EELA EUROPEAN EMPLOYMENT LAWYERS ASSOCIATION

SUMMARY

ECJ 12 November 2026, Case C-557/25 (EO - v - European Parliament)

EO v European Parliament, European case

Summary

EO, a temporary member of staff and political adviser to the Parliament's S&D Group, was dismissed with notice under Article 47(c)(i) CEOS because the Parliament considered that its relationship of trust with him had broken down. An administrative investigation concerning possible infringement of staff obligations had previously been opened and EO had been heard under Article 3 of Annex IX to the Staff Regulations. The ECJ held that this did not prevent the authority empowered to conclude contracts from terminating his contract through the separate procedure in Article 47(c)(i) CEOS. Since EO had not shown that the termination procedure was used to circumvent disciplinary rules, the appeal was dismissed.

Questions

Does the opening of an administrative investigation and the hearing of a temporary staff member under Article 3 of Annex IX to the Staff Regulations prevent the authority empowered to conclude contracts from terminating that staff member's indefinite contract under Article 47(c)(i) CEOS?
Did the General Court wrongly find that the termination decision was based on Article 47(c)(i) CEOS, rather than on an alleged infringement of Article 11 of the Staff Regulations, and in rejecting EO's complaints concerning the statement of reasons and the assessment of the evidence?

Ruling

Neither the CEOS nor the Staff Regulations require the authority to terminate a temporary

staff member's contract exclusively through the disciplinary dismissal procedure merely because the conduct concerned could justify disciplinary proceedings, or because an administrative investigation has already been opened and a hearing has been held. The authority may use Article 47(c)(i) CEOS, provided that its conditions are met and the procedure is not used principally or exclusively to evade a prescribed procedure. For staff recruited under Article 2(c) CEOS, a breakdown in the relationship of trust may in principle justify termination.
The termination decision was adopted under Article 47(c)(i) CEOS and was not based on Article 11 of the Staff Regulations. The General Court gave sufficient reasons for its conclusions concerning the breakdown of trust and did not distort the relevant evidence.

Creator: Hof van Justitie van de Europese Unie
Verdict at: 2026-11-12
Case number: ECLI:EU:C:2026:983