



require reduction of the staff in the General Service category in Geneva. On 15 January 2008, the Comparative Review Panel met to review the status of 12 unplaced n r l s t r e f t 2 4 (a
e's d 0 n u r

Procedural Regulations. The APPC waived the requirement for Famy to serve for one year in her post of Programme Assistant.

14. At the end of the APPC's session in October 2007, Famy had not been selected for any post and she was automatically included in the comparative review process. Posts were created within the Africa Bureau and included in the comparative review process in order to allow the placement of a maximum number of unplaced staff members and with a view to reducing involuntary separations. Famy was selected as Senior Programme Assistant in the Africa Bureau at the G-7 level in accordance with paragraph 7 of the Guidelines.

15. The Secretary-General contends that Pellet did not encumber a post of a te2 24Dm7(i)1(e)IJTJ -070

for vacancies. On the date of the contested appointments, Pellet could not have been appointed to any of the posts as he did not meet the one year minimum requirement and was therefore not an eligible candidate.

20. This Tribunal finds that it was open to the Dispute Tribunal to consider the preliminary issue of whether Pellet had legal standing to even challenge the administrative decision not to advertise the vacancies in question. We find no error in its decision that Pellet was not entitled to contest the administrative decision since he was not an eligible candidate for any of the vacant posts. Pellet had no stake in the administrative decision as his rights and terms of employment were not affected by the fact that the vacant posts were not advertised.

21. This appeal must fail on the ground that Pellet had no standing to challenge the administrative decision. This Tribunal finds that no error in fact or law was made and upholds the decision of the Dispute Tribunal.

Judgment

22. For the reasons given above the appeal is dismissed.

Dated this 29th day of October 2010 in New York, United States.

Original and authoritative version: English

Signed

Judge Boyko, Presiding

Signed

Judge Painter

Signed

Judge Weinberg de Roca

Entered in the Register on this 29th day of December 2010 in New York, United States.

Signed

Weicheng Lin, Registrar