

Defendant: EIB (represented by: G. Nuvoli and T. Gilliams, acting as Agents, and A. Dal Ferro, lawyer)

Intervener in support of the form of order sought by the applicant: European Data Protection Supervisor (represented initially by: I. Chatelier and H. Kranenborg, and subsequently by: I. Chatelier and A. Buchta, acting as Agents)

Re:

Application for annulment of the decision of the President of the EIB not to take any action following the inquiry concerning alleged psychological harassment and to annul the final conclusion of the committee of inquiry and claim for damages.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the President of the European Investment Bank of 27 July 2011;
2. Orders the European Investment Bank to pay CG the sum of EUR 35 000;
3. Dismisses the remainder of the action;
4. Orders the European Investment Bank to bear its own costs and to pay the costs incurred by CG;
5. Orders the European Data Protection Supervisor, intervener, to bear its own costs.

⁽¹⁾ OJ C 6, 7.1.2012, p. 25.

Judgment of the Civil Service Tribunal (Second Chamber) of 10 July 2014 — CG v EIB

(Case F-115/11) ⁽¹⁾

(Civil Service — Staff of the EIB — Appointment — Post of Head of division — Appointment of a candidate other than the applicant — Irregularities in the selection procedure — Duty of impartiality on the members of the selection board — Blameworthy conduct by the president of the selection board towards the applicant — Conflict of interests — Oral presentation made by all candidates — Documents provided for the oral presentation likely to favour one of the candidates — Candidate having taken part in the drafting of the documents provided — Infringement of the principle of equal treatment — Action for annulment — Claim for compensation)

(2014/C 421/65)

Language of the case: French

Parties

Applicant: CG (represented initially by: N. Thieltgen, lawyer, and subsequently by: J.-N. Louis and D. de Abreu Caldas, lawyers)

Defendant: European Investment Bank (EIB) (represented by: G. Nuvoli and T. Gilliams, acting as Agents, and A. Dal Ferro, lawyer)

Re:

Application for annulment of the decision of the President of the EIB not to appoint the applicant but another candidate to the post of head of a division within the EIB and a claim for damages.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the President of the European Investment Bank of 28 July 2011 appointing Mr A. to the post of Head of the Risk Policy and Pricing Division;
2. Orders the European Investment Bank to pay CG the sum of EUR 25 000;
3. Dismisses the remainder of the action;
4. Orders the European Investment Bank to bear its own costs and to pay the costs incurred by CG.

⁽¹⁾ OJ C 6, 7.1.2012, p. 28.

Judgment of the Civil Service Tribunal (Second Chamber) of 18 September 2014 — Cerafogli v ECB

(Case F-26/12) ⁽¹⁾

(Civil service — ECB staff — Access of ECB staff to documents connected with their employment relationship — Rules applicable to requests from ECB staff — Pre-litigation procedure — Rule of correspondence — Plea of illegality raised for the first time in the action — Admissibility — Right to effective judicial protection — Consultation of the Staff Committee for the purpose of adopting rules applicable to requests from ECB staff for access to documents connected with their employment relationship)

(2014/C 421/66)

Language of the case: English

Parties

Applicant: Maria Concetta Cerafogli (Frankfurt am Main, Germany) (represented by: S. Pappas, lawyer)

Defendant: European Central Bank (ECB) (represented by: A. Sáinz de Vicuña Barroso, E. Carlini and S. Lambrinoc, acting as Agents, assisted by B. Wägenbaur, lawyer)

Re:

Application for annulment of the ECB's decision refusing to grant the applicant access to documents, and a claim for damages.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of 21 June 2011 whereby the Deputy Director-General of the Directorate General for Human Resources, Budget and Organisation of the European Central Bank partially rejected the request for access to certain documents submitted by Ms Cerafogli on 20 May 2011;
2. Orders the European Central Bank to pay Ms Cerafogli EUR 1 000;
3. Dismisses the action as to the remainder;
4. Declares that the European Central Bank is to bear its own costs and orders it to pay the costs incurred by Ms Cerafogli.

⁽¹⁾ OJ C 184, 23.6.2012, p. 22.