

SUMMARY

## **ECJ 17 December 2020, case C-601/19 P (BP v FRA), Miscellaneous**

### ***BP – v – European Union Agency for Fundamental Rights (FRA), EU Case***

#### **Form of order sought**

The appellant claims that the Court should:

set aside the contested judgment and consequently  
annul the decision of the Authority Empowered to Conclude Contracts of Employment  
(AHCC) of 21 April 2016 not to renew her employment contract;  
award compensation for material and non-material damage suffered by the applicant as a  
result of the unlawful non-renewal decision on the one hand and the unlawful execution of  
the judgement in case T-658/13P, on the other hand;  
award compensation for material and non-material damage suffered by the applicant due to  
the defendant's failure to adopt the lawful rules for appraisal, reclassification and renewal and  
the related harm resulted from the absence of such lawful rules;  
rule that the FRA Guidelines for appraisal and reclassification and the FRA Director decision  
2009/13 regarding renewal of employment contracts are unlawful insofar as these rules were  
adopted following an unlawful procedure by an author lacking appropriate competence;  
exercise its full jurisdiction to ensure the effectiveness of its decision;  
order the defendant to pay the default interest at the key rate of the European Central Bank  
plus two percentage points on the amount eventually awarded or any other award of interest  
payment which the Court thinks just and appropriate;  
order the FRA to pay the costs incurred at first instance and on appeal.

#### **Decision**

The Court (Eighth Chamber):

Dismisses the appeal;  
Orders BP to bear her own costs and to pay those incurred by the European Union Agency for Fundamental Rights (FRA).

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2020-12-17

**Case number:** C-601/19 P