

#### Parties

*Applicant:* Risto Nieminen (Kraainem, Belgium) (represented by: C. Abreu Caldas, S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers, initially, then C. Abreu Caldas, S. Orlandi and J.-N. Louis, lawyers)

*Defendant:* Council of the European Union (represented by: J. Herrmann and M. Bauer, Agents)

#### Re:

Application to annul the decisions not to promote the applicant to Grade AD 12 in respect of the 2010 and 2011 promotion procedures.

#### Operative part of the judgment

*The Tribunal:*

1. *Dismisses the action;*
2. *Orders Mr Nieminen to bear his own costs and to pay the costs incurred by the Council of the European Union.*

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<sup>(1)</sup> OJ C 295, 29.09.2012, p. 34.

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### Judgment of the Civil Service Tribunal (2nd Chamber) of 10 April 2014 — Camacho-Fernandes v Commission

(Case F-16/13) <sup>(1)</sup>

*(Civil service — Officials — Social security — Article 73 of the Staff Regulations — Occupational disease — Exposure to asbestos and to other substances — Medical committee — Refusal to recognise the occupational origin of the disease which caused the official's death — Lawfulness of the opinion of the medical committee — Principle of collegiate responsibility — Mandate — Statement of reasons — Principle of equal treatment)*

(2014/C 159/52)

Language of the case: French

#### Parties

*Applicant:* Ivo Camacho-Fernandes (Funchal, Portugal) (represented by: N. Lhoëst, lawyer)

*Defendant:* European Commission (represented by: J. Currall and V. Joris, Agents)

#### Re:

Application to annul the decision of the Joint Sickness Insurance Scheme in so far as it confirms the terms of the draft decision rejecting the application to recognise the occupational origin of the disease which caused the death of the applicant's wife, a former official.